

**MINUTES OF A COMMITTEE OF THE WHOLE AND SPECIAL  
TOWN BOARD MEETING HELD ON FEBRUARY 12, 2014 AT 7:00 PM  
AT TOWN HALL, ONE OVERROCKER ROAD, POUGHKEEPSIE, NEW YORK**

**PRESENT:** Supervisor Tancredi  
Councilman Baisley  
Councilman Carlos  
Councilman Cifone  
Councilwoman Shershin

**ABSENT:** Councilman ConTe  
Councilman Krakower

- **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

**7:00 PM**

**CALL TO ORDER**

**SALUTE THE FLAG**

**02:12 COW 1 PRESENTATION**

**By Airosmith Development Re:  
AT & T Cell Towers**

Representatives came from Albany to give a presentation for two proposed Cell Tower Sites on Town Property located at 5 Alexander Blvd. and 49 Tucker Drive. They spoke on tower design options and antenna types. Supervisor Tancredi thanked the speakers for their time and stated that if interested, the Board will be in touch with them. Supervisor Tancredi also mentioned that we were having some difficulty with the broadcasting of the actual meetings. Sound was working, and the presentation could be seen, but the actual meeting appeared black. Mark Fink, Town Software Support Analyst, is working on the problem.

**COMMITTEE REPORTS**

- |                                   |   |
|-----------------------------------|---|
| <b>1. FINANCE COMMITTEE</b>       | <b>Councilman Krakower: No Report</b>                             |
| <b>2. FIRE ADVISORY</b>           | <b>Councilman Conte: Lenny is trying to set up a meeting.</b>     |
| <b>3. GOVERNMENT OPERATIONS</b>   | <b>Councilwoman Shershin: No Report</b>                           |
| <b>4. LAND USE &amp; PLANNING</b> | <b>Councilman Krakower: A meeting is scheduled for next week.</b> |
| <b>5. PERSONNEL</b>               | <b>Councilman Cifone: No Report</b>                               |

**6. RECREATION**

**Councilman Baisley:** We met and discussed recent mowing bid, decision to be made soon.

**7. SENIOR CITIZENS**

**Councilman Baisley:** There will be a senior Fair Day on May 17<sup>th</sup> and some Senior information will be going out on that and we will be working with Dial a Ride on getting the seniors there and Dial A Ride also.

**8. WATER, SEWER, HIGHWAY**

**Councilman Carlos:** We had a snow meeting. Next meeting is first week of March.

Supervisor Tancredi said he had asked Supervisor of Highway Mark Pfeifer to come up and give an update on the winter weather and the issues that all the snow can bring, like the budget and getting salt.

Mark Pfeifer, Supervisor of Highway: We've used double what we've used for most years. We do have enough salt. We got more this week and another 350 ton in the last two days and we mix. We have around 1200 ton on hand and so we are in good shape with that. A normal year we usually put out just on 3000 ton, this year, we're going to hit almost 600 ton between salt and sand. Salt is not cheap, we pay \$53 a ton right now and we are hoping to save about a 1/3 by next season. It's been up now, ten years ago we bought it for \$25.

Councilman Baisley gave Mark a compliment on the good work he is doing. He also mentioned that the residents are coming in with compliments to him on his good efforts.

**Motion made to close the Committee of the Whole Meeting: Supervisor Tancredi/Councilman Baisley.**

**CARRIED: 5-0**

**Motion made to open the Special Town Board Meeting: Supervisor Tancredi/Councilman Baisley**

**CARRIED: 5-0**

**SPECIAL TOWN BOARD MEETING**

**Motion made to suspend the rules for public speaking on agenda items: Supervisor Tancredi/A. Shershin**

**CARRIED: 5-0**

**Joe Armstrong:** Number 5, the appraisal for the Sewer Line Easement? Can you please explain a little bit of that?

**Supervisor Tancredi:** For that job, we are going to need an easement through a neighbor's property and so this is to get an idea –typically when you negotiate these easements you end up with a dollar amount that someone is giving for the value of that easement and it helps us better determine what that value may be before we start.

**Joe Armstrong:** Is that the one from the old plant down to the connection on the South Road? (Yes)

**William Carlos:** It's going to run basically parallel to the road down to that corner because that's where that pipe is under Route 9.

