

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON NOVEMBER 20, 2013 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

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

ABSENT: Councilman Eagleton
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/
M. Cifone**

CARRIED: 5-0

Mr. Steven Tinkelman: We've been working over the past months with the Planning Board and with the various consultants of the Town. We've also listened to the neighbors and have understood some of the concerns and actually, one of the amazing things that came out of the process, and I think everyone has been working out very well together, was, the weird intersection at Springside and Van Wagner with the two lights and all. We had a meeting with the Town Traffic Engineer, our own Traffic Engineer, the Planning Consultants, members of the Police Department and the Supervisor and we actually came up on the spot with some changes to be made to that intersection and we actually made the first round of those changes. The idea of the changes was really to make the intersection clear as to where you are supposed to be. The road actually got real wide here and the two lights, and you can see that this area that is hatched in here has been striped out so that you no longer can drive there and there are very specific lanes. So, this is the first stage of it. We are actually, over the next day or two, they just came in, we are going to be putting bollards up there as well. We are just going to watch then to see if it is going to work. I believe that as we get into the next part of the process, if it is successful, that area will then be curbed and this house, where you would normally just walk out onto the road, will now have a front yard to it, even though the Town will own that yard. So, it's already made a huge difference to the look of that area. Our goal for the project, we are still working with the DOT, to complete the acquisition of the balance of the lamb chop along 44/55 and had a good meeting with them

yesterday and we are so hoping to complete that January or February of the coming year. Because of that taking a little bit longer and the way that the project is, if we are successful with your Board and your vote tonight, we are going to start on the North side of Springside and we hope to break ground in April with that. Of course, we have to go back to the Planning Board with that and go through the entire process to prove out all the pieces normally required, but we have completed the SEQRA process for both sides of the road. We have a Negative Declaration from the Planning Board. They have given a positive recommendation to your Board for the Rezoning action and that's why we are here tonight.

Councilman Cifone: The last time you guys were here, Councilman Conte and myself spoke to a couple of residents outside in the parking area after the meeting and I had contacted Mr. Wilson directly while talking to the residents and we had asked him to mention to you that the residents would like for the Springside parking area to be a closed in parking area with proper tree line screening. Has that been incorporated into these changes?

Mr. Tinkelman: We haven't figured out the entire project yet, so that the Planning Board will—

Councilman Cifone: Moving forward, that is actually something I would like you to put in there.

Supervisor Tancredi: That's a Planning decision—

Councilman Cifone: I know that, but, the residents are here and—

Councilman Krakower: What do you mean closed in parking?

Councilman Cifone: They doesn't want an open parking lot so people can come in and do what they feel like doing in an open parking lot, when there are homes right behind it.

Councilman Krakower: Do you mean a fence?

Councilman Cifone: Yes, a fenced in parking lot with something that they can open and close it and lock it at night so no one can go in there, with tree lines so neighbors don't have to look out at a parking lot.

Mr. Tinkelman: Making a commitment like that now, without thinking that through--.

Supervisor Tancredi: Right, the Fire Department is going to have to weigh in on that.

Councilman Krakower: They are taking a piece of property and they are using a lot of creativity in how to reuse all the different existing buildings there and then there is a whole stretch of property down the side that a lot of people can come in and propose that for parking or additional something, but they are leaving it green and wooded and giving the residents over there privacy without further development coming in behind them. I think they are doing a lot already to try and accommodate the neighborhood. I think it is a really positive project.

Councilman Cifone: I'm not saying it's not, it's a very good project and I'm happy with it, but there are some neighbors who would like to have some screening and not have a big parking area and I don't think that's too much to ask for.

Mr. Tinkelman: As part of our acquisition too with the DOT there is a really beat up, rusty, run down fence that moves around, we are going to straighten that out and put a fence along the highway and so that's going to have a nicer look just because of that. I think all parking lots have to be screened before the Planning Board and I think it would make it look nicer and we also, as part of what we are doing, in the beginning and hopefully it will be completed before the year's out, we are camering the entire area. So, from a safety point of view, we are being pro-active and if you look at the way the parking lot is lit, it is very carefully screened and nicely balanced.

Councilman Cifone: Everything you have said so far, I'm fine with it. I'm on board with the project, but I know the residents are here and they are going to speak and ask you about it. So, I'm bringing it up and putting it on the record that that is what they are going to be asking for.

Councilman Krakower felt that the security there would be accurate in solving any problems with people parking there at night and hanging out.

Mr. Tinkelman also felt that the property owner would address that problem properly also.

Councilwoman Shershin said that also there are going to be tenants there and it would not be an empty parking lot at night. There are people actually living there and would have their cars parked there and they wouldn't want people hanging out there either.

Mr. Tinkelman: To have a nice looking project, you really need to landscape it and you can see the commitment we have made towards that already and so that's going to be part of the project. I think your Planning Board is good at watching those issues and will be making sure that that's appropriately done.

Councilman Krakower felt it was a great project.

