

**MINUTES OF REORGANIZATION TOWN BOARD MEETING
HELD ON JANUARY 2, 2013 AT 7:00 PM AT TOWN
HALL, ONE OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

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

ABSENT: Councilman Cifone
(Home ill)

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

Public comments made during a Board Meeting may be heard on the audiotape of that particular meeting, which is kept in the Town Clerk's Office.

{ } designates corrections or amendments to

7:00 PM

CALL TO ORDER

SALUTE THE FLAG

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

CARRIED: 6-0

Rob Rubin: My question concerns a couple of items on here, for one, I see an appointment for Van DeWater & Van DeWater for the Town Attorney and my concern is, I would like to be sure that this is an item that we put out on bid not just simply a renewal from year to year type of thing. I think, as a taxpayer and individual, I think that the best way to make sure the dollars are spent – they are very fine attorneys, I don't have a problem with that, but, just to make sure that others have an opportunity to bid on Town contracts and I certainly think that this is an extensive one and deserves at least the attention (inaudible). The other thing concerns the appointments of the Town Planning Board. I don't see them here. I thought there were more people listed here. I thought there were three people listed to be appointed to various other Boards. I'd like to ask that at least for the future that set up of such appointments be posted on the Town's website so that other members of the community have an opportunity to at least submit a resume and participate in our government. If those postings were there for those particular positions, I didn't see it. I feel I would like to see this opened up so that there would be more representation of the Town and give them an opportunity to participate in this.

Ann Barcher: I would like to say I am concerned about having contracts with local attorney's (inaudible) I also want to say, I am a deer advocate. We have a beautiful group of deer in Dutchess County. They live in my back yard and probably in all of your back yards; they are an asset to everyone except for Vassar College, which doesn't have the good sense to put up a fence. That's what everyone else does when they don't want the deer on their property. There is currently legislation pending and I was wondering when they expect an answer to the appeal. I also understand that Vassar College is busy baiting the deer, you know what they do, and then they shoot them. I employ you to stop this carnage. If Vassar College needs money to build a fence, maybe you can help them out. Killing these deer is just gross and inhuman. This is not the answer, if you don't like something, you don't kill them. Please check your ordinance and stop it.

Joe Armstrong: All of the items you mentioned tonight that are on the agenda, are all these things going to be explained as to what they entail before you give your approval of them? (Yes) Like the VFW Agreement. Do you read off first what these things are and then explain them?

Councilman Krakower: A lot of these things are done from year to year.

Supervisor Tancredi: Well, like the one you raised, it is the VFW Post 170 at 1 Violet Avenue, its one paragraph; it's a lease of playgrounds for the year by the Town. Yes, the resolution usually describes what the issue is.

Mary Ennis: I have a question on the extension of the 10/15/08 Contract with LRC For Professional Management Services relating to Planning, Zoning, Development, Enforcement & Related Services. Why do we need a private management service when we have a Zoning Department, Planning Department, and Development Enforcement? Why are we paying for them? What do they do?

Supervisor Tancredi: LRC is Neil Wilson, who is our Director of Development and is a continuation of his contract for an additional year.

Mary Ennis: So you are hiring one guy?

Supervisor Tancredi: Yes, he's been here, that's Neil Wilson.

Mary Ennis: Why isn't his name on the Resolution? What is LRC?

Supervisor Tancredi: His business name, he is a contractor. He runs our Zoning, Planning, and oversees our Building Department and Engineering.

Mary Ennis: So he is an organizational director over all these Departments? (Yes) Where is he in relation to you as the Town Supervisor?

Supervisor Tancredi: He's hired ---

Mary Ennis: He's hired, if you are going to vote on it.

Supervisor Tancredi: He's not hired if we don't renew the contract.

Mary Ennis: Well, how is he in relation to you as the Town Supervisor?

Councilman Krakower: He would report to the Supervisor and Town Board.

Mary Ennis: Who answers to him?

Supervisor Tancredi: Building, Zoning, Planning and Engineering.