**Joe Armstrong:** There is no pipe running from the old plant down now? (No)

**William Carlos:** The pipe runs from the cul-de-sac over to the plant. Then it goes into the creek there. The plan is to go half way between the cul-de-sac on Pam to where the plant is and about in the middle of the property, put a pump station and it will then make a turn down the hill to Route 9, about ½ or .6 of an acre.

**Supervisor Tancredi:** It's going to go underneath Route 9.

**Phyllis Capone:** Up until Tuesday night, I had been providing services to the Zoning Board as a member for the Sixth Ward. I've been in that position for a while and I have learned a tremendous amount of information and I just wanted to say that I have enjoyed the time and have learned a tremendous amount and I feel that I have represented the Sixth Ward pretty fairly and judiciously and I would like to continue in that position.

**Supervisor Tancredi:** From our point of view, we appreciate your time on the Board, Phyllis. It's not often we have a Board Member who's term is up that we had anybody interested because I've asked and when Phyllis joined the Zoning Board, I was the one that asked Phyllis if she would consider it. Phyllis is a perfect example of one who didn't know what she was getting into and probably somewhat hesitant when I first spoke to her about it, but now has learned a great deal about the Town of Poughkeepsie and learned a whole lot about our Zoning Laws and how the Town functions and works and it is a great opportunity for residents to become involved and learned as Phyllis has and become a more active part of the community. So, when we have an opportunity to get others involved, we hate to pass it up because it is so hard to find people who are willing to commit the time and to serve as you have and we definitely appreciate the time you have spent on the Zoning Board.  
So, thank you.

**Jim Challey:** I'm here as the Chair of the Zoning Board of Appeals. The Town Board has every right to appoint new members when an existing member's term has expired and I'm not questioning that. I was a little disappointed that I first learned of this when I saw last week's meeting agenda, but be it as it may. I just wanted to say that Phyllis has been an excellent member. Her attendance record is very nearly perfect. She comes to each meeting, she is prepared and gone on the field trips, read through the applications, been fair and thoughtful in her questions and has a very nice touch with applicants. It would be a pity to lose her, but that's the decision that you are entitled to make. I would remind many of you, the Zoning Board would benefit from having another alternate member and because of illnesses and people gone, and it is beneficial to have the full panel at all the meetings. We have one Alternate at present who is actually a voting member at each meeting. It would be nice to have a second alternate. Phyllis would be superb and I would urge you to consider making that appointment. I also want to note that for the Zoning Board and Planning Board and Town Board, there is a learning curve and it can be a pretty big one and so I would hate to see the kind of investment that it takes to become knowledgeable and efficient to go to waste. So, do think seriously about the Alternate.

**Supervisor Tancredi:** I agree and I hope we have an attitude of encouraging resident participation and I know people get positions, love them, but I hope we maintain an atmosphere of inclusiveness and an attitude where we encourage people to serve and welcome when they do. We do appreciate what all of you do.

**Paul Lahey:** I am the Alternate on the Board and I appreciate it and I agree with everything Jim had to say, but I would like to add something else. Since there is such a learning time for this and since Phyllis is already on board and does an exceptionally good job, I would encourage you to keep her as Zoning Board member and have the other person as the Alternate. So, I would encourage you to go that route instead.

**Marlene (Second name unmentioned):** I have a question on the agenda from last week. There was another name on for the Zoning Board, is that name gone?

**Supervisor Tancredi:** Yes, it is. It's not on tonight's agenda and the gentleman has withdrawn his name.

**Marlene:** I do want to say that I watch the meetings and I want to speak regarding this lady that has come up. I have seen her and I've seen that Board and they are very compatible and I think they do a good job. I would express the importance of keeping her around.

