

**MINUTES OF TOWN BOARD MEETING HELD ON
NOVEMBER 6, 2013 AT 7:00 PM AT TOWN HALL, ONE OVEROCKER
ROAD, POUGHKEEPSIE, NEW YORK**

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

ABSENT: Councilman Conte

- **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 the Town Clerk's Office.

{ } designates corrections or amendments to

**Motion made to suspend the rules for Public Hearing #1: Supervisor Tancredi/
Councilwoman Shershin**

CARRIED: 6-0

Victor Gennodie: A couple of meetings ago, I was here talking about the Police Department Budget and I was totally beside myself that it was basically half the Budget of the Town. Visiting and talking with a lot of people throughout the Town, they all seem to be upset over it. Some how it got away from the Town. Every time their contract comes up, I would suggest that we don't have anyone that is a member of the CSEA be on the Board that oversees their contract and maybe it should be done by an advisory taxpayer organization rather than having the members of the Board do it to where you don't have a bulls eye on your back because it could be a political problem for you guys if you are not agreeing with what their contract is. Some other things that were brought to my attention were there were some officers who don't even live in this County. They are a number of Counties away. I feel as if you're going to be employed by the Town of Poughkeepsie, you should live in the Town of Poughkeepsie, or be so close. A young friend of mine just got a job in Beacon as a Police Officer. He was on the list trying to get a job here in the Town of Poughkeepsie and never got it. The criteria for being an officer in Beacon is he had to have a Beacon address and so he had to get an apartment and they had to verify it and if he loses that address, he can lose his job. The same with the Yonkers Firemen, they have to do the same. So, I'm looking at people who live in the Town, care about the Town. Someone that moves out of the Town afterwards---

Supervisor Tancredi: Vic, those are great comments, but, this is a Public Hearing for the Budget and so you should stick to the topic.

Victor Gennodi: Ok, hopefully we can come across something where we have partnerships with other Towns that can back up our Town. The Sheriff's Department, State Police, maybe we wouldn't have to have so many officers on the road and maybe that could be a way of cutting back on some of the officers in certain times of the day or night or business hours to help us. It's gotten out of control and somehow, it's got to be rolled back. It's gotten out of control and we just can't afford it.

Bob Casement: I would like to commend you guys on an excellent Budget for this year. I think it must have taken a lot of work, considering the increases in a lot of expenses and the income where it is and I think it's very good and you must have had to do a lot of work for the Finance Committee, Supervisor and Comptroller and I want to thank you for a job well done.

Supervisor Tancredi: Thanks Bob, appreciate it.

Motion made to close the Public Hearing: Supervisor Tancredi/S. Eagleton

CARRIED: 6-0

Supervisor Tancredi: Ok, now the Finance Committee has, I believe, completed their work on the Budget and so, if the Board would like, we could hear those changes and actually vote on the Budget tonight.

Councilman Krakower: Ok, Jim Wojtowicz is going to come up and just run through a summary of the changes we made. A couple of things I do want to point out. The Finance Committee met with most of the Department Heads. A couple of them weren't available, but we went through the Budget with "A fine tooth comb" and I just want to say that the process over the past two years now has been much improved. It's a team effort and the Supervisor working through the Budget with the Comptroller and Finance Committee, Board Members and Department Heads and it used to be that the Department Heads came in one at a time and took a hit from the Supervisor over his or her Budget and then came back in with the Finance Committee and we tried to work more closely with asking everyone to bleed out more money when it is not necessary. It was a good Budget done by Todd, the Supervisor and it makes our job a lot easier. We went back through to try to tweak some things and see where we could make some cuts and move some money around and one of the big things we did, in the Supervisor's Budget, there was some money added in for some additional drainage and the Finance Committee went through and added some more money and brought that line up to overall, \$100,000 for the coming year. We have had residents come in year after year with problems with flooding and other drainage issues throughout the Town, and unfortunately, one of the things we end up a lot of times saying, is, we have an idea of how to fix it, but we just don't have the funds right now. By increasing that line item, we will have the funds to do a lot more projects going forward and hopefully we will be able to address these things that are coming in and so we are trying to be more pro-active

with this Budget and the numbers are good and we've been able to add to area of needs where we felt things needed to be addressed.

Jim Wojtowicz, Town Comptroller: The process started in July, July 12th exactly, and so it's been a lot of work. We overcame a lot of things. Our pension costs are up \$650,000, I won't bore you with all the details, but we are in compliance with the Comptroller's 2% Cap. As a matter of fact, we have \$316,000 going forward to the 2015 Budget and so it's almost in this day and age, you have to budget it two or three years to insure and so we did that and as Councilman Stephan said, the Finance Committee added \$55,000 drainage. That's what we thought we had to do. There is a lot of work to be done in the Town and the Highway Superintendent will oversee that. So, we went from \$20,000 in 2013 and the Supervisor increased it to \$45,000 and there are 10 adjustments, which I will read to you now. The ultimate goal there was to increase another \$55,000 in drainage. So, if we adopt the Budget tonight, the tentative increase will be a 2.99% increase, but the Assessor tells me the values are done a bit and so the average home owner would have about \$23.24 if my calculations are correct.

Supervisor Tancredi: The tax levy increase is 2.99 and the tax increase is 2.25.

Jim Wojtowicz: That is what you will see on your tax bill, 2.25, if these numbers hold. I handed out to the Board. The first one, we met with Department Heads and we met with Neil Wilson, he's a good team player, we told him what we are trying to do and so he went through his Budget again and he came back to us. I'm going to read #1.

- 1. The Building Department: Reduction in Office Supplies. B36200402: Reduce \$800. Reduce Dues and Association Fees. B3620.0404 \$1000 and Reduce Building Department Schools and Meetings B3620.0421 \$300.**
- 2. Zoning Department: Reduce Zoning Department Books. B8010.0403, \$500. Reduce Zoning Department Maintenance Contracts. B8010.0444, \$420. Last Stop is the Planning Department.**
- 3. Planning Department: We were able to reduce Office Supplies, B8020.0402, \$500. Reduce Schools and Meetings. B8020.0421 \$1,000. Maintenance Contracts. B8020.0444, \$500 and lastly we were able to reduce contract and Services by \$3,000. B8020.0481. that is a reduction of \$8,020 and what we've done there is increase drainage B8540.0481, \$8,002 that's part of the \$8,000 increase that Highway Superintendent will oversee.**
- 4. The next stop is the Legal Department. Jim Nelson is another Team Player. In this one we had a couple of up's and a couple down's. Mary Hart, who is an excellent employee, had some part time and some full time. So, she hits longevity, she hits year 9 and this wasn't in Todd's Budget. This is my**

mistake, but Mary will be on for her first longevity check in 2014. So, increase A1420.102, \$1150. Again, Mary Hart, in the Supervisor's budget, Management – Non-Union, has a 1% increase. Mary Hart is an exceptional employee. The Department Head said so. She is getting an extra point here, A1420.1001 an additional \$424.00. An increase to Social Security to offset those, A1420.0811 \$120.00 and we increased the Legal Budget for schools and meetings. A1420.0421 \$400. When it comes into the Finance Committee, when they get some increases, they are saying "What can you give me back?" So, here are some decreases. We decreased the Legal Department books, A1420.0403, \$900. Decreased Legal Department Contract and Services. A1420.0495 by \$9,000. This is in litigation, and again we increased Townwide Drainage 85400481 by \$3,806.