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

CARRIED: 6-0

01:02-01 APPOINTMENT

Van DeWater & Van DeWater As
Attorneys To The Town

RESOLUTION

BE IT RESOLVED, that the Town Board finds it to be in the best interest of the Town to designate Van DeWater & Van DeWater, LLP as the Attorneys to the Town of Poughkeepsie pursuant to Town Law Section 20(2)(b) for 2012, without the solicitation Of alternate proposals, and does hereby designate it to provide such legal services at Town Hall Board meetings, and by telephone consultation for \$98,000, to provide the balance of the required legal services at the rate of \$165.00 per hour for partners, \$155.00 per hour for associates and \$80.00 per hour for paralegals, subject to an annual cap of \$65,000, exclusive of Zoning and Panning Board pass through funds services, and to represent the Town in litigation and tax certiorari matters as separately assigned from time to time.

SO MOVED: J. Baisley/J. Conte

Supervisor Tancredi: I should mention, Councilman Cifone is home ill tonight.

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

Nays: None

CARRIED: 6-0

01:02-02 APPOINTMENT

Craig Wallace, Esq. For Code Enforcement;
Parking Violations; Legal Services

RESOLUTION

BE IT RESOLVED, that for 2013 the Town Board of the Town of Poughkeepsie does hereby find that it is in the best interest of the Town to re-appoint Craig Wallace, Esq., pursuant to Section 20(2)(b) of the Town Law to act as Attorney for the Town without solicitation of alternate proposals, and does so re-appoint him to provide services at the rate of \$155.00 per hour for code enforcement advice and litigation in the Town of Poughkeepsie Town Courts regarding zoning, noise control, animal control, building code control and violations, and parking violations at the rate of \$155.00 per hour, subject to an annual maximum cap of \$59,000.00 from the Legal Department budget line, with any surplus reverting to the General Fund at the end of the year 2013.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

01:02-03 APPOINTMENT

David Wise, Esq. For Labor & Employment Legal Services Agreement

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby find that it is in the best interest of the Town to authorize the Supervisor to sign a Labor and Employment Legal Services Letter Agreement for the year 2013 between the Town of Poughkeepsie and David R. Wise, Esq. of the law firm of Gellert & Klein, without solicitation of alternate proposals, and does hereby authorize the execution of said agreement, a copy of which is attached hereto.

SO MOVED: J. Conte/S. Eagleton

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

Nays: None

CARRIED: 6-0

01:02-04 DESIGNATION

2013 Town Board Meeting Schedule

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has determined that a regular meeting of the Board shall be held on the 1st and 3rd Wednesday of each month, with a Committee of the Whole meeting to be held on the 2nd Wednesday of each month for the year 2013, unless otherwise noted; now therefore

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adopt the 2013 Town Board Meeting Schedule, a true copy of which is attached hereto and incorporated herein, and

BE IT FURTHER RESOLVED, said meeting shall be at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York and shall commence at 7:00 PM unless otherwise noted.

SO MOVED: S. Krakower/A. Shershin

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

01:02-05 APPROVE 2013 Non-Union Salary Schedule

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approved and adopt the Non-Union Salary Schedule for the year 2013, a copy of which is attached hereto and incorporated herein.

SO MOVED: A. Shershin/J. Conte

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

01:02-06 ADOPT 2013 Holiday Schedule

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby declare and adopt the following official holidays for the year 2013 to wit:

New Year's Day	Tuesday, January 1, 2013
Martin Luther King Day	Monday, January 21, 2013
Presidents' Day	Monday, February 18, 2013
Memorial Day	Monday, May 27, 2013
Independence Day	Thursday, July 4, 2013
Labor Day	Monday, September 2, 2013
Columbus Day	Monday, October 14, 2013
Election Day	Tuesday, November 5, 2013
Veterans' Day	Monday, November 11, 2013
Thanksgiving Day	Thursday, November 28, 2013
Day After Thanksgiving	Friday, November 29, 2013

Christmas Day Holiday

Wednesday, December 25, 2013

SO MOVED: Supervisor Tancredi/J. Baisley

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

Nays: None

CARRIED: 6-0

01:02-07 RE-ADOPT

Rules Of The Town Board

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adopt the annexed "Rules of the Town Board of the Town of Poughkeepsie", a copy of which is attached hereto and incorporated herein.

SO MOVED: J. Baisley/S. Eagleton

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

Nays: None

CARRIED: 6-0

RULES OF THE TOWN BOARD ATTACHED TO FINAL BOOK COPY

01:02-08 APPROVE & ADOPT

2013 Highway Rental Rates

RESOLUTION

WHEREAS, proposals were solicited for the Highway Department rental rates for the year 2013; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve and adopt the Highway Department Rental Rates for the year 2013, per the recommendation of the Superintendent of Highways, true copies of which are on file in the Town Clerk's Office for public inspection.