Felicia Salvatore: I'm just going to say again, my main problem is the traffic on my street, not just because of that project, but it's been a problem already and once you build it up, it's going to get worse. I never heard this issue that they wanted the parking lot fenced in. I live by Dutchess Overhead Doors and before they built that second building, there used to be a problem in that parking lot with different people, some after work and whatever, and once they fenced that parking lot in that went away. That was strictly all business though, but he put a fence and locks it at night and it's a lot better. My main concern, however, is the traffic. My road can't handle two way traffic.

Supervisor Tancredi: The Planning Board has heard that and they are working on it as to whether that road should be a Dead End or just emergency access.

Felicia Salvatore: If it was a straight road, I wouldn't have a big issue, but it is hilly and curvy. It's just not a good road to have two-way traffic. That's my main concern. I also wanted to know, with this ATC, I'm not really that familiar with it. Say, the guy that owns the property across the street from me and he all of a sudden wanted to become that, and maybe I would want to sell my house and become that, could it get worse and worse?

Supervisor Tancredi: If you wanted to become part of the ATC, you would have to petition this Town Board to make a Zoning change for your property. You just can't say you are part of the ATC and that's that.

Councilman Krakower: I don't think it's the worst thing in the world to post rezonings and major redevelopment projects because a lot of people find out after the fact and they have some good input and so I don't think it's a bad idea.

Felicia Salvatore: In East Fishkill they have to do it. We used to do it, I don't know what happened to it.

Supervisor Tancredi: That sounds like a good practice and maybe we should look into it and continue.

Kathleen Gibson-Ferris: My questions are similar to Felicia's. I had looked at the maps that were on line of the ATC and I noticed that the ATC was all located in the Sixth Ward and now it's coming over into the Third Ward and they want to rezone the R20 and building to ATC. My question is similar to Felicia's, she's on Van Wagner and I'm on Seitz, and what she is talking about is between our houses. There are two lots between that are buildable. There are no houses on them now and they are zoned for single family houses so their property backs up to ours and I'm not looking forward to it being rezoned for ATC because if down the road I want to sell my house, I don't want an apartment building going up there or a multi-family house. Also, I know a couple of years ago they tried to rezone across the street from us to put up a multi-family house and we came for that and that was voted down. How is this

going to work, now that ATC is on the corner, is it going to be project by project that ATC can just move up into the Third Ward?

Supervisor Tancredi: No, particularly if it's only one building lot, it's unlikely that that's going to be moved to ATC. But, each property owner would have to petition the Town Board for a rezoning. It just couldn't be done just as a matter of practice, they would have to Petition the Town Board for a Zoning change.

Kathleen Gibson-Ferris: Also, what does the size of the lot have to be to be considered for ATC. Is it a particular size?

Councilwoman Shershin: It's not a size, it's the use. This is a mixed use property where you would have businesses and residential together. So, a strictly residential lot would not be considered.

Councilman Krakower: It might not be practical to have a Town Center zoned on smaller lots anyway.

Councilwoman Shershin: To my knowledge, all the Arlington Center is together and it was in the Third Ward already.

Norman Dennis: This is the issue that this parking lot is going to be directly across the street from my house and yes, do we already have problems there? Yes, we do. Our cars are ransacked all of the time. Now we are adding another parking lot and all of a sudden, now we have somewhere for someone to hang out and create more problems. If it's a key pass or whatever it takes to get into a parking lot, but, the whole thing is, we already have issues and you can have all the cameras in the world, cameras are only as good as the person who looks at them. Mr. Tinkleman is not going to be coming over and looking to see what has happened there every day and I'm not going to be pounding on his door every day and say this happened today or this happened yesterday or call the police every day. It's just one thing after another. It's not that I don't want the project, it's just that I don't want the problem that goes with it. We need to address the problem before it gets here. I never even knew this project was coming in. If I had, I would have been here from day one. Now, it's too late because things have been passed, which maybe shouldn't have been passed. Mr. Tinkleman owns 100 ft. behind my house and he could develop that land. Does that mean another ATC?

Supervisor Tancredi: Well, he's committed to keeping that green.

Councilman Krakower: Is that a restriction that is going to be on the property as far as that back end?

Neil Wilson, Development Director: The idea here is that it's not simply a petition to rezone property, but to rezone it for this project. The area in

question, all of this area here, butts houses on Parkside, but the area to the north is actually the preserved area for the Maple Knolls Subdivision further up. All of this is to remain (showing on the map). The Board's resolution is for this project and this configuration. In other words, if Mr. Tinkelman wanted to do something else with this area behind these houses, he not only needs to come back to the Planning Board for Site Plan Approval, but to this Board as well.

Councilman Krakower: That's not the intention to do anything back there, though, is it?

Neil Wilson: Right, what you see is what the proposal is.

Mr. Tinkelman: There is a large slope there, the only thing we are going to do there is to put in a stormwater solution there, which is actually going to help this area here that gets flooded over from this project up here and we will be able to solve that problem. Also, as a brief comment, there has been Public Hearings throughout the Planning Board process where the neighbors have come and spoken and so it's not like this is the first time they have come and seen the project, it's been with them and we've made the traffic changes from the comments from the neighbors as well as professional staff. That area there is such a slope that it's not a buildable area anyway.