5. We met with the Assessor, reduced the Assessing Department Contracted Services. She was able to reduce her contracted services upon further review, A1355.0481 reduced \$3,000. We took that \$3,000 and put it in Drainage. Increase A8500481 Increase of \$3,000.
6. In the Highway Department, we have another valued employee who is part time and she is going to hit her ninth year. We missed this one as well, Todd. This is Lisa Simmons, and excellent employee. She is going to get her first longevity check. Increase Highway Department Longevity A501.4081 \$1150 Associated Social Security A5010.0811 \$120 and in this one we were able to increase Sale of Refuse. The Highway Department is doing an excellent job on that. We are very careful, The Finance Committee does not like raising revenues, but this one was a minor amount and it made sense.
7. The next one is a good news story. Do you want to say anything about this one Stephan (Stephan: go on for now) or I can just go to the next one? Recreation Department. We are increasing Recreation Department regular pay A7020.0101 \$4,578 increase Social Security associated with A702.0811 \$251 and we've got some good news on our insurance, we are decreasing insurance general liability to offset Reducing A1910.0467 \$4,929. This is an individual we thought we wanted to give a raise to because he was making as much as some of the clerical people and it is one of these one time corrections that we thought was a valuable employee in the Recreation Department.

Councilman Krakower: I just want to say, one of the things that when you get involved in Town Government, one of the things you realize with the structured Unions, one of the things is you can't give raises because you can't just hand one thing to one person with the way the contracts are written so with non-union positions fortunately we are able to do merit based pay with some of these situations and over the years we've tried to make sure that we are fair with the employees as well as the tax payers and in this Budget there are a couple of other employee positions that we felt they have done a tremendous job and they are very valuable assets to the Town and are people we want to make sure we retain over a long term

and so we made adjustments for them and made some merit based pay raises for people who have really been outstanding and stood out and Department heads came in and made the pitch to the Finance Committee and we believe it was a worth while thing.

8. The Town Board was \$9,577 per annum and we decided to round this number up to \$9,600, an amount of \$23 per year, to Town Board Members and thank you, makes it easier for the payroll. So, we are going to increase the Town Board's salary by an increase of \$258 for the 6 –A1010.0101 increase the associated Social Security A1010.0811 by \$20 and then decrease the contracted services A1010.0481 \$278.00.
9. Increasing the Overtime Comptroller A1315.103 by \$30,000 and decreasing the overtime in the Courts, A110.0103 by \$30,000. This was a wash and more of an accountability issue we wanted to go through and so the Supervisor and Comptroller, we are going to monitor this better in the attempt to do that. We may in the next quarter move some of that money back.
10. Water Department: Keith Ballard. There is an excellent employee in that department. Keith worked with us and was able to reduce his gas and oil by \$3,000. Reduce F83100432 by \$3,000 and increase contingency designated for drainage by \$3,000.
11. Sewer Department: Franco Zani, he has done a fantastic job ever since he took over. We are going to decrease Sewer miscellaneous S81020.0409 by \$5,000. Decrease Sewer Fund Overtime S8101.2103 by \$10,000. Decrease Sewer Fund Social Security S8120.0811, \$761. We are going to increase the Contingency designated for drainage, Mark Pfeifer will control, S190.0409, \$15,765. We got down to the Finance Committee Chairman said he wanted \$100,000 in Drainage. We got some good news on our Medical Insurance. About last week the MVP rates came in better than we had projected and so we added \$21,500 to Drainage, A8540.0481 and that gets total down to \$100,000. We decrease unemployment insurance A9050.80802, \$5,000. Decrease in Insurance, General Liability. A1910.0467, \$9500. Decreased Medical Insurance, Town Board. A1010.0821 \$1,000. So, those were our ten adjustments.

Councilman Krakower thanked all the working heads that helped tighten the Budget for the Town.

Councilman Eagleton thanked Jim for shifting the funding to the drainage lines, it was a good decision.

Councilman Baisley complimented Todd on the good job he did with the Budget. He was able to up the drainage fund and got a new Senior Center in the Town.

Town Attorney James Nelson: Ok, now you are going to adopt and so what you would change is in the final “BE IT RESOLVED”, close the Public Hearing in regard to the adoption of the Preliminary Budget as amended and adopt the Budget Modifications for the Preliminary Budget presented by the Comptroller and does adopt the preliminary budget as so modified as the Town’s 2014 Budget. SO MOVED: J. Baisley/S. Eagleton

11:06-01 PUBLIC HEARING

2014 Budget

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie adopted its Preliminary Budget for the year 2014 on October 9, 2013; and

WHEREAS, public hearings were held on October 16, 2013 and November 6, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby close the public hearings in regard to the adoption of the Preliminary Budget, as amended, adopts the budget modifications to the Preliminary Budget presented by the Comptroller and does adopt the Preliminary Budget as so modified as the Town’s 2014 Budget.

SO MOVED: J. Baisley/S. Eagleton

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

Nays: None

Absent: Councilman Baisley

CARRIED: 6-0-1

ADOPTED 2014 BUDGET WITH AMENDMENTS

Motion made to open Public Hearing #2: Supervisor Tancredi/S. Eagleton

CARRIED: 6-0

Wayne Cichon, Building Inspector: We have sent out all of the Financial Interest notices to all the Banking Institutions, with certified receipt requested and obviously we reposted the property and we have nothing. I’ve gotten the responses back just as far as the fact that we served them properly, but no one has called us on this and we need to be able to move forward.

Councilman Krakower: Are the people still occupying it?

Wayne Cichon: The next door neighbors essentially keep an eye on the property and say that they are there only late at night and then they leave very early in the morning is just what it has been all along. Same days they are not there and some days they are.

Supervisor Tancredi: It sounds like a hang out or where someone comes, stays, crashes for a way and then disappear.

Wayne Cichon: We have two bids of two different companies to be able to remove the structure. They can have it down in a day and then it will be put into a dumpster, removed, holes filled and the garbage removed. There was a \$200 price difference between the two bids.

Councilman Baisley: Are we going to board it up first, Wayne, or just demolish it?

Wayne Cichon: Really, just take it out.

Councilman Baisley: Is everything out? I just don't want it to end up like a home we had before where the owner was in a home at the time and when he came out it had been demolished.

Wayne Cichon: Before we ever knock it down, we would have to do a walk through with the Police to make sure no one is inside the property before it is demolished, that would include taking inventory. There is really not much there now. There were personal possessions according the Police when they were in there the last time.