SO MOVED: J. Conte/S. Eagleton

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

Nays: None

CARRIED: 6-0

01:02-09 BID AWARD

Highway Supplies For 2013

RESOLUTION

WHEREAS, bids were solicited for highway supplies for the year 2013; and

WHEREAS, said bids were received and opened; now therefore

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby award the bids for Highway Supplies for the year 2013, per the recommendations of the Highway Superintendent, as outlined in the documentation attached hereto and made a part hereof.

SO MOVED: S. Krakower/J. Conte

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

HIGHWAY SUPPLIES LIST ATTACHED TO FINAL BOOK COPY

01:02-10 AUTHORIZE & ADOPT 2013 Agreement To Expend Highway Funds Pursuant To Section 284 Of The NYS Highway Law

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize, adopt and approve the execution of an agreement, pursuant to Section 284 of the New York State Highway Law, to expend Town Highway funds in 2013 according to the terms and conditions set forth therein, a true copy of which is attached hereto and made a part hereof.

SO MOVED: A. Shershin/S. Eagleton

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

AGREEMENT ATTACHED TO FINAL BOOK COPY

01:02-11 AUTHORIZE Bonds For Town Officials

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby declare and direct that the bonds for all Town Officials be continued in the same manner as heretofore established, with the same force and effect.

SO MOVED: Supervisor Tancredi/J. Conte

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

01:02-12 APPOINTMENT Emergency Interim Successors

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does appoint as Emergency Interim Successors, as requested by the Dutchess County Department of Emergency Response, and does hereby specify their rank in order of succession as listed, the following individuals:

1. Stephan Krakower
2. Marc Pfeifer
3. Jon Jay Baisley

BE IT FURTHER RESOLVED, the Supervisor is hereby authorized, empowered and directed to execute the Emergency Interim Successor designation form, in duplicate, which is attached hereto, and to return it to the D.C. Department of Emergency Response.

SO MOVED: J. Baisley/S. Eagleton

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

01:02-13 APPOINTMENT Emergency Chain Of Command

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby appoint the following individuals as the Emergency Chain of Command for the year 2013, to wit:

1. Todd Tancredi
2. Marc Pfeifer
3. Thomas Mauro

SO MOVED: S. Eagleton/J. Conte

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

01:02-14 APPROVE

Adjustment Of Holiday Schedule
For Highway Department Due To
Leaf Pickup

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adjust the Holiday Schedule for the Highway Department due to its leaf pickup commitments on Election Day and Veterans Day, as follows:

Election Day – November 5, 2013 – Change to August 8, 2013; and
Veterans Day – November 11, 2013 – Change to December 24, 2013.

SO MOVED: J. Conte/S. Eagleton

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

Nays: None

CARRIED: 6-0

01:02-15 ESTABLISH

Standard Workday For Elected &
Appointed Officials

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby establish the standard workday for each elective and appointive official, which shall be not less than 6 hours per day; and

BE IT FURTHER RESOLVED, that the standard work week shall be Monday through Friday; and

BE IT FURTHER RESOLVED, that the following is a list of the elected officials with their term expiration date:

	TERM ENDS	HOURS PER WORKDAY
Todd Tancredi, Supervisor	12/31/13	8
Jon Jay Baisley, 1 st Ward Councilman	12/31/13	6
Joseph Conte, 3 rd Ward Councilman	12/31/13	6
Michael Cifone, 4 th Ward Councilman	12/31/13	6
Stephan Krakower, 5 th Ward Councilman	12/31/13	6
Ann Shershin, 6 th Ward Councilwoman	12/31/13	6
Geoffrey Patterson, Receiver of Taxes	12/31/13	8
Susan J. Miller, Town Clerk	12/31/13	8
Marc Pfeifer, Superintendent of Highways	12/31/13	8
Paul O. Sullivan, Town Justice	12/31/15	6

AND BE IT FURTHER RESOLVED, that the following is a list of the appointed officials with their term expiration date:

	TERM ENDS	HOURS PER WORKDAY
James Wojtowicz, Comptroller 8:00 AM – 4:00 PM (1 hour lunch)	12/31/13	8

AND BE IT FURTHER RESOLVED, that commencing January 1, 2013 the elected or appointed official shall record his or her work activities for a period of three consecutive months, which will include matters outside the normal working hours for the purpose of actually attending to official duties, including to responding to an emergency, attending an employer sponsored event or meeting with, or responding to, members of the public on matters of official business; and

BE IT FURTHER RESOLVED, that said records shall be completed within 150 days of taking office and shall be submitted within 180 days to the Clerk of the Governing Board; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to certify the “Standard Work Day and Reporting Resolution” as presented to this Town Board.

