

**MINUTES OF THE TOWN BOARD MEETING
HELD ON AUGUST 7, 2013 AT 7:00 PM AT TOWN HALL
ONE OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

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

ABSENT: Councilman Cifone
Councilman Krakower,
(Until Item #3)

- **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

Supervisor Tancredi: Motion made to open Public Hearing #1: Supervisor Tancredi/J. Conte

CARRIED: 5-0

Lenny Splain, Fire Inspector: No new information, I was there about 12:30 PM today and took another photo and there has not been any change. I posted the building and sent the return receipt, although they did not receive it, there have been a couple of attempts and then it kicks back to us.

Supervisor Tancredi: I know last week or so, you said you posted the door.

Lenny Splain: Yes, and the next day the things were gone.

Supervisor Tancredi: Ok, so there is no change. Thank you.

Motion made to close Public Hearing No. 1: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

RESOLUTION

BE IT RESOLED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on August 7, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159A of the Town of Poughkeepsie Code, entitled "Property Maintenance", does

hereby determine that said property located at 14 Crestwood Boulevard, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6162-20-831133, owned by Christopher Slattery, Kevin Slattery and Stella Slattery, is in violation of Chapter 159A; and

BE IT FURTHER RESOLVED, that the Legal Notice of Public Hearing was posted on July 25, 2013 and published in the Poughkeepsie Journal on July 27, 2013; and

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

BE IT FURTHER RESOLVED, that said owners of 14 Crestwood Boulevard have not complied with the Orders to Remedy; and

BE IT FURTHER RESOLVED, that the Town shall cause the cutting and continue to cut the grass to a height not to exceed 12 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained; and

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

BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159A-7 of the Town code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

BE IT FURTHER RESOLVED, that the Highway Department or an appointed contractor is authorized to cut and continue to cut the grass.

SO MOVED: J. Baisley/S. Eagleton

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

Nays: None

CARRIED: 5-0

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

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

CARRIED: 5-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 5-0

08:07-02 PUBLIC HEARING

Town Code Amendment – Chapter 195, Entitled “Vehicles And Traffic”, Specifically Section 195-48, Schedule XIII: “Parking Prohibited At All Times” For Fairview Avenue Extension

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie pursuant to a public hearing held on the 7th day of August, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Town Code, Chapter 195, entitled “Vehicles and Traffic”, specifically Section 195-48. Schedule XIII: “Parking Prohibited at all Times”, which amendment is as follows:

ADD: Section 195-48. Schedule XIII: “Parking Prohibited at all Times”:

Name of Street	Side	Location
Fairview Avenue Extension	East	From the intersection at Fulton Street to a point 880 feet North, across from the driveway of 25 Fairview Avenue Extension

AND BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on July 25, 2013 and published in the Poughkeepsie Journal on July 27, 2013; and

BE IT FURTHER ENACTED, that said local law can be repealed should any future residential development commence, and

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

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

SO MOVED: S. Eagleton/J. Conte

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Councilwoman
Shershin and Supervisor Tancredi
Nays: None CARRIED: 5-0**

**Motion made to suspend the rules for public speaking on Public Hearing #3:
Supervisor Tancredi/S. Eagleton**

NO SPEAKERS CAME FORWARD

Motion made to close the public hearing: Supervisor Tancredi/S. Eagleton

CARRIED: 5-0

**08:07-03 PUBLIC HEARING Amend Town Code, Chapter 151
Entitled "Peddling And Soliciting",
Specifically Sections 151-2 & 151-11**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 7th day of August, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, to consider amendments to Chapter 151, entitled "Peddling and Soliciting, specifically Section 151-2 and Section 151-11, does hereby close that public hearing, and takes no action on said amendments; and

WHEREAS, the Town Board has received a new communication recommending amendments to Chapter 151, entitled "Peddling and Soliciting," and

WHEREAS, the proposed 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

WHEREAS, the amendment to Chapter 151 requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby sets a public hearing on the proposed amendments to Chapter 151 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**

2. That the Town Board of the Town of Poughkeepsie does hereby declare itself as Lead Agency and that this action is a Type II Action requiring no environmental review; and
3. That said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

SO MOVED: J. Conte/S. Eagleton

Councilwoman Shershin: Jim Nelson and I have met several times about this and I think it's in a position where it really reflects what we are doing and what it's doing is that canteen trucks be present in the Town provided they don't spend longer than 20 minutes at any one site. They have permission of the property owners there and also they comply with the County Health Department and license with the Town Clerk and then all other peddlers have to come before the Board if they wish to be parked longer than 20 minutes, except if they are parked for an event, such as a street fair, farm market and things of that nature.