But, that probably belonged to the squatters that were in there.

11:06-02 PUBLIC HEARING

**Unsafe Buildings Owned By
Gregory Odell Located At 14
Bethlehem Place**

RESOLUTION

WHEREAS, by Resolution 10:16-SC 3 of 2013 adopted on October 16, 2013, the Town Board of the Town of Poughkeepsie has determined that the building ("Building ") located at 14 Bethlehem Place, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6262-03-049489 (the "Premises"), owned by Gregory Odell is dangerous and unsafe to the general public; and

WHEREAS, pursuant to said Order, a Notice of a Public Hearing has been served and posted, which Order included a direction that the required work begin immediately and must be commenced not later than thirty (30) days from service of the Notice and be completed no later than sixty (60) days after service of the Notice, and gave further notice that on failure to timely comply, the Town Board is

authorized to demolish and remove the Buildings and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and

WHEREAS, Legal Notice of Public Hearing was posted on October 21, 2013 and published in the Poughkeepsie Journal on October 23, 2013; and

WHEREAS, said Public Hearing has been held this day, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Buildings by Town employees or contractors in the event that the same is not timely commenced by the Owner or if it is not timely completed by the Owner as directed in the Order, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to contract, if necessary, with Clove Excavators, for such demolition and removal, including removal of electrical service lines, in an amount up to \$18,735, and

BE IT FURTHER RESOLVED, that this work is an enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).

SO MOVED: S. Eagleton/J. Baisley

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

Nays: None

Abstain: Councilman Krakower

CARRIED: 5-0-1

Motion made to Open Public Hearing #3: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

Attorney Vincent Catalano: I represent Shady Brook Park. To my left is one of the principals for the Park. The problem that we have is that there is a request that the Board authorize that these structures be demolished and we would like to file a Building Permit to do what ever is necessary, but my understanding is that if we file a Building Permit, the Building Permit application will not be entertained because I have Orders to Remedy Violations saying that these particular structures on Lots 1, 2 and 42 were installed in the park without the requisite permits. Now, so it's my understanding that based on that, no Building Permits will be issued and so we are kind of "Behind a rock and a hard place", because we can't do anything to fix these places up because the Building application will not be accepted. Now, these

particular lots are part of the original lots in the Park when it was originally created and I've searched the records because there has been some question about how many of the lots may be non-conforming in this park, which may require applications for permits for the lots to exist. These three are not amongst those, at least which are not my understanding. Lots 1 and 2 and 42 are part of the original Park and that goes all the way back, I believe to the time before Zoning was actually imposed upon on mobile home parks in this Town back to the late 40's or early 50's. We would like to do the work to fix these places up, but I don't think we will be able to do that if we can't get a Building Permit.

Councilman Krakower: I don't think this problem just popped up yesterday, so the idea that the owner is prepared to do the work, I think there has been issues with some properties there for a long time. I don't have a ton of confidence in the ability of the owner to fix that situation, in all honesty.

Attorney Catalano: I agree there has been some issues, but I can tell you that for a long time there has been issues about getting Building Permits over there because the Town has taken the position that all of these homes require an application before any Building Permits will be issued. All of these are about that and they all read the same way and they say that the Order to Remedy the violation was because the Shady Brook Trailer Park allowed construction or installation of manufactured homes. The problem they have with at least two of these and I think all three, is lots one and two are the original lots in the Park.

Councilman Krakower: Are they the original mobile homes on the lots?

Attorney Catalano: The one on Lot 1 is a 1960 era trailer. So, it goes back 50 or 60 years.

Councilman Krakower: But you just said, 1940's.

Attorney Catalano: That's when the Park was put in.

Councilman Krakower: But, that's not the original Mobile Home.

Attorney Catalano: But, back in the 60's I don't think you needed a special permit for the installation of the home.

Councilman Krakower: My concern is that over the years, I think there has been a number of problems and issues over there and I think the people over there are living in a tough situation and it is unfortunate and my understanding is a lot of the problems have not been addressed and it will get to a point where the Town will demolish the home is fairly extreme. It wasn't just over night that this occurred. So, my feeling is that I don't have a lot of confidence in the owners of the Park to remedy the situation.

Attorney Catalano: Well, that's fine, but how am I supposed to do any of this work if I can't get a Building Permit? I will tell you that there have been Building Permits Applications that have been filed that have not been accepted because the allegation is that all of these require permits to be there in the first place. So, "Catch 22".

Park Representative, Marilyn Goran: The Building Department claimed that not one single home within the Park ever got a Building Permit. With current Zoning, all of the Buildings in the Park can not obtain Building Permits. So, in affect, you can close down the Park and take it back because there is not a single home. I had a tenant in #25 who took a lot of porch and steps and repaired them. The home is a very nice home. He keeps it immaculate, however, he didn't know he needed a permit for replacing the steps and rotted wood and when he was informed, he went and got a Building Permit. But, they would not come and do the inspection because he didn't have a Building Permit. So, here we stand, he did it, he put in the paper work, but he can't get it inspected. So, eventually, you can take the whole park and dump it in the river.

Wayne Cichon, Building Inspector: I just wanted to clarify one of the issues. Permits in the Town were required since 1954. I believe it was October of that year. We've already proven and established that in years gone by for other cases.

Councilman Krakower: So those mobile homes were build in 1960's should have had permits then?

Wayne Cichon: Yes, all of them.

Councilman Baisley: Wayne, do you have permits for any of them?

Wayne Cichon: There is permit applications for some things that are there, most of which has to do with internal things like added a new water heater or something of that nature. Some of them for a deck. There is a few of those in the records. Virtually not too many CO's at all. We might have one or two for other work that might have been done within certain structures, but the bulk have no permit. I can't issue a Building Permit, even though it comes in, I can't issue a Building Permit for a deck when it's getting attached to a house that doesn't have a CO. Or at least a permit to get a CO. We just can't do it. You are allowing something when the rest of it is not legal.

Park Representative, Marilyn Goran: The problem I have with that is, this just happened. This Park has been around since at least the late 40's and for how ever many years, those homes have existed, at least some of them, since the 60's and now all of a sudden, none of them are legal.

Councilman Krakower: But, if, what you said earlier, it predated the requirements for Building Permits, but evidently it doesn't. But, you just said the units were built

in the 60's and the requirement, from what Wayne just said, was from 1954 and from your own statements, they should have had permits. The idea of, "Gee we never followed the rules before, why are you making us follow the rules now?" generally doesn't work anywhere.

Park Representative, Marilyn Goran: All I know is that it is one thing to say we want to demolish them because they are not fixed up and then it's another to say that you can't fix them up because you can't get a Building Permit.

Councilman Krakower: Was there an effort on these three to fix them up and the owner of the park was denied?

Park Representative, Marilyn Goran: One of these (#42) recently had a fire, that's why it has to be demolished.