SO MOVED: S. Krakower/J. Conte

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

Nays: None

CARRIED: 6-0

01:02-16 AUTHORIZE
SUPERVISOR
TO SIGN

VFW Agreement

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a lease agreement between the Town of Poughkeepsie and the VFW Vail Wolff Post No. 170, located on 1 Violet Avenue, Poughkeepsie, New York, for the lease of a playground for the period of January 1, 2013 to December 31, 2013, a true copy of which is attached hereto and incorporated herein.

SO MOVED: A. Shershin/S. Krakower

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Krakower, Councilwoman

Shershin and Supervisor Tancredi
Nays: None

CARRIED: 6-0

LEASE AGREEMENT WITH VFW ATTACHED TO FINAL BOOK COPY

01:02-17 REAPPOINTMENT

To Town Planning Board Of
Edward LaPerche

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby re-appoint Edwin LaPerche to the Town of Poughkeepsie Planning Board for a 7 year term, which term runs from January 1, 2013 through December 31, 2019.

SO MOVED: T. Tancredi/J. Conte

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

Nays: None

CARRIED: 6-0

01:02-18 AUTHORIZE
SUPERVISOR
TO SIGN

American Legion agreement For
Recreation

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement for the year 2013 with the American Legion Post #1302 for the utilization of premises owned by the American Legion Post #1302, which premises shall be used for recreational purposes under the terms and conditions set forth in the agreement, a true copy of which is attached hereto and incorporated herein.

SO MOVED: J. Baisley/S. Eagleton

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

Nays: None

CARRIED: 6-0

LEASE ATTACHED TO FINAL BOOK COPY

01:02-19 AUTHORIZE
SUPERVISOR
TO SIGN

Employee Assistant Program

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the renewal agreement for the Employee Assistance Program (EAP) by and between the Town of Poughkeepsie and the WorkPlace at St. Francis Hospital for 2013, at the same fee per employee as 2012.

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

01:02-20 AUTHORIZE
SUPERVISOR
TO SIGN

Susan Roeller Brown Contract For
Her Grant Writing

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Contract Proposal between the Town of Poughkeepsie and Susan Roeller Brown to provide grant writing services, which contract will be in effect from January 1, 2013 through December 31, 2013, a copy of which is attached.

SO MOVED: J. Conte/S. Eagleton

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

Nays: None

CARRIED: 6-0

CONTRACT COPY ATTACHED TO FINAL BOOK COPY

01:02-21 AUTHORIZE
SUPERVISOR
TO SIGN

Washington Hollow Rod & Gun
Club, Inc., Agreement

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a License Agreement with Washington Hollow Rod and Gun Club, Inc. for use by the Town of Poughkeepsie Police Department for target practice for an annual fee of \$2,000.00, which agreement shall be in effect from January 2, 2013 through December 31, 2013.

SO MOVED: S. Krakower/S. Eagleton

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

Nays: None

CARRIED: 6-0

01:02-22 AUTHORIZE
SUPERVISOR
TO SIGN

2013 Dial-A-Ride Amendment &
Extension Agreement With Dutchess
County

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the 2013 Dial-A-Ride Amendment and Extension Agreement with the County of Dutchess, which agreement provides for a joint service transportation system for senior citizens and handicapped individuals with payments made by the Town not to exceed \$65,780.00.

SO MOVED: A. Shershin/J. Conte

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

Nays: None

CARRIED: 6-0

01:02-23 RESCIND/APPOINT

Rescind Resolution 12:19-SC 6 Of
2012 & Appoint Joe Lepore To The
Town Planning Board & Peter
Fanelli To The Town Planning
Board As An Alternate

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby rescind **RESOLUTION 12:19-SC 6 Of 2012** and does hereby appoint Joe Lepore to the unexpired term of Ann Conroy to the Town of Poughkeepsie Planning Board which term expires December 31, 2016; and

BE IT FURTHER RESOLVED, does hereby appoint Peter Fanelli to the Town of Poughkeepsie Planning Board as an alternate to fill the unexpired term of Joe Lepore which term expires December 31, 2015.

