

the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Town Code, Chapter 105, entitled "Fees", specifically Section 105-4 "Fee Schedule", which amendment is as follows:

AMEND SECTION 105-4, Fee Schedule, O. Chapter 154, Plumbing as follows:

9(a) First Offense: \$250 plus the plumbing permit fee schedule.

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

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on February 14, 2013 and published in the Poughkeepsie Journal on February 15, 2013; 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

Councilwoman Shershin: Basically, this was at the request of the Plumbing Board. Originally, the fee was that they just charged double what the permit fee was, but there were some plumbers that would just not pay the fees for \$30 or \$40 because double that would only be \$60 and \$80 and so that's why they wanted to raise it to make it more substantial so it is now \$250 plus the plumbing permit they should have paid and the second offense is now \$500 plus the Plumbing and Permit fees.

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

Nays: None

CARRIED: 6-0

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

CARRIED: 7-0

Rob Rubin: I would just like to say that I continue to have an objection to Item #2 on the agenda, which is waiving of a Building Permit fee. I believe that the fees are in place for a reason and I think that waiving fees for Building Permits, especially for Corporations large like this, is something that needs to be seriously considered as to impact, those fees, those revenues to the Town, be it small, impact the rest of us as taxpayers in the Town and I think it is something that should not be granted.

Joe Armstrong: The Arlington Fire Department permit fee, I don't care too much about that, because it's put in one pocket to the other, is what it amounts to, but it's a permit for the renovations. Now, does that still go through the process of being

approved and everything after it's done? Does it have to be approved and everything after it's been done, the same as anybody else that would get a permit for something? (Yes) Ok, one other thing, earlier today I went on the internet to find out what was on the list for tonight and the only thing that was on there was one, two and three. Now, when I got here, there are all these other things on it. Is there a reason for the procedure of this?

Supervisor Tancredi: Those are Special Consent items and those can be added. Our meeting agenda is set up on Friday's, but often times came up that were either inadvertently omitted or came in late after Friday that we would like to get put on.

Mr. Armstrong: Well, I guess my concern is that if a person knows Friday and everything is put on and they don't look at it again, someone might not come because they don't see anything of interest to them on the web.

Supervisor Tancredi: We try to keep those to a minimum. We try to make sure that nothing of a huge interest is omitted.

Mr. Armstrong: You should be very careful of what you put on at the last minute because if something happens of interest to a person and it was left out, what happens then?

Supervisor Tancredi: I agree.

Doreen Tignanelli: I also had checked and didn't see anything because of the Special Consent Item about the Peach Park Associates, so could you tell me what that is, please?

Jim Nelson, Town Attorney: Yes, currently there is a piece of property that they own up in Fairview and there is grading that is happening on it and they need a Land Contour Permit. There is some work that needs to be done and in order to be sure that the work is done, you need to post security. I believe what is being proposed is actually cash security, which is preferable to a Letter of Credit, which is preferable to a Bond.

Doreen Tignanelli: Ok, so this is just to be put on.

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

CARRIED: 7-0

02:20-02 WAIVE

Exemption For Building Permit Fees For The Arlington Fire District For A Renovation Project To Their Alarm Room At The Headquarters Building Located On 11 Burnett Boulevard.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive all fees for the permits required by the Arlington Fire District for a renovation project to their alarm room at the headquarters building located on 11 Burnett Boulevard, Poughkeepsie, New York.

SO MOVED: S. Eagleton/J. Conte

Councilwoman Shershin: How much is this permit?

Supervisor Tancredi: I'm sorry I don't really know. I agree with Mr. Armstrong, my view is that it's just being taken from one pocket to the other.

Councilwoman Shershin: Yes, I just was wondering though, how much it was, but- That's ok, I'll find out later.

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

02:20-03 REAPPOINTMENT

Salley Decker To the Board of Ethics For A (5) Year Term

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town on Poughkeepsie does hereby reappoint Salley Decker to the Board of Ethics for a five (5) year term commencing March 1, 2013 and terminating on February 28, 2018.