Councilman Krakower: But, was there any prior attempt to fix them up before we got to this point?

Park Representative, Marilyn Goran: There was nothing wrong with #42 before the fire.

Councilman Krakower: I'm generally not a fan of tearing something down, if we don't have to, but, this situation seems to have gotten to an extreme point and if you tell me that "Gee we've been trying to fix these three up for ever and the Town has been saying 'No, No, No', and now we are saying we want to tear it down, I would say that that's not reasonable, but, if there has been no effort to do anything until tonight---I don't have a lot of confidence it will be done by the owner.

Park Representative, Marilyn Goran: There has been an effort on others, but not necessarily these three, but it wouldn't have mattered because we still wouldn't be able to do the work because of being denied.

Attorney Catalano: I would like to clarify a few points for the Board. This process that we've engaged in over at the Park has been going on for more than two and a half years. We've met with Miss Graham on a number of occasions. We have other bodies that were involved in this process, Neil Wilson, Sarah Davis and we've all talked with these people to try and get this resolved. I specifically told her at a meeting in her office, let's start with the first ten. We have problems, we understand these issues, but start with the first ten and let's see where we go with this. Knowing full well that some of the things are going to make it and some not, but we don't know until we try. But, there has been absolutely no attempt at trying.

Park Representative, Marilyn Goran: I went there to the Zoning Office to get the packet of Zoning information that is needed and with that information, I realized that there is not one single trailer in that park which will meet current Zoning. This whole thing was triggered by FEMA putting in two trailers and they were supposed

to get the permits that were in our agreement and they didn't and this is what triggered the whole review of the Trailer Park. Now, FEMA pulled the trailers out and paid me the rent for the time it was there, fine, but, part of the reason the FEMA trailers were there were because they didn't have these roof snow regulations in affect that are required here. So, when those trailers were put in, they met Zoning Requirements, lots met Zoning requirements, they do not now. I pay \$116,000 in School and Town taxes. If the trailer park goes down, thank you, take it. I can't do it. It's impossible. Most of the trailers are in very good condition. I welcome you to come take a tour through the park.

Town Attorney Nelson: I don't want to get in front of Mr. Cichon, but the issue that Mr. Catalano raises is whether some of these units might be prior legal non-conforming uses as to which his client is required to make repairs. I have no reason to doubt what Mr. Cichon says that this is a long-term issue at this site and I unfortunately have not had the opportunity to speak to Mr. Catalano about the issue he is raising. I think, Wayne and the Board, you might consider keeping this hearing open, Wayne if you want to make your presentation tonight, that certainly will be fine, but I would consider putting this over either one week to a special meeting at the Committee of the Whole or on the 20th when there are a number of other units, Wayne, I think you've got on to come in for a hearing. You could certainly also proceed.

Supervisor Tancredi: So, if we adjourn it to the 20th, we would be setting up a Public Hearing for 7 more to that night, that will be for the purpose of, what?

Town Attorney Nelson: This Hearing would be adjourned and these three units will be held on the same evening as the Hearings on all of the other units and that will –

Councilman Krakower: I have a question for Mr. Catalano. Your client owns all these units as well as the Park itself? Or just the Park?

Vincent Catalano: She does not own all the units. She owns #1 and #2.

Councilman Krakower: What about the next 7 coming up in a week or so. Is it your client's intension to make a significant investment in fixing up these units and repairing the Park and putting into livable position for the people who live there?

Park Representative, Marilyn Goran: It is in livable condition. You are welcome to come and have a look at it with me.

Councilman Krakower: Is it your intention to make an investment and fix it up there, but to just get a Building Permit and draw this out further, I don't know what purpose that would serve.

Park Representative, Marilyn Goran: I usually rent with option to buy, I don't really want to own any of the trailers. What I would do in this case is to sell the

trailer for \$500 or thereabouts and have the person, if they are willing, restore the trailers and every trailer that was vacant was red tagged.

Councilman Krakower: So, your intention is not to fix them up, it is to try and get a buyer who will buy it and fix it up because I'm not in the construction business, I don't have those abilities. I just don't have the confidence that that's going to happen.

Park Representative, Marilyn Goran: The ones that are red tagged we would pull the building permits and fix them up, you can't put people in there. Those are the ones we can't do that with, so.

THIS ISSUE WAS PRO AND CON FOR SOME LENGTH

Wayne Cichon: Some of the major questions at stake here are, are there people and children particularly, living in the park that are at risk of getting injured and the answer is a definite, Yes.

Supervisor Tancredi stated that numerous Town Staff has met with your client and other park partners to really no avail and it has been a totally fruitless effort for over 2 ½ years, which has brought us to this tonight.

11:06-03 PUBLIC HEARING

**Unsafe Building Owned By
Shady Brook Trailer Park Located
At 67 Manchester Road, Lot 42**

RESOLUTION

WHEREAS, by Resolution 10:16-#SC 54 of 2013 adopted on October 16, 2013, the Town Board of the Town of Poughkeepsie has determined that the building ("Building") located at 67 Old Manchester Road, Lot #42, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6261-04-671364 (the "Premises"), owned by Shady Brook Trailer Park, Inc. is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; and

WHEREAS, pursuant to said Order, a Notice of a Public Hearing has been served and posted, which Order included a direction that the required work begin immediately and must be commenced not later than thirty (30) days from service of the Notice and be completed no later than sixty (60) days after service of the Notice, and gave further notice that on failure to timely comply, the Town Board is authorized to secure or demolish and remove the Building and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and

WHEREAS, that the Legal Notice of Public Hearing was posted on October 21, 2013 and published in the Poughkeepsie Journal on October 23, 2013; and

WHEREAS, said Public Hearing has been held this day, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Building by Town employees or contractors making the lowest price proposal in the event that the Owner has not timely commenced its repair to Code Compliance in a manner acceptable to the Building Department and waste removal, or its demolition and removal, or such repairs and removal of waste or demolition and removal of the Building are not timely completed by the Owner as directed in the Order, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy, and

BE IT FURTHER RESOLVED, that the Building Department shall seek proposals for demolition and removal, and

BE IT FURTHER RESOLVED, that this work is an enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).