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

**CARRIED: 5-0**

**02:12-01 RE-APPOINT Board of Ethics Members, William Polgrean & Robert Nasser**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reappoint William Polgrean to the Board of Ethics for a five (5) year term commencing on March 1, 2014 and terminating on February 28, 2019; and**

**BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reappoint Robert Nasser to the Board of Ethics for a five (5) year term commencing on March 1., 2014 and terminating on February 28, 2019.**

**SO MOVED: J. Baisley/W. Carlos**

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

**Nays: None**

**CARRIED: 5-0**

**02:12-02 APPOINT**

**Historic Preservation Commission  
Member Diane Levitt**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Diane Levitt to the unexpired term of Susan Miller on the Historic Preservation Commission through April 19, 2014.**

**SO MOVED: W. Carlos/A. Shershin**

**Councilwoman Shershin: Diane is an excellent candidate, she is from the First Ward and she did our windscreen survey of the Historic Town. She drove around the Town and recorded where the Historic resources are. She is very knowledgeable about the Town and has restored a historic house in New Hamburg. She's a very good candidate.**

**Councilman Baisley agreed.**

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

**Nays: None**

**CARRIED: 5-0**

**02:12-03 APPOINT**

**Zoning Board of Appeals Member –**

**Christine B. Soricelli**

**RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby appoint Christine B. Soricelli to the Zoning Board of Appeals for a seven (7) year term commencing January 1, 2014 and terminating on December 31, 2020.

**SO MOVED: M. Cifone/J. Baisley**

**Councilwoman Shershin:** Actually I think this appointment is a bit premature. I'm glad she is interested in working for the Town, but we have a candidate already in place that is doing a great job. She has a good attendance record and comes prepared, and she is fair minded and she has only been given a four year term and I would like to see her being given a full term and if not that, see that she remains as an alternate.

**Supervisor Tancredi:** I agree with the Alternate and my view actually, I think it is better to have alternates that are experienced.

**Councilman Carlos** moved to amend the resolution to make the current member, Phyllis Capone, the Alternate.

**Supervisor Tancredi:** The alternates serve a four year term and so Phyllis's term would commence January 1<sup>st</sup>, 2014 and end December 31, 2017.

**Motion moved by William Carlos and seconded by Michael Cifone**

**ROLL CALL ON AMENDMENT:** Ayes: Councilmen Baisley, Carlos, Cifone,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None **CARRIED: 5-0**

**ROLL CALL ON MOTION:** Ayes: Councilmen Baisley, Carlos, Cifone and  
Supervisor Tancredi  
Nays: Councilwoman Shershin **CARRIED: 4-1**

**02:12-04 AUTHORIZE  
SUPERVISOR  
TO SIGN**

**Contract With TG Elliott-  
Senior Center Sliding Door**

**RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a purchase and installation contract with TG Elliott Associates, Inc., for the sliding wall at the Town Senior Center at the cost

of \$16,000.00, which cost was the lowest of three quotes received by the Recreation Director, and it does further waive the requirement for a formal RFP because the Recreation Director has fully canvassed the limited market for these products, and because the cost of preparing formal specifications and issuing a form RFP will be saved, and

**BE IT FURTHER RESOLVED**, that the Town Board finds that this purchase and installation of equipment is part of the Town's ongoing administration of the Senior Center and is a type II Action requiring no environmental review.

**SO MOVED: A. Shershin/J. Baisley**

**Councilman Carlos: Its \$16,000, what is the dollar limit before we have to do a bid?**

**Town Attorney Nelson: The basis for this resolution is Section 104B of the General Municipal Law which says that for matters which do not require a formal bid, Town's have to have a process and the Town can adopt a process which does away with the need to procure alternative quotations, if you are under the limit. The limit in this case, under State Law, is \$30,000 for Public Works projects. Under our procurement policy, the limit is considerably less than that because it has not been updated. I think it is \$12,000 or \$13,000. Basically, what the Town is doing is within, what I believe, it's authority under State Law to make a modification in the situation to the requirement for an RFP and I anticipate that the Board will be considering a general modification to the Procurement Policies which will raise that limit so that we won't need to be doing this. Whether you will adopt it or not, I don't know.**

**Supervisor Tancredi: This money is in the Budget.**

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

**Nays: None**

**CARRIED: 5-0**

**02:12-05 RETAIN**

**Donald McGrath – Appraisal For Sewer Line Easement**

### **RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby authorize the retention of Donald M. McGrath, MAI, of McGrath & Company, Inc., at a cost not to exceed \$1,500.00 to act as the Appraiser for the Town of Poughkeepsie for the purpose of preparing a preliminary estimate of the cost of an easement to connect the existing Country Club Sewer System to the existing Route 9 force main.

