

**MINUTES OF COMMITTEE OF THE WHOLE TOWN BOARD
MEETING AND SPECIAL TOWN BOARD MEETING HELD ON JULY 17, 2013
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Tancredi
Councilman Baisley
Councilman Eagleton
Councilman Krakower
Councilwoman Shershin
Town Attorney Odierna
Town Clerk Miller

ABSENT: Councilman Conte
Councilman Cifone

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

{ } designates corrections or amendments to

7:00 PM

CALL TO ORDER

SALUTE THE FLAG

COMMITTEE OF THE WHOLE MEETING

7:00 PM

07:17 COW 1 DISCUSSION

**Doris Steele, From Spinnaker
Management In Regard To
Cherry Hill Water Bill**

The discussion consisted of Ms. Steele asking for a waiver of part or all of late fees of \$1933.60 and not for \$4,000 as previously stated, because the water bill was two days late.

Councilman Krakower: Since I've been on the Board, we've never ever waived these fees. I don't completely agree with it. I don't like the inflexibility and I don't like the idea of getting hit with a 10% fee, but I also don't know that we should open up a can of worms. It's not a matter of integrity, it's a matter that, if you place it in the mail box and you placed it there after the pickup for that date.

Supervisor Tancredi: Ok, we will get all the facts as best we can, look at the law and I'll pole the Board and get back to you with their answer.

**THE LEGAL DEPARTMENT WILL
LOOK INTO LATE FEE JURISDICTION**

07:17-COW 2 PRESENTATION

**By Steve Tinkelman On 25 Van
Wagner Road & 45 Springside**

Avenue Project

Mr. Tinkelman introduced himself and with him was Michael Rodriguez and the name of their company as Tinkelman Architecture and Mr. Tinkelman showed graphs of the current buildings and their improvement and projected buildings in the future on their property. The office he spoke about was on the corner of 44/55 and Van Wagner Road. The project consists of about 50 housing units and commercial space. Mr. Tinkelman stated he would have to rezone the area to ATC and also to rezone the parcel that they would be purchasing from the Town and the residential piece on the other side, then that would allow for perhaps one small variance they may need. Mr. Tinkelman felt this would help support the Arlington and Raymond Avenue area.

Councilman Baisley asked what it was Zoned now.

Mr. Tinkelman: R20.

THE TOWN BOARD APPRECIATED THE WORK

COMMITTEE OF THE WHOLE MEETING ADJOURNED AT 7:41 PM

**SPECIAL TOWN BOARD MEETING
7:42 PM**

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

CARRIED: 5-0

NO SPEAKERS CAME FORWARD

Motion made to resume the rules: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

07:17-STB 1 CONSENT

**Planning Board As Lead Agency To
Coordinate The Environmental Review of
25 Van Wagner Road & 45 Springside
Avenue Project**

Neil Wilson, Property Development Director: With respect to the first item, the circulation for Lead Agency. It's been the Board's practice in the past to basically consent on these rezoning applications where we also have a site plan approval that would go along with it, to have the Town Board Consent to the Planning Board as Lead Agency and that is what the Resolution says and the Planning Board meets tomorrow night and they will at that point take up a formal resolution to do the full circulation to all the other involved agencies as well. Just a couple of things to note with respect to Mr. Tinkelman's project. When you look at the map he provided,

the one story portion of the building is actually owned by the Center of Prevention of Child Abuse. It was created as its own lot. Now, that is not included in the application, because Mr. Tinkleman does not own that lot, but it is my intention to ask the Planning Board to make a recommendation back to this Board to include that. So, essentially you will end up with sort of a squared off zoning line that runs up Van Wagner and includes that one story portion. The other part is the remnant road where Spring side used to come across what is now the west bound arterial, Mr. Tinkleman has given me a letter formally requesting that the Town enter into a contract where by he may purchase that road. It makes sense. We are not doing anything with it and nothing is going to happen. It helps his project and provides additional land for development and particularly right now he is somewhat constrained in terms where he is trying to meet the requirements for tension basins and all. I will give the Board a resolution at a future meeting, assuming you are in agreement.

RESOLUTION 7:17-#1 of 2013

In regard To An application To Amend The Zoning Map To Change The Zoning Designation of Tax Parcel Numbers 6160-08-838906, 821910 and 809927 From Highway Business (B-H) District To Arlington Town Center (ATC) District.