David Ferris: I grew up there on Seitz Terrace and been there almost 50 years and the neighborhood has changed a lot and I am worrying about putting apartments up there. We have enough problems here now. I was also wondering if they ever did any type of DEC thing because the old Seitz Property they bought was an apple orchard where they sprayed every year, so did they do a DEC or any property or soil testing over there?

Mr. Tinkelman: Shelley Anderson, who lives next door, when this came up at one of the Planning Boards Public Hearings I called her the next day and asked her about it and she said there was never an orchard there during her father's ownership and she knew of nothing other than three fruit trees on the property, one is gone and there are two there now. So, there really wasn't an orchard there.

David Ferris: I can show you a picture from back in 1960.

Motion made to close the Public Hearing: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

11:20-01 PUBLIC HEARING

**Springside Neighborhood Development
For Change Of Zone From BH (Highway
Business) & R-20,000 To ATC
(Arlington Town Center)**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 20th day of November, 2013 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town Code, Chapter 210, Article III, specifically Section 210-11, which amendment hereby changes the zoning designation of certain properties located at the intersections of Van Wagner Road, Springside Avenue and Parkview Terrace, and

BE IT FURTHER ENACTED, 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

BE IT FURTHER ENACTED, that the Planning Board, as the designated Lead Agency, issued a Negative Declaration on November 7, 2013 in regard to the proposed action; and

BE IT FURTHER ENACTED, that a written recommendation dated October 3, 2013 received from the Dutchess County Department of Planning and Development and that said recommendation stated that the adoption of the herein zoning amendment is a local concern with their attached comments; and

BE IT FURTHER ENACTED, that a written recommendation dated November 12, 2013 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein zoning amendment; and

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

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on November 8, 2013 and published in the Poughkeepsie Journal on November 7, 2013; and

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

SO MOVED: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

Motion made to suspend the rules for Public Hearing #2, Shady Brook Trailer Park, Lot # 18: Supervisor Tancredi/M. Cifone

CARRIED: 5-0

Marilyn Goran one of the owners of Shady Brook Trailer Park: One of you Board Members had the courtesy to drive through the park and discovered that it wasn't the "Hell Hole" that was depicted as at the last meeting.

Wayne was not able to get the projector to work for the Picture presentation:

Wayne Cichon, Building Inspector: This is just another series of lots that we've put before the Board for your actions tonight. The buildings are clearly unsafe, there are a lot of problems with all of them, various different types. The pictures really speak volumes of what we are encountering there. So, if you have any questions for me—

Supervisor Tancredi: Is this unit empty? (Yes) Do you know how long it's been empty? (At least two years) Your feeling is, as with, when we spoke two weeks ago, it poses an unsafe condition?

Wayne Cichon: It's hazardous. There are broken windows, which is one of the deals with these properties. Some of the decks attached are rotted.

Councilman Cifone: In regards to this particular property, has anything been done on these since the two weeks I last saw you?

Wayne Cichon: No, and we've not been contacted in any form.

Councilman Krakower: Oh, they didn't? (No)

Marilyn Goran: I've made contact with about a half a dozen different demolition people and three have responded positively. This is for #1, #2, and #42. I am awaiting their bids. I contacted them again today and they said they would have their bids in by Monday or Tuesday, at which time I will choose one and they will take out the permits and begin construction.

Supervisor Tancredi: Ok, that's fine and that's what we need to provide you a certain amount of time for you to do just that and the other units as well.

Marilyn Goran: Within the 30 day period they will begin the work.

Councilman Krakower: The request was though, that you or your attorney reach out to Wayne in the Building Department and try to address all these issues, but it's unfortunate that that hasn't happened.

Supervisor Tancredi: I believe Councilwoman Shershin was at the Park and viewed the trailers and had had lots in question.

Councilwoman Shershin: Yes, I did view the park.

Town Attorney Nelson: Mr. Sheshawn (?) the documents that you have in the Town Board Members packets, is that essentially your written proof that you are submitting on this hearing?

Mr. Sheshawn: Absolutely, we go back about two and a half years just trying to get compliance on these units, with no real success up to this time.

Councilman Krakower: Jim, can he give a report on all the units that will be ok for each hearing or do we need to report each and every resolution?

Marilyn Goran: My lawyer called and said there are about 6 units for today.

Supervisor Tancredi: We have 7 for today.

Town Attorney Nelson: He could, the important thing is that he identify each unit and make clear what documents he is putting in as part of his proof on those units, because that's the record.

Wayne Cichon: Each lot has to be handled separately because there are violations present on each unit that may not necessarily be on the next unit, so, it's important to you when you are making a decision of this kind of magnitude that you understand what we are citing and why.