**SO MOVED: Supervisor Tancredi/J. Baisley**

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

**Nays: None**

**CARRIED: 5-0**

**02:12-06 MEMORIALIZE**

**The Town's Objection To The Corporate Tax On Manufacturer's Within The MTA Region**

### **RESOLUTION**

**WHEREAS, the Town of Poughkeepsie has received notification that the 2014-2015 New York State budget includes a provision that would eliminate the corporate income tax on manufacturers for all of the state except for counties in the MTA Region, including Dutchess County; and**

**WHEREAS, this proposal will drive manufacturing jobs out of our communities. A manufacturing business in Dutchess County would pay a 6.5% corporate tax, while a business in Ulster or Columbia County would have no corporate tax; and**

**WHEREAS, the Poughkeepsie-Newburgh-Middletown metro area is one of only two New York regions to lose private-sector jobs in 2013; and**

**WHEREAS, proposals to split New York State into separate tax zones are divisive and pit New Yorkers against each other; now therefore**

**BE IT RESOLVED, that the Town of Poughkeepsie memorializes the State Senate, Assembly and Governor to include all of New York, including the counties in the MTA Region, in the elimination of the corporate tax on manufacturers; and**

**BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to forward a copy of this resolution to New York State Senator Terry Gipson and New York State Assembly member Didi Barrett.**

**SO MOVED: J. Baisley/W. Carlos**

**Supervisor Tancredi: I've spoken to Senator Gipson about this and he told me he would urge the Legislature to change the Budget. I think the Governor is trying to improve the western part of the State, but it's going to start to be at the expense of our area. My concern, quite frankly is why would manufacturers come to our town when he could go to Ulster County and avoid corporate tax.**

**Councilman Baisley: He's not looking at the whole picture, he's looking at counties at a time and he should be looking at the whole State of New York and repair the whole state. It's time for Albany to wake up and give us the help we need.**

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

**Nays: None**

**CARRIED: 5-0**

**02:12-07 AUTHORIZE  
SUPERVISOR  
TO SIGN**

**Stop DWI Agreement With County**

### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign the 2014 STOP-DWI Drug Recognition Expert Program Contract with the County of Dutchess, copies of which are attached.**

**SO MOVED: W. Carlos/J. Baisley**

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

**Nays: None**

**CARRIED: 5-0**

### **AGREEMENT ATTACHED TO FINAL BOOK COPY**

**02:12-08 ADJOURN TO  
EXECUTIVE SESSION**

**To Enter Executive Session To  
Consider Following Matters:  
A. Litigation Matters Pertaining  
To Ferrari  
B. Confidential Communication  
Between Attorney And His  
Client, The Town Board, Based  
On Attorney/Client Privilege**

**Motion made to suspend the rules for Public Comments: Supervisor Tancredi/M. Cifone**

**CARRIED: 5-0**

**Doreen Tignanelli: I wanted to comment on the ell tower, Alexander Boulevard and I believe this came up about 8 years ago. They wanted to put one in a particular location and there were issues back then and so, if Mr. Carlos wasn't aware of that, you may want to review what happened the first time around so you can see what the resident's concerns were.**

**Councilman Carlos:** I know, the residents didn't want it, if I remember correctly.

**Jim (No last name given)** I just wanted to toss in another thing to consider in the Cell Towers. I don't quite understand why they can't locate on the radio broadcast tower that's quite nearby.

**Supervisor Tancredi:** I think they probably can, I think what she was trying to say, I think they are thinking they are giving us the "First bite at the apple". But if we can say "No", we've said "No" in the past, but if we say "No" they will offer that same money to a private radio station of someone else.

**Jim:** I understand how important revenue is to the Town Budget and along that line, I would check with a lot of other municipalities. I think the rents are going up on these.

**Supervisor Tancredi:** Ok, thanks.

### **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 Ferrari.
- 2. Confidential communication** between attorney and his client/Town Board based on attorney/client privileges.

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

**SO MOVED:** J. Baisley/M. Cifone

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

Nays: None

**CARRIED: 5-0**

**SPECIAL TOWN BOARD MEETING ADJOURNED AT 8:00 PM  
TOWN BOARD ENTERED EXECUTIVE SESSION AT 8:04 PM  
TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 8:25 PM  
NO ACTION TAKEN IN EXECUTIVE SESSION  
SPECIAL TOWN BOARD MEETING CLOSED AT 8:26 PM**

**FS:lkm**