Motion made to close Public Hearing #3, since we are dealing with Lot #42 and take action on this one and move the other two -: Supervisor Tancredi/A. Shershin

CARRIED: 6-0

SO MOVED: M. Cifone/S. Krakower

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

Motion made to open Public Hearing #4: Supervisor Tancredi/C. Eagleton

CARRIED: 6-0

11:06-04 PUBLIC HEARING

**Unsafe Building Owned By Shady Brook
Trailer Park Located At 67 Manchester
Road, Lot #1**

RESOLUTION

WHEREAS, by Resolution 10:16-SC 4 of 2013 adopted on October 16, 2013, the Town Board of the Town of Poughkeepsie has determined that the building (“Building”) located at 67 Old Manchester Road, Lot #1, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6261-04-671364 (the “Premises”), owned by Shady Brook Trailer Park, Inc. is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; and

WHEREAS, pursuant to said Order, a Notice of a Public Hearing has been served and posted, which Order included a direction that the required work begin immediately and must be Commenced not later than thirty (30) days from service of the Notice and be completed no later than sixty (60) days after service of the Notice, and gave further notice that on failure to timely comply, the Town Board is authorized to secure or demolish and remove the Building and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and

WHEREAS, that the Legal Notice of Public Hearing was posted on October 21, 2013 and published in the Poughkeepsie Journal on October 23, 2013; and

WHEREAS, said Public Hearing has been held this day, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Building by Town employees or contractors making the lowest price proposal in the event that the Owner has not timely commenced its repair to Code Compliance in a manner acceptable to the Building Department and waste removal, or its demolition and removal, or such repairs and removal of waste or demolition and removal of the Building are not timely completed by the Owner as directed in the Order, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy, and

BE IT FURTHER RESOLVED, that the Building Department shall seek proposals for demolition and removal, and

BE IT FURTHER RESOLVED, that this work is an enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).

SO MOVED: S. Krakower/S. Eagleton

Town Attorney Nelson: Does Mr. Cichon want to make a comment about this item?

Wayne Cichon: We've been to this property, obviously, numerous times. You all have the pictures. I can go into a little more detail, if that would help you get a better picture.

Supervisor Tancredi: Only if we need it for Legal purposes, otherwise, I think we have a pretty good picture.

Wayne Cichon: In it's present state, it is not habitable and it is absolutely unsafe, not only to the children or other young people, it has to do with life safety personnel that may be required to go there in event of a disaster, flooding, fire or whatever.

Town Attorney Nelson: Mr. Cichon, have you given all the Board Members this as part of their packet materials you are referring to?

Wayne Cichon: Yes, I have.

Motion made to close Public Hearing #4: Supervisor Tancredi/J. Baisley

CARRIED: 6-0

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

Marilyn Goran: May I ask again if someone would please come and take a look at the Park?

Councilwoman Ann Shershin: I will come and see it.

Motion made to open Public Hearing #5: Supervisor Tancredi/S. Eagleton

CARRIED: 6-0

11:06-05 PUBLIC HEARING

**Unsafe Building Owned By
Shady Brook Trailer Park Located
At 67 Manchester Road, Lot #2**

RESOLUTION

WHEREAS, by Resolution 10:16-SC 6 of 2013 adopted on October 16, 2013, the Town Board of the Town of Poughkeepsie has determined that the building ("Building") located at 67 Old Manchester Road, Lot #2, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6261-04-671364 (the "Premises"), owned by Shady Brook Trailer Park, Inc. is dangerous and unsafe to the general

public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; and

WHEREAS, pursuant to said Order, a Notice of a Public Hearing has been served and posted, which Order included a direction that the required work begin immediately and must be commenced not later than thirty (30) days from service of the Notice and be completed no later than sixty (60) days after service of the Notice, and gave further notice that on failure to timely comply, the Town Board is authorized to secure or demolish and remove the Building and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and

WHEREAS, that the Legal Notice of Public Hearing was posted on October 21, 2013 and published in the Poughkeepsie Journal on October 23, 2013; and

WHEREAS, said Public Hearing has been held this day, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Building by Town employees or contractors making the lowest price proposal in the event that the Owner has not timely commenced its repair to Code Compliance in a manner acceptable to the Building Department and waste removal, or its demolition and removal, or such repairs and removal of waste or demolition and removal of the Building are not timely completed by the Owner as directed in the Order, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy, and

BE IT FURTHER RESOLVED, that the Building Department shall seek proposals for demolition and removal, and

BE IT FURTHER RESOLVED, that this work is an enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).

SO MOVED: A. Shershin/M. Cifone

Town Attorney Nelson: Mr. Cichon, all the documents that are attached to my pack have been given to the Board for their consideration? (Yes they have)

Councilwoman Shershin: This one is bad enough that we can't wait for another two weeks? Is this one beyond hope?

Wayne Cichon: Anything can be done if you have the right plan and you institute the right plan. Anything could probably be fixed or repaired.

Councilman Krakower: They were served with a notice more than 60 days ago? It says that, “The work must commence no later than 30 days from service of notice.”

Councilwoman Shershin: This is the notice.

Councilman Krakower: Ok, so when we adopt this, they have 30 days to deal with it themselves? (Yes) Ok, so you have 30 days to do, if you don’t do it, the Town will do it. The work has to commence within 30 days and be completed within 60 days. My suggestion to you is to meet with Wayne tomorrow and discuss with him what needs to be done and get to it before 30 days.

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

CARRIED: 6-0

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

CARRIED: 6-0

Rob Rubin: I would just like to make a request that the Town Board please consider, if at all possible, posting Special Consents on your Town website rather than have them added at the last minute. It gives the public more of a chance to take a look at these things. Thank you.

No name give: It says tonight you are going to set a date for rezoning on Spring Side Avenue. Is that just setting a date and no discussion?

Supervisor Tancredi: If you have a question or something, but that would be the time to set a date.

Victor Gennodi: Just to refresh your memory, the last time I spoke about these mobile homes were at the park that I had given prices on three of them, those three are still there. Motivation hasn’t been put into place.

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

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

CARRIED: 6-0

11:06-06 ACCEPT

**Resignation Of Barry Treuhaft As A
School Crossing Guard**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Barry Treuhaft from his position as School Crossing Guard, effective October 16, 2013 at 6:00 PM.

SO MOVED: Supervisor Tancredi/M. Cifone

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

Nays: None

CARRIED: 6-0

11:06-07 NOTIFICATION

**Town of Poughkeepsie As a Gold Award
Winner Of AAA's Annual Traffic Safety
Program**

NOTED AND APPRECIATED BY THE TOWN BOARD

11:06-08 APPOINT

**Assessing Department Of Joyce Gray As
Permanent Part-Time Assessor's Aide**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Joyce Gray to the position of permanent part-time Assessor's Aide, at the Grade 4 Step 1 salary of \$16.60 per hour, which appointment became effective October 30, 2013 and which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

SO MOVED: J. Baisley/S. Eagleton

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

Nays: None

CARRIED: 6-0

11:06-09 APPOINT

**Court Of Karl Osterman As Permanent
Part Time Justice Court Attendant**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Karl Osterman to the permanent part time position of Court Attendant at the Town of Poughkeepsie Justice Court at the salary of \$15.00 per hour, effective immediately, which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

SO MOVED: S. Eagleton/M. Cifone

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

11:06-10 AUTHORIZE

**Tax Certiorari Settlement For
Redl Real Estate, LLC**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement of the tax review proceedings instituted by Redl Real Estate, LLC, for the tax assessment roll of 2013 as shown on the attached Consent Judgment; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize Todd N. Tancredi, Supervisor and Kathleen Taber, Town Assessor to sign such papers as are necessary to effectuate said settlement.