SO MOVED: J. Conte/S. Eagleton

Councilman Conte: Salley has been doing a great job on this Board and she enjoys it.

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

**02:20-04 GRANT SPECIAL
CONSENT**

SC 1, SC 2, SC 3, SC 4 and SC 5

RESOLUTION

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

- | | |
|--|--|
| SC 1 Support | The Passage of Assembly Bill A.88 & A.824 Regarding Vacant Property |
| SC 2 Recognition | Residents to Live in Town free from Bias |
| SC 3 Authorize Supervisor to Sign | Agreement with Page Park Associates, LLC |
| SC 4 Waive | Building Permit Fee – 30 Willowbrook Heights |
| SC 5 Authorize Supervisor to Sign | WJL Equities – Time Extension Change Order Safe Route to School |

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

SO MOVED: M. Cifone/J. Conte

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

02:20-SC 1 SUPPORT	The Passage Of Assembly Bill A.88 & Assembly Bill A.824 Regarding Vacant Property
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RESOLUTION

WHEREAS, vacant, abandoned and foreclosed homes and structures have proliferated in the Town of Poughkeepsie in recent years; and

WHEREAS, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of surrounding properties, and are an expense item to the Town; and

WHEREAS, foreclosing lending institutions that hold mortgages on vacant structures do not always provide the contact information of a person responsible for maintaining the property; and

WHEREAS, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for foreclosing lending institutions to provide contact information for responsible parties regarding vacant structures, and require good faith in obtaining a foreclosure, which would include maintaining foreclosed and abandoned but rented properties until a foreclosure deed for these has been given; and

NOW THEREFORE, BE IT RESOLVED, that the Town of Poughkeepsie hereby supports the passage of said Bills and respectfully requests that the State Representatives who represent constituents in the Town of Poughkeepsie support the passage of said Bills, a copy of this resolution to be forwarded to said representatives.

SO MOVED: S. Krakower/J. Baisley

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

Councilman Krakower: Does it require the payment on the basis of foreclosure? Are we encouraging them to foreclose faster?

Supervisor Tancredi: This I don't know the answer to that question. I don't think that's the intent. I think the intent is to make the banks and the institutions that are foreclosing and then, we see the problem we have here, are not being responsive to the property that they now have. Basically, this Assemblyman sent this in to see if we support this before the State Assembly for whatever good it is. He states that "My intension is to make Financial Institutions and lenders more accountable to the surrounding community when homes and buildings are abandoned or foreclosure proceedings have started. A resolution from your governing body will add depth and resonance to committee deliberations, as well as establish a robust and persuasive record based on the fact of the needs of the people" So, I thought I would put it on the agenda for us to discuss it, but they are looking to make the banks more accountable and we've had it around here and discussed in these meetings for some time now. So, if you want, we can—

Councilman Conte: It certainly sounds like in their letter that they want us to support it.

Supervisor Tancredi: The Assemblyman's name is Michael Kerns from 140 Second District, which I think is up around the Buffalo area.

Councilman Conte: Well, we probably do want to see a faster resolution to these properties falling in disrepair. That's what I sort of gather from your paragraph you just read.

Supervisor Tancredi: Yes, they want the bank to be more responsive and responsible toward these properties.

Councilwoman Shershin: Also it says, for vacant structures, so people have already left.

**CORRESPONDENCE, SAMPLE RESOLUTION AND
NEWSPAPER CLIPPINGS ATTACHED TO FINAL BOOK COPY**

02:20-SC 2 RECOGNITION

**Residents To Live In Town Free From
Bias**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie, takes notice that Westboro Baptist Church of 3701 W. 12th Street, Topeka, Kansas plans to picket Vassar College on February 28, 2013; now therefore

BE IT RESOLVED, the Town of Poughkeepsie, located within Dutchess County within the State of New York in these United States, does hereby recognize the inherent rights, dignity and value of all of its residents to live in the Town of Poughkeepsie free from bias.