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

AMENDMENT ATTACHED TO FINAL BOOK COPY

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

CARRIED: 6-0

Doreen Tignanelli: I have a question on SC 4: How is it that it's no cost? It's no cost because it's a State or County?

Councilman Eagleton: Yes, because we are a municipality and it is no fee to us. The program we can access at no fee to the Town.

Jim Nelson< Town Attorney: Mortgage electronic recording system. It's a consortium. I think it might be of banks and lenders and this is a way to track title to properties.

Doreen Tignanelli: Ok, SC 6. The water on consent. There was a question at the Water Board Meeting yesterday about whether there needed to be something added. The Water Board Attorney brought it up as to were there any changes since yesterday?

Jim Nelson: No, not that I'm aware of. Are you at liberty to say what the suggested change was?

Doreen Tignanelli: Well, it was a public meeting. It was near the end of the meeting there was a question that had to do with Hyde Park. Do you know anything?

Councilman Eagleton: I think he corrected his suggestion, because it was based on sampling.

Doreen Tignanelli: I couldn't really hear what he was saying and the attorney asked about it. The final result was "Is that the change needed to be made or not?"

Councilman Eagleton: No. He corrected his recommendation because it wasn't appropriate.

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

CARRIED: 6-0

08:07-04 RETIREMENT

Town Justice Court Of Ruth R. Langus

RESOLUTION

BE IT RESOLVED that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Ruth R. Langus from the Town of Poughkeepsie Justice Court, effective August 30, 2013.

SO MOVED: S. Krakower/J.Conte

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

CARRIED: 6-0

08:07-05 WAIVE

**All Fees Regarding The New Hamburg
Engine Company No. 1. Inc. Expansion
Of Building Located On Channingville
Road**

RESOLUTION

BE IT RESOLVED, that the town Board of the Town of Poughkeepsie does hereby waive the zoning fees, planning fees or any other fees related to the {New Hamburg Fire District No. 1, Inc.'s} proposed expansion of the building located on Channingville Road, Wappingers Falls, New York.

SO MOVED: A. Shershin/J. Conte

Councilman Baisley: It should be noted that it should read New Hamburg Fire District, instead of New Hamburg Engine Company.

Supervisor Tancredi: Ok, change noted.

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

08:07-06 AUTHORIZE

**Town Clerk To Advertise For Bids
For The Arlington Wastewater
Treatment Plant's Pipe Couplings
Replacements**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "ARLINGTON WASTEWATER TREATMENT PLANT PIPE COUPLINGS REPLACEMENTS", Pursuant to plans and specifications which will be available on August 12, 2013 at the Office of the Town Clerk, with a bid opening to be held on September 5, 2013 at 11:00 a.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

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

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

SO MOVED: Supervisor Tancredi/S. Eagleton

Supervisor Tancredi: At the plant there is couplings that hold some pipes together and underneath the sludge line and through the concrete there has been some drips over the years and drip right on these couplings and they have rotted away and we can't wait to do an upgrade. If these go, the whole process has to stop because it has to do with the sludge remover and the cost of the repairs are in the budget, unless something unforeseen appears. But, they are estimating a price within the budget. I believe there are eleven of these. If something gives, we would have to shut down the plant and so we need to do it now.

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

08:07-07 SUPPORT

**Senator Terry Gipson's Bill –
S5126-Prohibiting Unfunded
Mandates**

RESOLUTION

WHEREAS, the Town of Poughkeepsie has received notification from Senator Terry Gipson regarding legislation which was introduced before the Senate on May 10, 2013; and

WHEREAS, the “CONCURRENT RESOLUTION OF THE SENATE AND ASSEMBLY proposing amendments to Article 9 of the Constitution, in relation to prohibiting unfunded mandates” (S5126), currently pending in the New York Senate, and introduced by Senator Terry Gipson, would improve Albany’s budgeting and legislative process while easing the fiscal strains on local and county government; and

NOW THEREFORE, BE IT RESOLVED that the Town of Poughkeepsie hereby supports the passage of said Senate Bill S5126 and respectfully requests that the state representatives who represent constituents in the Town of Poughkeepsie support and continue to support the passage of this Bill.

SO MOVED: J. Baisley/S. Eagleton

Councilman Krakower: I’m against the unfunded mandates. This seems overly simplistic and my guess is probably that way because it is not expected to go anywhere. Whatever!