SO MOVED: M. Cifone/S. Eagleton

Councilwoman Shershin: How much is this one for?

Supervisor Tancredi: It looks like the County and Town refund is \$2406.96.

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

TOWN CONSENT JUDGEMENT ATTACHED TO FINAL BOOK COPY

11:06-11 ACCEPT

**Certificate Of Attendance For Peter
Fanelli From DC Planning Federation
For Course Entitled “SEQRA, Beyond
The Basics: Using The New Short
Environmental Assessment Form(SEAF”)**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Peter Fanelli from Dutchess County Planning Federation, for course entitled “SEQRA, Beyond the Basics: Using the New Short Environmental Assessment Form (SEAF)”, a copy of which is attached.

SO MOVED: S. Krakower/M. Cifone

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

CERTIFICATE ATTACHED TO FINAL BOOK COPY

11:06-12 ACCEPT

**Certificate Of Attendance For Marvin
Bennett From DC Planning Federation
Entitled “SEQRA, Beyond The Basics:
Using the New Short Environmental
Assessment Form (SEAF”)**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Marvin Bennett from the Dutchess Count Planning Federation, for the course entitled “SEQRA, Beyond the Basics: Using the New Short Environmental Assessment Form”, a copy of which is attached.

SO MOVED: A. Shershin/S. Eagleton

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

11:06-13 APPROVE

Receiver Of Taxes Budget Modification

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2013 Budget, pursuant to the attached Budgetary Transfer Request Form submitted by the Comptroller, to fund additional part time labor during the transitional phase of the new Tax receiver structure, as follows:

FROM:

A 1910-0467	Insurance	\$3,000.00
--------------------	------------------	-------------------

TO:

A1330-0112	P/T Labor	\$2,785.00
A1330-0811	Social Security	\$ 115.00

SO MOVED: Supervisor Tancredi/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

11:06-14 BID AWARD

**Bid Award To USEMCO For The
Sunset Avenue Pump Station**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the "SUNSET AVE PUMP STATION" to the low bidder, USEMCO, at the bid price of \$37,904.00, pursuant to the recommendation of the Town Engineer; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute a contract agreement with USEMCO.

SO MOVED: J. Baisley/S. Eagleton

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

11:06-15 BID AWARD

**Bid Award To Trinity Construction, Inc.
For AWWTP Pipe Couplings Replacement**

REMOVED FROM AGENDA

**11:06-16 SET DATE FOR
PUBLIC HEARING**

**Springside Neighborhood
Development For Change Of Zone
From BH & R-20,000 TO ATC**

RESOLUTION

WHEREAS, the Town Board has received a recommendation from the Planning Board in regard to an application from Built Parcel 4, LLC requesting an amendment of the zoning designation of certain properties located at and near the intersections of Van Wagner Road, Springside Avenue, and Parkview Terrace; 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 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 amendments require a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby sets a public hearing on the proposed amendments for November 20, 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. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: S. Eagleton/J. Baisley

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

**11:06-17 SET DATE FOR
PUBLIC HEARING**

**Amend Senior Housing Overlay
District Project For Proposed
Amendments To Section 210-20 Of
Town Code**

RESOLUTION

WHEREAS, the Town Board has received a recommendation from the Director of Municipal Development regarding amending the list of permitted accessory uses within a designated senior Housing Overlay District project; and

WHEREAS, a copy of the proposed amendments to Section 210-20 of the Town Code is attached hereto and made part of this resolution and a verbatim reading of said amendment is hereby waived and the Town Clerk is directed to spread the proposed amendment across the record as if it had been read verbatim; and

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

WHEREAS, the amendment is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

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

SO MOVED: M. Cifone/S. Eagleton

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

Nays: None

CARRIED: 6-0

**11:06-18 SET DATE FOR
PUBLIC HEARING**

**Amend Definition Of “Service
Business”**

RESOLUTION

WHEREAS, the Town Board has received a recommendation from the Director of Municipal Development regarding amending the definition of “service business”; and

WHEREAS, a copy of the proposed amendments to Section 210 is attached hereto and made part of this resolution and a verbatim reading of said amendment is hereby waived and the Town Clerk is directed to spread the proposed amendment across the record as if it had been read verbatim; and

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

WHEREAS, the amendment is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby sets a public hearing on the proposed amendment to Chapter 210 for December 4, 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. 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**
- 3. The Town Board refers this matter to the Dutchess County Department of Planning and economic Development for a recommendation pursuant to GML 239-m; and**
- 4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.**
- 5. The ToWn Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: S. Krakower/S. Eagleton

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

**11:06-19 SET DATE FOR
PUBLIC HEARING**

**Unsafe Building Owned By Shady
Brook Trailer Park Located At 67
Manchester Road, Lot # 18**

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated September 24, 2013 to the Town Board of the Town of Poughkeepsie regarding 67 Old Manchester Road, Lot #18, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6261-04-671364 (“the Premises”), the owner of record being Shady Brook Trailer Park, Inc., showing that the structure on the Premises (“the Building”) is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of the attached Findings, including finding number 2 regarding the need to immediately repair to code compliance in a manner acceptable to the Building Department and to remove waste, or to demolish and remove the Building, and does hereby adopt said Findings regarding the Premises and directs that they be spread across the record as if they, in fact, had been read verbatim; and:

BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, as proposed by the Findings, including the recovery, levy and collection of Town expenses as an ad valorem levy, will be held before the Town Board on the 20th day of November, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

SO MOVED: A. Shershin/S. Eagleton

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

**11:06-20 SET DATE FOR
PUBLIC HEARING**

**Unsafe Building Owned By Shady
Brook Trailer Park Located At 67
Manchester Road, Lot # 21**

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated September 24, 2013 to the Town Board of the Town of Poughkeepsie regarding 67 Old Manchester Road, Lot # 21, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6261-04-671364 (“the Premises”), the owner of record being Shady Brook Trailer Park, Inc., showing that the structure on the Premises (“the Building”) is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of the attached Findings, including finding number 2 regarding the need to immediately repair to code compliance in a manner acceptable to the Building Department and to remove waste, or to demolish and remove the Building, and does hereby adopt said Findings regarding the Premises and directs that they be spread across the record as if they, in fact, had been read verbatim; and:

BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, as proposed by the Findings, including the recovery, levy and collection of Town expenses as an ad valorem levy, will be held before the Town Board on the 20th day of November, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

SO MOVED: Supervisor Tancredi/M. Cifone

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

CARRIED: 6-0

11:06-21 SET DATE FOR
PUBLIC HEARING

Unsafe Building Owned By Shady
Brook Trailer Park Located At 67
Manchester Road, Lot # 30