SO MOVED: A. Shershin/S. Eagleton

Councilwoman Shershin: I made a copy of the newspaper articles on it, but this group is the one that goes around and they've also ticketed soldiers. Well, they are against people who are gay and lesbians, trans-gender and trans-sexual and are opposed to this and voice it rather loudly. I had constituents in Ward 6 and Vassar College who are concerned about this and wanted to make sure that the Town Board was aware and that we would make a statement of support for this.

Councilman Eagleton: I think they also protested the funerals of the children who were murdered in Connecticut.

Supervisor Tancredi: I think, also, that they are going to be at West Point protesting.

Councilwoman Shershin: I'm not particularly found of the newspaper article stating that Poughkeepsie was the "Darkest of all dark points."

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

**02:20-SC 3 AUTHORIZE Agreement With Page Park Associates,
SUPERVISOR LLC For Project Known As Fairview
TO SIGN Commons Land Contour, 66 Fulton
Street, Poughkeepsie, NY**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the posting of cash security of \$8,00.00, or such lesser amount as the Town Engineer may approve, from Page Park Associates, LLC, for the project known as Fairview Commons Land Contour, 66 Fulton Street, Poughkeepsie, New York; and

BE IT FURTHER RESOLVED, that the Town Board does hereby agree to accept said cash security, subject to the execution and receipt of a Completion and Security Agreement approved by the Attorney for the Town, Town Engineer and the Director of Municipal Development; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute all papers necessary and proper to effectuate this resolution.

SO MOVED: Supervisor Tancredi/S. Eagleton

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

**02:20-SC 4 WAIVE Building Permit For Nancy McCormack
For Home Repairs At 30 Willowbrook Heights
To Effect A Short Sale Of The Property**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the Building Permit Fee (\$137.25) for Nancy McCormack, for home repairs at 30 Willowbrook Heights which are required because of work done on the house by a previous owner, and which are necessary to effect a short sale of the property.

So moved: J. Baisley/S. Eagleton

Councilman Eagleton: Just to give you a summary of what is going on here. I believe a storage room was modified into a bedroom illegally by a previous owner and a sunroom was added without a permit by the previous owner and the condition for selling the home is that they be legal. The bedroom be converted back to a storage room and the sunroom be made legal. The owner is in a financial bind and I'm trying to avoid another property in the Town from being in disrepair.

Nancy McCormack : I spoke to Wayne in the Building Department and he said that many additions were put on the building in the 70's, 80's and 90's and that this happens very often and it has had several different owners. It started out as a little cottage on the Wappingers Creek. Wayne said there were violations put on the house because there were never any work permits taken out on the house. My husband and I bought it in 2007 and no one had ever gone through the Building Department and this came up in 2011.

Councilman Krakower: You had a mortgage didn't you? (Yes) When you get a mortgage, there is a title search that is required and the municipal search requests a confirmation from the Town of Poughkeepsie at that point to know if there is any violations on the property. Well, what happens with a municipal search it says, single family, three bedrooms, one bathroom house and either the realtor, attorney or potential buyer should look at it and say, it's got two bathrooms not one, etc. Somewhere in that process, it should have been picked up. Usually, there is a municipal search and they contact the Building Department to find out if there is a CO or not.

Nancy McCormack: There were no CO's because no one ever contacted them according to Wayne. It's now been vacant for a year and a half and there were several calls to the Building Department from the neighbors. I took care of the outside leaves and problems and that's when Wayne said, "Oh, I don't have anything on that property.