SO MOVED: Supervisor Tancredi/J. Baisley

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

Nays: None

CARRIED: 6-0

01:02-24 AUTHORIZE

SC 1, SC 2, And SC 3

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. Authorize Supervisor to Sign | American Legion Agreement – Nutrition Center |
| SC 2. Authorize Supervisor to Sign | Contract Extension – LRC Planning Services |
| SC 3. Authorize Supervisor to Sign | License Agreement – Lease of Barn Structure 14 Abe’s Way (REMOVED) |

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

SO MOVED: S. Eagleton/J. Conte

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

Nays: None

CARRIED: 6-0

01:02-SC 1 AUTHORIZE
SUPERVISOR
TO SIGN

American Legion Post #1302
Agreement For Utilization Of
Premises For Senior Citizen
Friendship & Nutrition Center

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement for the years 2013 through 2017 with the American Legion Post #1302 for the utilization of premises owned by the American Legion Post #1302, which premises shall be used for the Senior Citizen Friendship and Nutrition Center operated by the Dutchess County Office of the Aging, under the terms and conditions set forth in the agreement, a true copy of which is attached hereto and incorporated herein.

SO MOVED: J. Conte/S. Eagleton

Supervisor Tancredi: The amount paid is \$2,418.00 per quarter to use this building.

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

Nays: None

CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

01:02-SC 2 AUTHORIZE
SUPERVISOR
TO SIGN

Extension Of 10/15/08 Contract
With LRC For Professional Manage-
ment Services Relating To Planning,
Zoning Development, Enforcement
& Related Services

RESOLUTION

WHEREAS, the Town of Poughkeepsie has since 2008 contracted with LRC Planning Services, LLC for professional management services relating to Planning, Zoning, Development, Enforcement and related services; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie authorizes the Supervisor to enter into an extension of the October 15, 2008 contract with LRC through December 31, 2013 at a rate of payment of \$112,200.00 per year, which is a continuation of the rate of payment made to LRC Planning Services, LLC during the years 2011 and 2012.

SO MOVED: S. Krakower/J. Conte

Councilman Eagleton: My only complaint about this is that it doesn't have the language to the affect that we have for yearly contracts with lawyers and I think it in the best interest of the Town to continue (inaudible)

Attorney Nelson: It was my omission. I prepared this and I think if you want to amend the motion to say that it is in the best interest to (inaudible)

Motion made to amend the resolution to say for the Town to continue without solicitation for this: Councilman Eagleton/A. Shershin

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

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

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

CARRIED: 6-0

Attorney Marcie Schwartz: The reason I am here is that you people are wasting my time and I don't like it. Vassar College proposes to use high powered rifles to shoot a deer herd in the mist of a residential area. Why are you sitting on your hands about this? The Noise Ordinance absolutely, 100% prohibits this activity. Second of all, I have people, because of my involvement, I am an animal lover, this isn't about the deer however, this is about you people doing your job. Your primary job is to protect the safety and well being of Town residents. The Noise Ordinance is for just that purpose. If you read the preambles to it, that's what it's for. You can certainly understand that shooting a high powered rifle virtually in your back yard is certainly an amount of unreasonable noise. I don't particularly understand why you have not told Vassar College that this is prohibited on Town land. As you well know, you have the problem because the City already told them they would enforce their ordinance. It's that's simple and that's why I'm perplexed and I don't understand why you haven't done anything and not told them this can not happen. This is 100% what the Town Law is meant to prevent. Second of all. You have a dangerous situation here. I was shocked to find out that has been within 5 miles which I have also mentioned the last time. If you as a Town, knowingly allow Vassar College to go out there and do this illegal activity, I don't even know if the Town insurance would cover you in the case of a lawsuit. It's something you should look into. The biggest problem is that if someone could get shot or injured, but you do have, a liability issue and for that reason alone you should ask. God forbid, what if a residents garage got shot up, they are going to come to you with their hand out and they would be entitled to it. If your insurance even covers it, your insurance premiums will go up. I want to quote some things you Mr. Supervisor said in the Poughkeepsie Journal. I would just like to correct any misconceptions. You said twice, that the Town is neutral.

Supervisor Tancredi: I said the Town takes no position, right.