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated September 24, 2013 to the Town Board of the Town of Poughkeepsie regarding 67 Old Manchester Road, Lot #30, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6261-04-671364 (“the Premises”), the owner of record being Shady Brook Trailer Park, Inc., showing that the structure

on the Premises (“the Building”) is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of the attached Findings, including finding number 2 regarding the need to immediately repair to code compliance in a manner acceptable to the Building Department and to remove waste, or to demolish and remove the Building, and does hereby adopt said Findings regarding the Premises and directs that they be spread across the record as if they, in fact, had been read verbatim; and:

BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, as proposed by the Findings, including the recovery, levy and collection of Town expenses as an ad valorem levy, will be held before the Town Board on the 20th day of November, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

SO MOVED: J. Baisley/S. Eagleton

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

**11:06-22 SET DATE FOR
PUBLIC HEARING**

**Unsafe Building Owned By Shady
Brook Trailer Park Located At 67
Manchester Road, Lot # 32**

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated September 24, 2013 to the Town Board of the Town of Poughkeepsie regarding 67 Old Manchester Road, Lot # 32, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6261-04-671364 (“the Premises”), the owner of record being Shady Brook Trailer Park, Inc., showing that the structure on the Premises (“the Building”) is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of the attached Findings, including finding number 2 regarding the need to immediately repair to code compliance in a manner

acceptable to the Building Department and to remove waste, or to demolish and remove the Building, and does hereby adopt said Findings regarding the Premises and directs that they be spread across the record as if they, in fact, had been read verbatim; and:

BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, as proposed by the Findings, including the recovery, levy and collection of Town expenses as an ad valorem levy, will be held before the Town Board on the 20th day of November, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

SO MOVED: S. Eagleton/S. Krakower

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

**11:06-23 SET DATE FOR
PUBLIC HEARING**

**Unsafe Building Owned By Shady
Brook Trailer Park Located At 67
Manchester Road, Lot # 43**

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated September 24, 2013 to the Town Board of the Town of Poughkeepsie regarding 67 Old Manchester Road, Lot # 43, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6261-04-671364 (“the Premises”), the owner of record being Shady Brook Trailer Park, Inc., showing that the structure on the Premises (“the Building”) is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of the attached Findings, including finding number 2 regarding the need to immediately repair to code compliance in a manner acceptable to the Building Department and to remove waste, or to demolish and remove the Building, and does hereby adopt said Findings regarding the Premises and directs that they be spread across the record as if they, in fact, had been read verbatim; and:

BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, as proposed by the Findings, including the recovery, levy and collection of Town expenses as an ad valorem levy, will be held before the Town Board on the

20th day of November, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

SO MOVED: M. Cifone/S. Eagleton

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

Nays: None

CARRIED: 6-0

**11:06-24 SET DATE FOR
PUBLIC HEARING**

**Unsafe Building Owned By Shady
Brook Trailer Park Located At 67
Manchester Road, Lot # 45**

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated September 24, 2013 to the Town Board of the Town of Poughkeepsie regarding 67 Old Manchester Road, Lot # 45, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6261-04-671364 (“the Premises”), the owner of record being Shady Brook Trailer Park, Inc., showing that the structure on the Premises (“the Building”) is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of the attached Findings, including finding number 2 regarding the need to immediately repair to code compliance in a manner acceptable to the Building Department and to remove waste, or to demolish and remove the Building, and does hereby adopt said Findings regarding the Premises and directs that they be spread across the record as if they, in fact, had been read verbatim; and:

BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, as proposed by the Findings, including the recovery, levy and collection of Town expenses as an ad valorem levy, will be held before the Town Board on the 20th day of November, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

SO MOVED: S. Krakower/A. Shershin

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

**11:06-25 SET DATE FOR
PUBLIC HEARING**

**Unsafe Building Owned By Shady
Brook Trailer Park Located At 67
Manchester Road, Lot # 53**

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated September 24, 2013 to the Town Board of the Town of Poughkeepsie regarding 67 Old Manchester Road, Lot # 53, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6261-04-671364 (“the Premises”), the owner of record being Shady Brook Trailer Park, Inc., showing that the structure on the Premises (“the Building”) is dangerous and unsafe to the general public, open at the doorways and windows, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, unsanitary and presents a fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of the attached Findings, including finding number 2 regarding the need to immediately repair To code compliance in a manner acceptable to the Building Department and to remove waste, or to demolish and remove the Building, and does hereby adopt said Findings regarding the Premises and directs that they be spread across the record as if they, in fact, had been read verbatim; and:

BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, as proposed by the Findings, including the recovery, levy and collection of Town expenses as an ad valorem levy, will be held before the Town Board on the 20th day of November, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

SO MOVED: A. Shershin/M. Cifone

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

11:06-26 WAIVE

**Waiver Of 30 Day Notice
Requirement For New Liquor
License For The Red Brick
Lounge Located At 230 Salt
Point Turnpike**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from JFG & Associates, Inc., on behalf of Red Brick Lounge, 230 Salt Point Turnpike, Poughkeepsie, New York, for a waiver of the 30 day review period for a liquor license application; 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: Supervisor Tancredi/M. Cifone

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

Nays: None

CARRIED: 6-0

11:06-27 ACCEPT

**2013 Minutes
August 7 Town Board Meeting
August 14 Committee of the Whole
Meeting (CANCELLED)
August 21 Town Board Meeting
September 4 Town Board Meeting
(CANCELLED)
September 11 Special Town Board
Meeting
September 11 Committee Of The Whole
September 18 Town Board Meeting
October 2 Town Board Meeting
October 9 Committee Of The Whole
October 9 Special Town Board Meeting**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2013 Town Board Meetings, to wit:

August 7 – Regular Town Board Meeting
August 14 – Committee of the Whole Meeting (CANCELLED)
August 21 – Regular Town Board Meeting
September 4 – Regular Town Board Meeting (CANCELLED)
September 11 – Special Town Board Meeting
September 11 – Committee of the Whole Meeting
September 18 – Regular Town Board Meeting
October 2 – Regular Town Board Meeting
October 9 – Committee of the Whole Meeting
October 9 – Special Town Board Meeting

SO MOVED: J. Baisley/A. Shershin

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

11:06-28 AUTHORIZE

**Supervisor Tancredi to Execute A
Change Order With United Water
Environmental Services, Inc. To**

Professionally

**Prepare The Technical Machinery &
Equipment Specifications For The
Arlington Sewer Treatment Plant
Upgrade**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie is considering certain upgrades to the Arlington Waste Water Treatment Plant, which plant is operated under contract by United Water Environmental Services, Inc., and

WHEREAS, the plant upgrade process will include bidding for the installation of machinery and equipment for the plant, and

WHEREAS, in order to go to bid it is necessary to have professionally prepared technical specifications for the machinery and equipment that will be included in the bid package, and

WHEREAS, United Water Environmental Services has proposed to prepare the technical specifications for the machinery and equipment for \$78,732.50, and

WHEREAS, the Town Board, having considered the proposed Change Order from United Water, the presentation to the Town Board by Don Beer on

behalf of the Town's Engineer, Morris Associates, and the Town's procurement policy, and

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie finds, consistent with General Municipal Law Section 104-b(g), that it is in the best interest of the Town to execute this Change Order without seeking alternative proposals or quotations, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Change Order with United Water Environmental Services, Inc. in the sum of \$78,732.50 to professionally prepare the technical machinery and equipment specifications for the Arlington Sewer Treatment Plant upgrade per the attached Change Order.