Motion made to table until March 6, 2013 Town Board Meeting: Supervisor Tancredi / Shershin

CARRIED: 7-0

**02:20-SC 5 AUTHORIZE
SUPERVISOR
TO SIGN**

**Time Extension Change Order With
WJL Equities In Reference To
the Fulton Street Sidewalk Construction
Project Known As Safe Routes To
School (SRTS)**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a Time Extension Change Oder with WJL Equities in reference to the Fulton Street Sidewalk Construction Project known as

Safe Routes to School (SRTS), PIN 8760.34, to change the date of completion of the contract to May 31, 2013, a copy of said Change Order is attached.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 7-0

CHANGE ORDER ATTACHED TO FINAL BOOK COPY

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

CARRIED: 7-0

Mr. Armstrong: I would like to discuss the Building Permit thing that just went through. I guess I can come now and say that I'm involved and that I didn't have a CO for a room. I'm paying the fine, get a permit and get a CO and work that needs to be done. Well, this person can't afford to do it either. But, we've got to do it. I'm sorry about her situation, but, setting a precedent now for everybody and their son. Who was responsible for not checking this stuff out? They found mine out with the situation I have, because they did a Title Search. Where do we draw the line? You say it comes up quite often? Why are there so many cracks?

Councilman Krakower: Well, part of the reason is people do work without getting Building Permits to avoid having their taxes go up. So, one of the things that happens is that when these things are not done properly, you are paying less in taxes over that period of time you are owning the property. Contractors will build you a brand new home, leave your basement incomplete until you get your CO and then come back and finish it. So, these things are done on purpose.

Mr. Armstrong: Are there as many at the end of the deal like this one that has come up and is not caught and now we are just going to –

Councilman Krakower: What happens, normally, is when the real estate is doing good, there is a lot of money flowing through the transactions to cover those fees. Sometimes Real Estates will cover the costs.

Mr. Armstrong: Well, I think something is wrong. I know Mr. Wilson has been on the job a long time and does a good job, but there seems to be more into it and I think it should be looked into. It sounds like there is more into this than meets the eye. Some have to follow the rules and some just get away with it.

Jim Challey: I just wanted to let you know, several months ago, another property near this one on Willowbrook came up before the Zoning Board and as we got into

it, began to realize this is a very peculiar neighborhood. It's tucked away and several of us have never been on that street. Most of the houses along there were originally built as summer homes and probably never had a CO because they were never designed for year around occupancy. Over the years, they have been modified, insulated or not, and they are built very close together and modified to serve as year-around homes. So, there is a very odd ownership. I'm not sure exactly when the Zoning Code began to apply. (Maybe mid 60's or 70's) These buildings are far older than that. So, I think many properties are in a similar situation.

Councilman Krakower: Well, my house is older than that, but when you get a CO those things come up in the municipal search.

Rob Rubin: I'm speaking now both as a tax payer and as a Trustee of the Wappingers Central School District. I didn't know anything about this residence to live in the Town free from bias. Please let us know in the Wappingers District if there is anything we can do to support you on this. I'm very happy that it was passed. I would also like to commend Councilwoman Shershin, she is an asset to this Town Board. She was at the last Arlington Fire District Meeting. One of the items the Fire District talked about was that they received an e-mail regarding the Poughkeepsie Babe Ruth Little League where they had requested AFD participation April 13th lining up in Red Oaks Mill at McKinry Road School, which we in the Wappingers School District did not know about. We are dealing with that right now. They have a small parade that goes right through the park, also. My question is, did you folks know about this parade or grant any permit for this parade to happen?

Supervisor Tancredi: As far as I know, they've held that parade for years.

Rob Rubin: Well, we in the School District have obligations and things we have to act on for this. So, what I would request is that, not so much now, this is completed. But, when you, as a Town, get requests that involve the school, that we be notified.

Supervisor Tancredi: We will do the best we can, Rob, but it is really up to the applicant to notify the School District.

Town Clerk Miller : There are two parades that day - Babe Ruth and another parade and the times are one at 9:30 and one at 11:00. They will have to send around to each person on the parade route and go to each house and let them know when and what parade is going to occur. I'll let them know about the School District, too.

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

CARRIED: 7-0

RESOLUTION

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

- 1. Town Board goes into Attorney/Client Session to discuss the hiring or firing, promotion or demotion of a particular person or firm that has brought, and to discuss two suits against the Town.**

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, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 7-0**

TOWN BOARD MEETING ADJOURNED AT 7:30 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 7:33 PM

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 8:05 PM

NO ACTION TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING CLOSED AT 8:06 PM

SJM:lkm