Supervisor Tancredi: Motion made to close Public Hearing #2: Supervisor Tancredi/M. Cifone

CARRIED: 5-0

11:20-02 PUBLIC HEARING

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

RESOLUTION

WHEREAS, by Resolution 11:6-#19 of 2013 adopted on November 6, 2013, the Town Board of the Town of Poughkeepsie has determined that the building ("Building") located at 67 Old Manchester Road, Lot #18, 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 November 8, 2013 and published in the Poughkeepsie Journal on November 7, 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: M. Cifone/J. Baisley

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

Nays: None

CARRIED: 5-0

Motion made suspend the rules for Public Hearing #3 Shady Brook Trailer Park, Lot # 21: Supervisor Tancredi/M. Cifone

CARRIED: 5-0

Wayne Cichon: This is another we are going to be dealing with, the appendatures are bad on this. Again broken windows, sometimes it's unskirted and sometimes it's unsecured, it poses an unreasonable risk to the health and welfare of the children and the rest of the adults in the park and emergency responders. They are all put at an unreasonable risk.

Supervisor Tancredi: Is this unit also empty? (Yes)

Councilwoman Shershin: Now, if this unit is removed, or any of these units, can another trailer be brought in, or is it going to be a problem with the Zoning?

Wayne Cichon: There is a Building Permit requirement to replace again and because this was part of the original park, that is what we are dealing with with all the ones before you tonight. Because it was part of the original park with the original authorization for units there, it seems that, and when I talked to Sarah in Zoning, that this will be allowed type of thing that a new unit could be brought in more modern and up to date to be placed again and be serviceable. It's not like dealing with a different part of the park. There are units available. We've already approved them and there have already had two there on the site unfortunately put there by FEMA, but they are allowed and the use is there. So, in short term, yes, it can be done again.

Marilyn Goran: The FEMA trailers were required to be removed because they didn't fit the Zoning. Before anyone could go in there under FEMA they were required to be moved. It was true they didn't get the permits, my contract with them required them to get the permits and they didn't and I didn't know that.

Councilman Krakower: So, FEMA came in and put two trailers in and they were removed before they were ever inhabited.

Wayne Cichon: Yes, they took those units out and never brought them back.

Councilwoman Shershin: But, they could have corrected the situation and gotten the required permits and brought them back, correct? (Yes, but they didn't)

Councilman Krakower: Has anything been done with the flooding issues over there? If they bring in new units, will they have to address the flooding issue?

Marilyn Goran: The flooding issues have always occurred in the rear of the park, which is the area against where we had a bank put up when we first bought the Park in 1973 and an Army Corp, of Engineers put them up as a training exercise and Shady Brook paid for all the materials. Shady Brook was supposed to be moved to where Camelot is, but Mr. Alexander evidently had some influence with the Town and he got the land for Camelot instead of moving Shady Brook. The flooding has been along that road there. When there is flooding there where the

bank has been put up, we have reinforced it. We have never had flooding to the front of the park.

Councilman Krakower: Where there units approved in the original site plan that are in that flood zone.

Marilyn Goran: No, that only involves the trailers #73 to #85. They were put in by one of my partners, who is now deceased. We found the engineering plans for the septic and water for that area which was approved by the Health Department and was supposed to come to the Zoning or Town Board, but the Town has no record of it. So, we have Engineering Maps that were approved by the Dept. of Health for that group of trailers, but they were supposed to come before the Town Board, but there is no record of them coming.

Councilman Krakower: Are those trailers just mentioned on this list tonight? (No)

Wayne Cichon: They will eventually be on a list, yes.

Councilman Krakower: When we address that issue, we will not be permitting homes to go back in that area.

Wayne Cichon: Into the flood zone, No, they were put into where they will not be allowed to be placed. It does flood, usually only in extreme and it floods in the back area where the third leach field is, which compromises a lot, health safety wise. The unit doesn't function the way it is supposed to. The warning lights don't go off on the system the way it is designed to do. So, there are definitely problems there, but that is something we will leave for another night, to be able to deal with when we get to that stage.

Councilman Krakower: Ultimately, does this park need to be relocated, rather than to rebuild?

Marilyn Goran: That's your decision, not mine, I can't tell you. The back row is occupied by people in their homes.

Wayne Cichon: When we come to the point when I have to bring that part before you, we will come with what the flood maps were then at the time and what they are now and you will understand better at that point.

Councilman Krakower: Thanked Wayne for all his work in this situation.

Motion made to close Public Hearing #3: Supervisor Tancredi/M. Cifone

CARRIED: 5-0

11:20-03 PUBLIC HEARING

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

RESOLUTION

WHEREAS, by Resolution 11:6-#20 of 2013 adopted on November 6, 2013, the Town Board of the Town of Poughkeepsie has determined that the building (“Building”) located at 67 Old Manchester Road, Lot #21, 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 November 8, 2013 and published in the Poughkeepsie Journal on November 7, 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/M. Cifone

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

Nays: None

CARRIED: 5-0

Motion made to open Public Hearing #4, Shady Brook Trailer Park, Lot #30: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

Wayne Cichon: It's just another piece of property that has units rotting, it is in pretty good state of disrepair at this point. It's unreasonable for anyone to have to worry about being in or around it. Even with the mold issues and those kinds of things, you can see it on the outside. i.e.: pictures before you show that. All of the ones brought forward to you tonight are vacant.

Councilman Krakower: 30 days starts from the day notice were served, correct? (Yes) So, when was that date, was that done already?