Attorney Marcie Schwartz: That's impossible. You were obviously signaling to Vassar College that you are not going to make any effort to stop them from violating the Town Code, what sense does that make? If you don't write them and tell them to back off, how is that neutral?

Supervisor Tancredi: That's just a matter of an opinion.

Attorney Schwartz: It's not a matter of opinion. It's a matter of State Law that "There is no legal rifle hunting in Dutchess County".

Supervisor Tancredi: It states you need a DEC permit to use a rifle for hunting.

Attorney Schwartz: Baiting and shooting is not hunting. This is not a legal requirement of YOUR Town Law. The DEC permit does not supersede your Town Law either. The DEC permit says that the permit holder still has to abide by the Town Ordinance. Talk to hunters, they don't like this because it is not hunting, it's unsportsmanlike. 1. Baiting the animals by luring them with food and baiting them is not hunting. 2. There is no rifle hunting in Dutchess County, there is not an exception here. 3. This is also outside the

legal hunting season. (again, it's not legal hunting) Who has the authority to go to Vassar College and tell them this is illegal under the Town Law? Is it the entire Board?

Councilman Conte: I think everyone sitting out here should all take a moment to write a letter to Vassar College and state that we are against it, because I'm also against this. I think they should come up with a little better idea for what they are doing. Write to Vassar and tell them to stop this.

Attorney Schwartz: I did. Vassar College is going to be doing this every two years or so unless you're Town says "No". The Town Ordinance is specific enough about guns. Look at 139-4M it is specific enough about guns that I think you could absolutely write a letter and tell them that carrying out such a mass kill by a high powered rifle in a residential area is not legal under the Code.

Doreen Tignanelli: I have a question on Item #3. David Wise, I didn't hear how much his ---

Supervisor Tancredi: It's capped at \$33,000 for the year and in the past, he hasn't reached that amount.

Doreen Tignanelli: Also, the accidents for deer. I was at the November 5th closed session and they showed a chart of an infrared (inaudible) data that showed where the deer were on Vassar Farm and the surrounding areas and one of the Town residents who lives in the Red Oaks Mill area said that the day after the kill, I saw deer in my yard. The Professor said, "If you look at the data, it shows that while the actual amount of deer was reduced on the farm itself, the surrounding areas, the numbers really did not go down. So, I don't see how, when they say this is going to reduce car/deer accidents throughout the Town. I just think it is misleading when they try to say that this is going to help reduce car/deer accidents throughout the community because their own data did not show that. They only migrate in a one square mile radius.

Joseph Armstrong: I think Vassar could do a whole lot different to accomplish what they want to do with this. I'm not a hunter or particularly an animal lover, I have deer all around my place, too and I chase them, but, I think Vassar with their funds, could find a better way and it's a shame they are taking the easy way out, I guess.

Councilman Conte: I agree.

Ann Barcher: Listen to Marcie Schwartz, she is a local expert on all these matters. She is the one who brought the litigation that is pending. If there is no law, write one. Stephen, you're an attorney, come up with a law to not allow this. Come up with a letter to Vassar College signed by the Supervisor stating not to do this until there is time to come up with a better solution. That kind of a letter and have it published and see if it works. Now, at the beginning of the meeting, did I hear correctly that Cathy Crane died?

Supervisor Tancredi: Yes, on the week end.

Ann Barcher: I was very fond of Cathy Crane when I was Supervisor. We worked together very well. I would ask that you would put the arrangements on the Town of Poughkeepsie Website. Also, I suggest that something be put up in the Town, a Town picture or something. She was a wonderful person.

Robert Rubin: I noticed when I came in today, there was a note outside that the Town has operational now, the assisted devices for the hearing impaired. I wanted to thank the Town for that. I wanted to thank Councilman Eagleton because it has been three years now since this was requested and now it has come to fruition. I also wanted to thank the Supervisor because I found out today that there was an interview with the Supervisor regarding the Historical Preservation Commission that's posted on the website.

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

CARRIED: 6-0

RESOLUTION

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

1. Litigation: To discuss litigation strategy in a case known as OKTAY vs Zoning Board

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

SO MOVED: J. Baisley/S. Eagleton

CARRIED: 6-0

MEETING ADJOURNED AT 8:12 PM

TOWN BOARD WENT INTO EXECUTIVE SESSION AT 8:15 PM

TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 8:25 PM

NO ACTION WAS TAKEN

MOTION MADE TO CLOSE THE MEETING AT 8:26 PM

SJM:lkm