SO MOVED: S. Eagleton/M. Cifone

Don Beer:

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

CHANGE ORDER ATTACHED TO FINAL BOOK COPY

11:06-29 AUTHORIZE

**Supervisor Tancredi To Execute A
Contract with Morris Associates To
Prepare The Plant Upgrade Plans
& Specifications**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie is considering certain upgrades to the Arlington Waste Water Treatment Plant, and

WHEREAS, in order to go to bid for the plant upgrade it is necessary to have professionally prepared plans and specifications for inclusion in the bid package, and

WHEREAS, Morris Associates, the Town's Engineering firm, has proposed to prepare the necessary plans and specifications at its stated hourly rates, at a total cost not to exceed \$390,000, and

WHEREAS, the Town Board, having considered Morris Associates' Letter – Proposal of October 23, 2013, the presentation to the Town Board by Don Beer on behalf of Morris Associates, and the Town's procurement policy,

NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie finds, consistent with General Municipal Law Section 104-b(g), that it is in the best interest of the Town to execute a contract as proposed by Morris without seeking alternative proposals or quotations; and

IT IS FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a contract with Morris Associates to prepare the Plant Upgrade plans and specifications at their state hourly rates, at a not to exceed cost of \$390,000.

SO MOVED: M. Cifone/S. Eagleton

Don Beer: I've mentioned this to the Board before, but when United Water reviewed these plans and came forward with a proposal, they had a price tag on this of \$460,000 and when I went back to Morris and asked them for a proposal, they came in at \$390,000 for that amount of work and so I know the resolution says that we are not seeking bids, but I want it on the record that there was at least another estimate out there and to just point out to you that part of the work here is to upgrade the plant from 4 million gallons to 5 million gallons and part of that would be so we could insert Country Club into that without over selling capacity. The anticipated cost after United Water's review is \$13 million and originally it was \$16 million. Some of that work has been done in the ensuing time periods since that \$16 million upgrade cost was there and at \$16 million it was anticipated to be \$70 per benefit unit over a 30 year period. It's anticipated, if we are able to back that number down closer to the \$13 million mark, we would probably be in the \$50 range per benefit unit. So, that is what the homeowners would be anticipated to be paying.

Supervisor Tancredi: We will have a better idea of that price when we get the bids back.

Don Beer: Correct.

Supervisor Tancredi: This is our Sewer Plant, basically, something we've discussed and talked about for a decade now and these are major pieces of our infrastructure we just need to make sure are maintained.

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

Nays: None

CARRIED: 6-0

11:06-30 AUTHORIZE

Special Consents SC 1, and SC 2

RESOLUTION

11:06-SC 2 NOTIFICATION

**Town of Lloyd Town Board Public
Hearing on November 20, 2013 at
Lloyd Town Hall At 7:00 PM to
Consider The Adoption Of Local
Law J-2013 To Amend The Lloyd
Zoning Map From W-G: GM to R
1/4**

NOTED BY TOWN BOARD

**Motion made to accept public comments on any Town issue: Supervisor Tancredi/S.
Eagleton**

CARRIED: 6-0

Joe Armstrong: Just listening to Number 28 and 29 on the Sewer and Water, if I'm correct, (inaudible – mic not on) is also going to help incorporate the Country Club Estates which you seem to be charging us \$705,000 for hook up fees will pretty much cover the costs of # 28 and #29, am I correct? That will still leave you a couple of hundred thousand over.

Supervisor Tancredi: Yes, but this is just for the design. The project itself is estimated at \$13 million. This is just to put together the specifications to go out to bid. It will cover this piece of it, but if we just did the piece of it, we wouldn't be fixing the plant.

Rob Rubin: I would like to take a moment, this day after Election Day, to congratulate all of those who ran for Public Office and to congratulate those who won the perspective offices. I would also just like to thank the constituents who have been sending me information and postings on Face book and e-mails with issues relative to the Wappinger's Central School District, please keep them coming, I read them all. I would also like to applaud another fellow Board member of mine, John Lumina for his attendance tonight and I would like to continue to extend an invitation to you folks to please come and attend our School Board meetings.

Doreen Tignanelli: I have a question about the Budget, the modifications that were made tonight, there was no bottom line change to the previous presented? (No) Because anything that was changed was (inaudible)

Supervisor Tancredi: Yes, the Finance Committee decided to move those savings to Drainage.

Doreen Tignanelli: Ok, my only other question was about – would someone please tell me what the Senior Housing Overlay change might be?

Supervisor Tancredi: It's to allow shops, retail use, and a bakery shop basically associated with the Senior living. It's an assessorly to the Senior living.

Councilman Krakower: It can't be more than 15% of the square footage. A lot of the projects that we've seen that people have been looking at, they've considered doing some commercial on the first floor and the residential above it, but none of them are going to be major commercial tenants because it is limited to 15%.

Doreen Tignanelli: The only other thing I wanted to say is that the Arlington Fire District passed their Budget at the nearly \$16.2 million which would be per thousand, people will be paying \$5.61 and the Town \$4.30 per thousand, so again that's how much higher the Arlington Fire District taxes are than the Town taxes. Nearly \$16.2 million budget for 2014.

Victor Gennodi: Driving up Wilbur Blvd. I realized and recognized that the Town had put in a new force main for that Pump Station underground to the Catch Basin. Marc on Board took care of a situation that created a lot of aggravation for a lot of people there and hopefully that downhill drainage will take care of a lot of other problems. I have to complement Marc on his work on Camelot Road.

Councilwoman Shershin: I just want to make a statement that I was given some incorrect information about the Arlington Fire District and that the employees do not receive 8 hours of contractual overtime each week, it is actually only 2 hours of over time per employee per week and not 8 that I was told.

**11:06-ES 1 ADJOURN TO
EXECUTIVE SESSION**

**To Enter Executive Session To
Consider Following Matters:
A. Confidential Communication
Between Attorney And His
Client, The Town Board, Based
On Attorney/Client Privilege
B. Matters Leading To The
Appointment, Employment,
Dismissal Or Removal Of A
Corporation**

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. Confidential communication between attorney and his client/Town Board based on attorney/client privileges.**
- 2. Matters leading to the appointment, employment, dismissal or removal of a Corporation.**

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

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 6-0

Supervisor Tancredi: I would like to invite Councilman Elect William Carlos in with us.

TOWN BOARD MEETING ADJOURNED AT 8:59 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:00 PM

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 9:16 PM

NO ACTION TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING CLOSED AT 9:17 PM

SJM:lkm