Wayne Cichon: When I talked this over with the attorney's what was worked out, was when we get your resolution here, I take out and do the process serving on it and so we post the units and send certified/return receipts by mail to the owner and to the attorney and partner's attorney. That's when the clock begins to tick.

Marilyn Goran: I haven't received anything on the last ones, #1, #2 and #42.

Wayne Cichon: I have the signed returned receipt for #1, #2 and #42 and we are still waiting on the returns for the ones before you tonight. So, they have been deposited in the US Postal System.

Motion made to close Public Hearing #4: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

11:20-04 PUBLIC HEARING

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

RESOLUTION

WHEREAS, by Resolution 11:6-#21 of 2013 adopted on November 6, 2013, the Town Board of the Town of Poughkeepsie has determined that the building ("Building") located at 67 Old Manchester Road, Lot #30, 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 November 8, 2013 and published in the Poughkeepsie Journal on November 7, 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

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

Nays: None

CARRIED: 5-0

Motion made to Suspend the Rules for Public Hearing #5: Supervisor Tancredi/

Wayne Cichon: This one has a good number of debris in back of this unit. There is some type of an enclosed porch or deck with a roof over that was added, without the respect that none of these have building permits for them. Typically, you can't do what has been done to these units. It wouldn't be allowed and it's not allowed now. These things are just unsafe for people to be around.

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

CARRIED: 5-0

11:20-05 PUBLIC HEARING

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

RESOLUTION

WHEREAS, by Resolution 11:6-#22 of 2013 adopted on November 6, 2013, the Town Board of the Town of Poughkeepsie has determined that the building ("Building") located at 67 Old Manchester Road, Lot #32 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 November 8, 2013 and published in the Poughkeepsie Journal on November 7, 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: Supervisor Tancredi/J. Baisley

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

CARRIED: 5-0

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

CARRIED: 5-0

Motion made to open Public Hearing #6: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

Wayne Cichon: Another one that was in extremely poor condition. The floor way entry point at the door, is literally gone. When you open the door, you go right to the ground. Obviously, a real life and death scenario for emergency type responders to go there in any kind of a need. It's just really lacking. This one actually has more debris on the inside. The space outside is not being used properly as well.

Marilyn Goran: That home is abandoned. This person's mother lives in the park, but she refuses to get in touch with him.

Wayne Cichon: This building is not occupied. It is full of garbage to the hilt.

Motion made to close the Public Hearing: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

11:20-06 PUBLIC HEARING

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

RESOLUTION

WHEREAS, by Resolution 11:6-#23 of 2013 adopted on November 6, 2013, the Town Board of the Town of Poughkeepsie has determined that the building (“Building”) located at 67 Old Manchester Road, Lot #43, 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 November 8, 2013 and published in the Poughkeepsie Journal on November 7, 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: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

Marilyn Goran: I believe #43 is owned by the son of Joyce Klien that lives in the park and I will try to get hold of him, but I take responsibility for removing it.

Motion made to open Public Hearing #7-Lot #45: Supervisor Tancredi/J. Baisley

CARRIED: 5-0

Wayne Cichon: This unit happens to be the one that is closest to the road. It's been posted by the Fire Inspector. It's definitely unsafe and uninhabitable. The interior of the structure is really been damaged quite well. The kitchen has been basically destroyed. There is garbage spread throughout. TV's, & waste cans. Again, another unsafe building that doesn't need to be there.

Marilyn Goran: Number 45 is the one owned by Miguel Sanchez as well as #42.

Motion made to close the Public Hearing: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

Motion made to open Public Hearing #8, Lot #53: Supervisor Tancredi/J. Baisley

CARRIED: 5-0

Wayne Cichon: Just another in the line of homes that are uninhabited. It's been posted by the Fire Inspector as uninhabitable. There is a rotted deck, roof that is leaking and another in an unsafe condition. It just doesn't need to be there.

Councilman Krakower: I have a question. Mrs. Goran, for nothing else, I give you credit for showing up here and you mentioned you had other partners, are they local? (No) Were they ever local individuals?

Marilyn Goran: Well, what happened are Amelia and Bill Crossly, Amelia was the Tax Collector for Wappinger's Falls and they owned the Car Wash on Route 9. They got divorced and he moved to North Carolina, and remarried. Amelia moved, Bill died, Amelia died. Bill's second wife, Lucy, who is currently a partner by way

of inheritance, always lived in North Carolina and Amelia's two daughters's inherited her share and one is in Boston and the other in North Carolina. What we would like to do is get out of each other's hair and we would also like to get rid of Shady Brook Trailer Park. I would love to turn it over to the Town and do with it as you may. I would hope that the taxes would be re-evaluated as these trailers come down, but, if the Town wants it, they can have it.