WHEREAS, the Town Board has received an application from Built Parcel 4, LLC and Built Parcel 3, LLC to amend the zoning classification of tax parcel numbers 6160-08-838906, 821910, and 809927, said tax parcels also being known as 25 Van Wagner Road and 45 Springside Avenue respectively, from Highway Business (B-H) District to Arlington Town Center (ATC) District; and

WHEREAS, the action to amend the Zoning Map is an Unlisted Action under the New York State Environmental Quality Review Act; and

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

WHEREAS, the Town Board has examined 6 NYCRR 617.2(u) and 617.6(b)(5)(v) of the State Environmental Quality Review Act (SEQA) regulations and has determined that the Town of Poughkeepsie Planning Board, through its site plan and subdivision plat review and approval authority under Chapter 210 and Chapter 177 of the Town of Poughkeepsie Code, has extremely broad governmental powers to investigate the potential environmental effects associated with the Application, and has the experience and the capability necessary to conduct a thorough environmental assessment of the action; and

WHEREAS, amending the Zoning Map requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby requests that the Planning Board act as the Lead Agency to coordinate the environmental review of this project; and**
- 2. The Town Board hereby consents to the Planning Board acting as the Lead; and**
- 3. The Town Board hereby requests that the Planning Board immediately seek the consent of the other involved agencies for the Planning Board to act as the Lead agency; and**
- 4. The Town Board hereby defers setting a public hearing on the proposed Zoning Map amendment until it has received a recommendation and a determination of significance from the Lead Agency; and**
- 5. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and**
- 6. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.**

Dated: July 17, 2013
Moved: Councilman Baisley
Seconded: Councilman Eagleton
Ayes: 5 Nays: 0

ROLL CALL: Ayes: Councilmen Baisley, Eagleton Krakower, Councilwoman Shershin
Nays: None CARRIED: 5-0
Absent: Councilmen Conte and Cifone

APPLICATION AND MAP ATTACHED TO FINAL BOOK COPY

07:17-STB2 AUTHORIZE Special Consent Items SC 1, SC 2

RESOLUTION

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

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|--|---|
| SC 1. Discussion | WiFi |
| SC 2. Set Date for Public Hearing | Amend Town Code – Planned Residential Overlay District |

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 Krakower, Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 5-0

07:17-SC 1 DISCUSSION

WiFi

Mark Fink, IT Specialist: I contacted both Time Warner as well as Verizon, they are the two Internet providers for this part of the Town. Verizon said they don't typically provide pre-service, but my contact there said she would follow up to see if there is an exception. I spoke with Time Warner as well, and I pretty much got the same results, but he said it is really up to a different department and he would forward it on, but I haven't heard anything back from them. So, the reason that the timing is such an issue is we have this 30 day trial that has gone on about 50 or 55 days with the existing equipment over there and so regardless of which way you vote, if you decide not to move forward or delay this, we are going to have to send that equipment back. I don't want to influence your decision that way, but, just to give you a heads up on why I'm pushing to get as much information in front of you as quickly as possible. So, as it stands right now, there does not seem to be a way to have a second independent internet service access in here that is completely separate from our Town Hall network, so, with that, we need to have a wireless WiFi system here that is basically a commercial grade system that I can manage and segment, this part is for the general public and this part, if we decide to have available for Town use, so that someone can't come in and hack their way through and do what they want by browsing through our data.

Councilman Krakower: Why can't we just put a two way splitter on the cable coming in?

Mark Fink: With FIOS, it's not like a cable that you can just put a splitter, this is FIOS Fiber Optic.

Councilman Krakower: What about a second feed off of the equipment that comes in the building?

Mark Fink: I asked them about that and they said they can't do a separate feed, they would have to bring a separate line in in order to have a separate internet access. That's something they don't provide for free.

Councilman Krakower: What do we pay right now just for our FIOS internet access?

Mark Fink: About \$125 a month or \$150, somewhere around that.

Councilman Krakower: Really?

Mark Fink: The basic service is about \$99 a month and then we pay for a “Fixed IP address” so that with our networking between the different buildings, we know exactly where we are. It facilitates, it facilitates communication and security. I didn’t get involved as far as tracking and usage it was really just to be sure it covered the area that we needed.

Councilman Eagleton: I really wouldn’t want to spend a huge amount of money for something no one is ever going to use.

Councilman Cifone is the one who has been pushing the issue and a few others along the way.

Councilman Krakower: With what we have currently and if we don’t open it up to the outside world and just for Town employees to use, then we just connect an access point, and with password protection, right?

Mark Fink: You would have to have a total of 8 WiFi spots to cover our building.