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

08:07-08 NOTIFICATION

**A. West Point Partners, LLC – Authority
To Construct 345kV Transmission Line
B. Public Hearing At Dutchess County
Economic Development Corporation,
Large Conference Room Three Neptune
Road, Poughkeepsie, NY For Dutchess
County Local Development Corporation
With Marist College Series 2013B On
August 14, 2013 At 4:00 PM**

NOTED BY TOWN BOARD

**08:07-09 GRANT SPECIAL
CONSENT**

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

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. Retirement | Police Officer Paul Herman |
| SC 2. Extension | Unpaid Leave – Margaret Decker |
| SC 3. Retirement | Margaret Decker – Town Clerk’s Office |
| SC 4. Authorize Supervisor to Sign | MERSCORP Holdings, Inc.
Contract Regarding Electronic Researching |
| SC 5. Appoint | Felicia Salvatore – Deputy Registrar |
| SC 6. Authorize Supervisor to Sign | Administrative Order On Consent Poughkeepsie’s Joint Water Upgrade |
| SC 7. Notification | Liquor License Application
A. Gusto, 15 Collegeview Avenue
B. Poughkeepsie Lodge of Elks, Inc., 20 Overocker Road |

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. Conte

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

08:07-SC 1 RETIRMENT Police Department Of Police Officer Paul Herman

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Police Officer Paul Herman from the Town of Poughkeepsie Police Department, effective August 31, 2013.

SO MOVED: J. Conte/S. Eagleton

Councilman Conte: It's always sad to see employee's leave, but Paul has been a family friend for years and is definitely given his heart to both Town and City and so he is going to be greatly missed.

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

ACCEPTED WITH REGRET

**08:07-SC 2 EXTENSION Of Unpaid Leave To Margaret
Decker**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby grant an unpaid leave of absence extension to Margaret Decker, effective July 30, 2013 through September 3, 2013.

SO MOVED: S. Krakower/A. Shershin

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

**08:07-SC 3 RETIREMENT Town Clerk's Office Of Margaret
Decker**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Margaret L. Decker, effective the close of business September 3, 2013.

SO MOVED: A. Shershin/J. Conte

Supervisor Tancredi: We want to wish Peggy well in her retirement, also.

Councilman Conte: Yes.

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

**08:07-SCZ4 AUTHORIZE
SUPERVISOR
TO SIGN**

**A No Cost Contract With MERSCORP
Holdings, Inc. Contract Regarding
Electronic Researching**

RESOLUTION

WHEREAS, the Town of Poughkeepsie Zoning and Building Departments' Enforcement of the Town's Property Maintenance Code is hindered by the location of the owner of record of the property which is in violation; and

WHEREAS, MERSCORP Holdings, Inc. Offers a program known as MERS (Mortgage Electronic Registration Systems) link program which will allow the above Departments easy researching access to locate owners of record, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee to execute a no cost contract with MERSCORP Holdings, Inc.; and

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

SO MOVED: Supervisor Tancredi/S. Eagleton

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

**08:07-SC 6 AUTHORIZE
SUPERVISOR
TO SIGN**

**Administrative order On Consent For
Project Known As Poughkeepsies' Joint
Water Treatment Facility Upgrade**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign an Administrative order on Consent, a copy of which is attached, for the project known as Poughkeepsies' Joint Water Treatment Facility Upgrade, State 2 Disinfectants and Disinfection Byproducts Rule.

SO MOVED: J. Baisley/S. Eagleton

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0
COPY ATTACHED TO FINAL BOOK COPY**

08:7-SC 7 NOTIFICATION

**Liquor License Application:
A. New Application For Locanda
Poughkeepsie, LLC D/B/A
Gusto Located At 15
Collegetown Avenue**

NOTED BY TOWN BOARD

**B. Renewal Application By Paul
J. Roman For Poughkeepsie
Lodge of Elks Inc. BPOE #275
Located At 29 Overocker Road
REVIEWED BY POLICE**

NOTED BY TOWN BOARD

**Motion made to suspend the rules for public comments on any item: Supervisor
Tancredi/J. Conte**

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

NO SPEAKERS CAME FORWARD

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

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

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. 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, Conte, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

TOWN BOARD MEETING ADJOURNED AT 7:22 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 7:23 PM

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 8:20 PM

NO ACTION TAKEN IN EXECUTIVE SESSION

TOWN BOAD MEETING CLOSED AT 8:21 PM

SJM:lkm