Supervisor Tancredi: I'm not sure we are at all interested, but--

Motion made to close Public Hearing #8: Supervisor Tancredi/M. Cifone

CARRIED: 5-0

11:20-07 PUBLIC HEARING

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

RESOLUTION

WHEREAS, by Resolution 11:6-#24 of 2013 adopted on November 6, 2013, the Town Board of the Town of Poughkeepsie has determined that the building ("Building") located at 67 Old Manchester Road, Lot #45, 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 November 8, 2013 and published in the Poughkeepsie Journal on November 7, 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

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 November 8, 2013 and published in the Poughkeepsie Journal on November 7, 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/M. Cifone

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

Nays: None

CARRIED: 5-0

Supervisor Tancredi thanked Wayne Cichon for his hard work on these homes. Motion made to suspend the rules for public speaking on agenda items: Supervisor Tancredi/ J. Baisley

CARRIED: 5-0

Doreen Tignanelli: I have a question about SC 2 to retain Van DeWater and Van DeWater to represent the Town vs. Chestnut Mobil. Back in July you passed a

resolution for a similar matter. It was Van DeWater and Van DeWater representing the Town in a suit against the Planning Board. So, this is an additional suit? (Yes) Ok, Councilman Krakower had asked back in June whether the Legal Fees would come out of escrow funds and then was told “No” at a subsequent meeting, so, the Town residents have to pay for two law suits against the Town for the Ambassador Square project?

Councilman Krakower: Why, is it it can’t come out of escrow?

Town Attorney Nelson: The provisions of our escrow as written don’t cover. My recollection is that the case that we found does not allow the Town to amend to cover that. But, I can say you reminded us that we are to be very careful about the extend of the scope of the work and the charges to the Tax payers at least. But, this is a second lawsuit, yes.

Doreen Tignanelli: Ok, and it can’t be combined with –

Town Attorney Nelson: Technically, No.

Supervisor Tancredi: Can some of the work that was done in the first law suit be—

Town Attorney Nelson: They are different issues. The chances are pretty good that Dutchess Brands will decide both of them together, but, technically combining them into one, No. The facts are there and we reviewed the record today in front of the Zoning Board and from the Zoning Administrator, are much smaller. This is a matter of two interpretations. There is a matter of extensive hearings in front of the Planning.

Councilman Krakower: The preparation of the record. That’s not something that the developer can do?

Town Attorney Nelson: The developer could do it, but the statute specifically says that the respondent Town has the statutory responsibility to create the record.

Doreen Tignanelli: So, the Ambassador Square Project would not be able to move forward until this is resolved?

Town Attorney Nelson: I doubt that anyone would move ahead in the face of a law suit.

Supervisor Tancredi: I think that’s why the lawsuits were brought, to just hold up the project to limit competition and so I don’t think they will, because I think that’s the purpose of the lawsuits, quite frankly.

Rob Rubin: I just have a question on 11-20-11, New York State Historic Preservation Office Letter and I'm only speaking because I am part of the Historic Preservation Commission.

Neil Wilson, Development Director: Actually, the project is the 9D Office Park immediately adjacent to the Fire House and what this involves is there were certain human remains found on site and the letter of resolution is mainly an agreement between the Town, the State of New York and the three Indian Tribes who had claimed ancestral whatever, asked for the disposition of those remains and they are to remain on site.

Rob Rubin; Is the Town Historic Commission going to get a copy of that letter?

Neil Wilson: No, that was directed to the Town.

Joe Armstrong: I hope they are still discussing the matter of trying to bring some of these consent items under the normal agenda.

Supervisor Tancredi: We are trying to limit the amount of the consent items.

Joe Armstrong: I also want to acknowledge the hard work that has been done by the people responsible for holding the Budget down with the attempt they have made and the rest of the people in the Town that were involved in this. I understand it is a lot of work. I would also like to announce my decision to run for the position of Commissioner of the Arlington Fire District. It is disturbing the cost to operate this Fire District has exploded to close to 300% since the year of 2000, from 5.9 million to 16.2 million. Contrary to some beliefs, a person does not have to be a firefighter to be a Commissioner, because the Commissioners do not tell the people how to do their jobs of fire fighting and medical services. There are other people that are responsible for that. In my opinion a Commissioner's responsibility is to control the cost of the financial operations and the concerns of the Tax Payers.

Motion made to resume the rules: Supervisor Tancredi/M. Cifone

CARRIED: 5-0

11:20-09 AUTHORIZE

Tax Certiorari Settlement For 11 Hilltop Lane, 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 11 Hilltop Lane, LLC, for the tax assessment roll of 2012 through 2013 as shown on the attached Order and Judgment; and

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

SO MOVED: J. Baisley/M. Cifone

Town Supervisor Tancredi: The approximate refund is \$1456.63.

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

CARRIED: 5-0

ORDER AND JUDGEMENT ATTACHED TO FINAL BOOK COPY

11:20-10 AUTHORIZE Tax Certiorari Settlement For Page Five, 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 Page Fire 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/A. Shershin

Supervisor Tancredi: The refund on this is \$833.19.

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

CARRIED: 4-1

CONSENT JUDGEMENT ATTACHED TO FINAL BOOK COPY

**11:20-11 AUTHORIZE
SUPERVISOR
TO SIGN**

**New York State Historic Preservation
Office Letter Of Resolution For Route
9D Office Park Project**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a New York State Historic Preservation Office Letter of Resolution in regard to the Route 9D Office Park Project.