Councilman Krakower: I don’t think we really need it throughout the building, only in this room, down stairs there is a couple of meeting rooms and a few conference rooms in the building, so those might make sense to put it in, but, I don’t think we need to over saturate the airways with WiFi in here. If it’s going to cost \$2,000 to make WiFi available to the general public, it would be maybe convenient for some of the Board members and some other employees, but to the general public most of the public has a data access they can use and so I think it should be for the employees in the building.

Mark Fink: At this point, my concern is security, that’s why I have never brought up the issue about putting WiFi in. To make it available to just employees, the safest way is for you to come in with your device, you register it and so now the WiFi system knows your device and therefore knows who you are and lets you in based on that.

THE TOWN BOARD ENDED THE DISCUSSION WITH WANTING MARK FINK TO GET PRICE QUOTES ON DIFFERENT ELECTRONIC SYSTEMS.

**07:17-SC 2 SET DATE FOR
PUBLIC HEARING**

**Amend Town Code, Chapter 210,
Specifically Adding New Section 210-21
Entitled “Planned Residential Overlay
District”**

**RESOLUTION
7:17-SC 2 OF 2013**

Amendment to Chapter 210. “Planned Residential Overlay District”

WHEREAS, the Town Board is considering an amendment to Chapter 210 to add a new section 210-21 entitled “Planned Residential Overlay District”; and

WHEREAS, the proposed amendment is attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendment and does direct that said amendment be spread across the record as if it, in fact, had been read verbatim; and

WHEREAS, the amendment would, at the sole discretion of the Town Board, allow the development of multi-family residential developments with certain non-residential areas upon the terms and conditions set forth in said amendment and other conditions which may be required by the Town Board; and

WHEREAS, the action to amend the zoning law is a Type I Action under the New York State Environmental Quality Review Act (“SEQRA”); and

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

WHEREAS, the amendment of Chapter 210-90 requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and**
- 2. The Town Board hereby sets a public hearing on the proposed amendment of the Town Code for August 21, 2013, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and**

3. **The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and**
4. **The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.**
5. **The Town Board directs the Town Clerk to notify the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: Supervisor Tancredi/J. Baisley

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

Nays: Councilmen Eagleton and Krakower

FAILED: 3-2

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

CARRIED: 5-0

Doreen Tignanelli: I have a question about the surplus property for possible purchase of it by Mr. Tinkelman. If you are going to declare something surplus, do you have to offer that to everyone or is it just that you can offer it to them.

Supervisor Tancredi: No, we have done it before.

Councilman Krakower: In the past we haven't, and I'm not sure.

Supervisor Tancredi: We can check into it, but, I would doubt it though.

Doreen also asked what the assessment is for the "White House" on the property.

Supervisor Tancredi: Stated that we possibly may sell it.

My other comment was about the Planned Residential Overlay District, but that failed.

Supervisor Tancredi: It failed tonight, but when Councilman Cifone comes back, we may take it up again because he's the one who wants it.

Joe Armstrong: On this WiFi thing. I have no interest in it, but my observation from some places that have it, I've never seen anyone using them. Maybe one person out of several different places.

Councilman Krakower: You really wouldn't notice it if someone is using it.

Joe Armstrong: Well, I was just saying for the amount of money you would have to put into, I don't think it's used enough or worth it.

Motion made to resume the rules: Councilman S. Eagleton/A. Shershin

CARRIED: 5-0

SPECIAL TOWN BOARD MEETING ADJOURNED AT 8:15 PM

**COMMITTEE OF THE WHOLE MEETING
8:16 PM**

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| 1. FINANCE | Councilman Krakower: No Report |
| 2. FIRE ADVISORY | Councilman Conte: ABSENT Councilman Baisley: No Report |
| 3. GOVERNMENT OPERATIONS | Councilwoman Shershin: She visited with Robert Rolison for Workman's Compensation. We got an overview on what they are doing and if we were interested in getting involved, what would be involved. Supervisor Tancredi stated that they are interested and that they sent a request to them telling them they are interested and they asked us for some information that we forwarded to them. |
| 4. LAND USE & PLANNING | Councilman Krakower: No Report |
| 5. PERSONNEL | Councilman Eagleton: Still involved with PBA Contract. |
| 6. RECREATION | Councilman Baisley: No Report |
| 7. SENIOR CITIZENS | Councilman Baisley: Moving along just fine with progress on Senior Center |
| 8. TECHNOLOGY & EQUIPMENT | Councilman Eagleton: No Report |
| 9. WATER, SEWER, HIGHWAY | Councilman Eagleton: The Town of Poughkeepsie has a good, clean water supply. |

**TOWN BOARD SPECIAL MEETING/COMMITTEE OF THE
WHOLE MEETING CLOSED AT 8:18 PM**