SO MOVED: S. Krakower/A. Shershin

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

Nays: None

CARRIED: 5-0

11:20-12 BID AWARD

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

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, having previously rejected all bids, does hereby award the bid for the “**ARLINGTON WASTEWATER TREATMENT PLANT PIPE COUPLINGS REPLACEMENT**” to the sole bidder on the re-bid, Trinity Construction, Inc., at the bid price of \$63,583.00, pursuant to the recommendation of the Town Engineer; and

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

SO MOVED: A. Shershin/M. Cifone

Councilman Krakower: On the prior bid, do we have more than one bidder?

Supervisor Tancredi: Yes, we put this out a couple of times changing it and trying to get the price down, but we unfortunately can't do any better.

Councilman Krakower: The other question I had, can we offer this back to United Water to do this work.

Supervisor Tancredi: We did.

Councilman Krakower: And they came out higher?

Supervisor Tancredi: Yes, they did. I think –

Town Attorney Nelson: United Water didn't directly propose on this. United Water, I believe, told Don Beer that they were hopeful it could have been done for something in the \$30,000 range and after the last Board Meeting, when you discussed, Don explored that and it turned out that those numbers, even when they were refined, and if not publically bid, still would come out somewhere in the \$50,000 range. So, since you had three bids, on the first go round, between \$69,000 and \$64 and then you came out with another one at \$63,000 and it looked like that's where it was heading, and the answer is "No."

Supervisor Tancredi: My understanding is United Water can't do it for less than \$63,000 and this is the best we can do on this price. If we could do it for less, why wouldn't we do it for less. So, we talked about the bid figuring it would come in around \$30,000 as Jim said and when those prices came in high, we talked to United to see if they could and they just can't do it. And this project, if you can remember, the concern is that if these couplings go down, the entire plant gets shut down. So, we just have no alternative even though we tried to do something else.

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

CARRIED: 5-0

11:20-13 NOTIFICATION

1. CPD NY Energy Corp. and Chestnut Mart of Poughkeepsie, Inc. V. Town of Poughkeepsie ZBA, Et Al – Second Action

Councilman Krakower: On #13, you're going to continue to do just the basic part of that that we need to do as the Town and let the Developer carry the brunt of the burden, correct?

Town Attorney Nelson: I met today with Neil on Adriane.

NOTED BY TOWN BOARD

11:20-14 NOTIFICATION

Town Board Ratifies The Notification To Dutchess County Regarding Delinquent Water & Sewer Rents & Charges & Property Maintenance Charges & Requests That Amounts Stated As Being In Default Be Levied Against The Properties Liable

RESOLUTION

WHEREAS, it appears that certain water and sewer rents, assessments and charges due to the various districts in the Town of Poughkeepsie from properties within said districts have not been paid for more than sixty (60) days and are liens against the said properties; and that notice of those delinquent charges, as detailed by the Town's Software Support Analyst, has been forwarded to the County of Dutchess per Town Law S 198(1)(k) and (3)(d) by November 15, 2013, and

WHEREAS, delinquent charges for Property Maintenance, as detailed in the annexed schedule, have also been so forwarded to the County of Dutchess pursuant to Town Code Section 159; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie hereby ratifies the notification to Dutchess County regarding delinquent water and sewer rents and charges and property maintenance charges and requests that the amounts stated as being in default be levied against the properties liable therefore.

WATER	\$297,968.70
SEWER	\$170,709.90
OTHER	\$ 8,640.00
	<hr/>
TOTAL	\$477,318.60

SO MOVED: Supervisor Tancredi/J. Baisley

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

CARRIED: 5-0

PROPERTY LIST ATTACHED TO FINAL BOOK COPY

11:20-15 AUTHORIZE

**Special Consents SC 1, SC 2, SC 3,
SC 4 and SC 5**

RESOLUTION

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

SC 1. Retain

**Van DeWater & Van DeWater –CPD v. Town-
Second Action**

SC 2 Authorize

**Wastewater Collection System Supervisor to
execute and submit Sanitary Overflow Response**

Plan

SC 3. Accept

Certificate of Attendance – Carl Whitehead

SC 4. Accept

Certificate of Attendance – Ed LaPerche

SC 5. Notification

BMW of the Hudson Valley – SEQRA Notice

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: J. Baisley/M. Cifone

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

Nays: None

CARRIED: 5-0

11:20-SC 1 RETAIN

Retain Van DeWater & Van DeWater, LLP To Represent Town in matter of CPD NY Energy Corporation & Chestnut Mart of Poughkeepsie, Inc. V Town of Poughkeepsie, Inc. V. Town Zoning Board of Appeals

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Van DeWater & Van DeWater, LLP, to represent the Town in the matter of CPD NY Energy Corp. and Chestmart Mart of Poughkeepsie, Inc. against the Town of Poughkeepsie Zoning Board of Appeals, et al, Index No. 2013/6622 at the rate of \$165.00 per hour for partners, \$155.00 per hour for associates and \$80.00 per hour for paralegals, plus disbursements.

SO MOVED: M. Cifone/J. Baisley

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

Nays: Councilman Krakower

CARRIED: 4-1

11:20-SC 2 AUTHOIRIZE

Franco Zani, Wastewater Collection System Supervisor, To Execute & Submit

**Sanitary Overflow Response Plan To
NY Department Of Environmental
Conservation To Be Effective Upon
Execution Of An Agreement Between
Town & Tri-Municipal Sewer
Commission**

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize Franco Zani, Wastewater Collection System Supervisor, to execute and submit the attached Sanitary Overflow Response Plan to the New York Department of Environmental Conservation, said Response Plan to be effective upon the execution of an intermunicipal or other agreement between the Town of Poughkeepsie and the Tri-Municipal Sewer Commission regarding response coordination and responsibility.

TABLED UNTIL DECEMBER 2013 TOWN BOARD MEETING

11:20-SC 3 ACCEPT

**Certificate Of Attendance For Carl
Whitehead From DC Planning
Federation For Course Entitled “Green
Infrastructure: Building Natural
Drainage Systems”**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Carl Whitehead from Dutchess County Planning Federation, for a course entitled “Green Infrastructure: Building Natural Drainage Systems”, a copy of which is attached.

SO MOVED: Supervisor Tancredi/M. Cifone

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

Nays: None

CARRIED: 5-0

CERTIFICATE ATTACHED TO FINAL BOOK COPY

11:20-SC 4 ACCEPT

**Certificate Of Attendance For Ed
LaPerche From DC Planning**

**Federation For Course Entitled
“Green Infrastructure: Building
Natural Drainage Systems”**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Ed LaPerche from Dutchess County Planning Federation, for a course entitled “Green Infrastructure: Building Natural Drainage Systems”, a copy of which is attached.

SO MOVED: A. Shershin/M. Cifone

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

Nays: None

CARRIED: 5-0

CERTIFICATE ATTACHED TO FINAL BOOK COPY

11:20-SC 5 NOTIFICATION

**SEQRA Notice To Town Board
Of An Amended Site Plan
Application For BMW Of The
Hudson Valley Located At 2068
South Road Grid #6159-03-445442**

SEQRA NOTICE ATTACHED TO FINAL BOOK COPY

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

CARRIED: 5-0

**Doreen Tignanelli: Number 14, the charges for the County. Todd, you said \$8,640
was for other, so, is that like lawn maintenance charges?**

Supervisor Tancredi: I believe that’s what it is, yes.

Doreen Tignanelli: Ok, and so the total was \$477, 318. 60? (Yes)

**Rob Rubin: So, to keep people up on our project with the Historic Preservation has
done, we just completed our latest interview this past Monday with the former
Town Supervisor, Pete Sala and I would like to thank Roy C. Ketchem High School
for providing the audio visual recording services. I would also like to ask as part of
this continuing project, Mr. Tancredi would you consider sending a letter out to any
unknown former Supervisors advising them of this project and ask them if they
were interested to please contact us. I would like to get these folks down on video**

that we have received some comments from the people, I don't know how many have looked at it, but some people have already respond and I find it interesting, their comments. Thank You. I would also like to mention to anyone listening, tomorrow at the Oak Grove Elementary School they are conducting what they call "Little Doctor's Blood Drive". The Greater New York Blood Center will be there tomorrow afternoon and so if anyone wants to come and donate blood, from 1:00 PM to 7 or 8:00 PM.

Supervisor Tancredi: Ok, I just have a couple of things. Tomorrow is our Senior Center Grand Opening at Noon on Abe's Way on South Gate Drive, so I would ask that you car pool where possible because parking is limited at the Center. Today, also, we had one of our Police Officers recognized at the 19th Annual Law Enforcement Recognition Luncheon at the Dutchess County Stop DWI and Officer Russell Thompkins was honored and Russ Thompkins is an eleven year veteran with the Town of Poughkeepsie Police Force and in our traffic division and is has one of the highest arrest records in the Department for DWI arrests and so we appreciate the hard work he does and he is a great officer. Lastly, I heard a rumor that someone is retiring from a volunteer position that he has held for a number of years and so I want to recognize Jim Barratta. I personally think he is too young to retire but, Jim has volunteered to tape our Town Board Meetings and other meetings for five or six years and it is a real service to our community because our people volunteering to tape our meetings, they don't get broadcast and we appreciate Jim. All that you've done, I didn't know you were coming tonight, but we will put together a Proclamation on behalf of the Town Board to you and something you can display on your living room wall. We do appreciate your service and the work you've done for the Town over the last five or six years.

PERSONAL NOTE: Also, Susan Miller retiring December 31st after 20 years as Town Clerk for the Town of Poughkeepsie. Good Luck to you and your new home in PA. L. Mitchell, Town Board Transcriptionist.

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**

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

SO MOVED: J. Baisley/M. Cifone

SUPERVISOR INVITED COUNCILMAN ELECT CARLOS TO JOIN THEM

TOWN BOARD ADJOURNED TO EXECUTIVE SESSION AT 8:50 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 8:51 PM

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 9:00 PM

NO ACTION WAS TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING CLOSED AT 9:01 PM

SJM:lk