

**MINUTES OF A REGULAR TOWN BOARD MEETING
HELD ON JANUARY 22, 2014
AT 7:00 PM AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Tancredi
Councilman Baisley
Councilman Carlos
Councilman Conte
Councilman Cifone
Councilman Krakower – Arrived at 7:05 PM
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore

- 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

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

CARRIED: 7-0

Doreen Tignanelli: #4, it looks like a Court Case, DeCordova V. Town, is that because there was a question of an assessment being lowered and the Town couldn't reach an agreement with the client?

Supervisor Tancredi: It's a Tax Cert. He is challenging his assessment. If we could work it out internally without spending legal money, we will, but it doesn't look like it's going in that direction.

Doreen Tignanelli: Ok, #5, the agreement with the County for the Salt Spreader. This was part of that County grant or something? I was under the impression that that had already gone through, but you are just putting that motion through tonight?

Supervisor Tancredi: Well, we received the grant and we were notified of it last winter or last fall and it has just been paperwork and asking for insurance information from us and other information and so it's just a paper trail following up with the grant.

Doreen Tignanelli: Ok, the last one is the truck purchase for the water department and when I looked at the package online, it looks like it's going to cost even less money than expected?

Supervisor Tancredi: Yes, it's a different truck.

Doreen Tignanelli: Ok, then I would like to thank Supervisor Ballard for saving the taxpayer some money.

Motion made to resume the rules: Supervisor Tancredi/J. Conte
CARRIED: 7-0

Supervisor Tancredi: Jim, do we have to do anything special in terms of adjourning this first item?

Attorney Jim Nelson: You're probably going to end up re-advertising this, but I guess the best thing to do is to pick a meeting, probably the second meeting in February, and open it and adjourn it to the second meeting in February.

Motion made to adjourn the meeting to February 12, 2014: Supervisor Tancredi/M. Cifone
CARRIED: 7-0

01:22-01 PUBLIC HEARING

**Unsafe Building Located At 26
North Grand Avenue**

RESOLUTION

WHEREAS, by Resolution 12:18-#10 of 2013 adopted on December 18, 2013, the Town Board of the Town of Poughkeepsie has determined that the one and a half story building ("Building") located at 26 North Grand Avenue, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6161-07-707937 (the "Premises"), owned by David G. Jago is dangerous, unsafe and dilapidated, and an imminent threat to the general public; and

WHEREAS, the Town Board adopted Findings regarding the Building and directed the issuance of an Order and Notice requiring the demolition of the Building and the setting of a Public Hearing regarding the Order and Notice; and

WHEREAS, said Order and 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 Order and Notice and be completed no later than sixty (60) days thereafter, 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, the Town of Poughkeepsie has in the Order and Notice reserved its right to proceed more rapidly with the remediation of this site if it is required pursuant to Town Code Section 71-12, and

WHEREAS, that the Legal Notice of Public Hearing was posted on January 6, 2014 and published in the Poughkeepsie Journal on January 8, 2014; and

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

BE IT RESOLVED, that in the event that the owner has not timely commenced or completed the demolition, the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Building by Town employees or by the contractor making the lowest price proposal to the Town consistent with Town Code Section 71-10, 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 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).

ADJOURNED TO FEBRUARY 12, 2014

01:22-02 AUTHORIZE

**Truck Purchase For Water
Department**

RESOLUTION

WHEREAS, the Town of Poughkeepsie Water Department wishes to purchase a new dump truck for use by the Water Department, which vehicle would also be available for use by the Highway Department; and

WHEREAS, the County of Chautauqua, pursuant to General Municipal Law Section 103 issued competitive bids and procured a low bid from Van Bortel Ford, Inc. of East Rochester, New York, for a 2014 Ford F550 XL Reg Cab 4WD DRW 141" Dump Truck in the amount of \$54,323.00, which Water Maintenance Supervisor Ballard advises is significantly less than the private sector cost for the truck; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to purchase, pursuant to General Municipal Law Section 103 (16), one 2014 Ford F550 XL Reg Cab 4WD DRW 141" Dump Truck from Van Bortel Ford, Inc. at the Chautauqua County bid price of \$54,323.00, pursuant to the attached recommendation of Water Maintenance

Supervisor Ballard, which said monies were in the 2013 Operating Budget in account #F8340-0203 and were encumbered into the 2014 Budget, is hereby authorized, and

BE IT FURTHER RESOLVED, that the purchase of this equipment is a Type II Action requiring no environmental review.

SO MOVED: J. Baisley/W. Carlos

Un-named speaker: I met with Mr. Ballard and went through the bid to make sure it matched the bids and I knew about it and it does and so it is perfectly ok.

Supervisor Tancredi: I want to thank Mr. Ballard for his hard work on this and find what seems to be a good solution for the department.

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

Nays: None

CARRIED: 7-0

01:22-03 APPOINT

Delegate To The Association Of Towns

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby appoint Jon Jay Baisley as the delegate to the Association of Towns; and

BE IT FURTHER RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize and approve the attendance of all elected and non-elected officials with prior Town Board approval to the annual meeting of the Association of Towns.

SO MOVED: W. Carlos/J. Conte

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

Nays: None

CARRIED: 7-0

01:22-04 APPOINT

**Attorney Rothschild – Tax
Certiorari Litigation – DeCardova
V Town of Poughkeepsie**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Jeffrey Rothschild, Esq. of Cappillino and Rothschild, LLP, to represent the Town relating to the tax certiorari litigation entitled *Michael DeCordova v. Kathleen Taber, Assessor, Town of Poughkeepsie, et al.*, Index No. 2012/4694, at the rate of \$150.00 per hour for partners, subject to a cap of \$5,000.

SO MOVED: J. Conte/J. Baisley

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

Nays: None

CARRIED: 7-0

01:22-05 RATIFY

**Supervisor's Signature-Agreement
With County Re: Poughkeepsie-
Hyde Park Automated Salt
Spreader**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Supervisor's execution of the Poughkeepsie-Hyde Park Automated Salt Spreader Project Agreement with the County of Dutchess, which contract is attached hereto.

SO MOVED: M. Cifone/J. Conte

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

Nays: None

CARRIED: 7-0

CONTRACT ATTACHED TO FINAL BOOK COPY

01:22-06 APPOINT

LRC Planning Services, LLC

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, 2014 at a rate of payment of \$112,200 per year, which is a continuation of the rate of payment made to LRC Planning Services, LLC during the years 2011 through 2013, and

BE IT FURTHER RESOLVED, that the Town Board finds it to be in the best interest of the Town to retain LRC Planning Services, LLC to perform these services, without the solicitation of alternate proposals, and

BE IT FURTHER RESOLVED, that the aforesaid services are a Type II Action requiring no SEQRA review.

ADJOURNED TILL FEBRUARY 5, 2014

01:22-07 CONSENT

**Planning Board As SEQR Lead
Agency Allspace Self Storage**

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board acting as SEQR Lead Agency for the project known as Allspace Self Storage Site Plan Amendment, 100-120 Salt Point Turnpike, Poughkeepsie, New York, Grid #6162-02-814518.

SO MOVED: S. Krakower/M. Cifone

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

Nays: None

CARRIED: 7-0

01:22-08 APPOINT

Temporary Part Time Tax Clerk

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Dawn E. Kostenko as a Temporary Part Time Tax Record Clerk for 90 days at the salary of \$13.00 per hour, effective January 13, 2014 through April 11, 2014; and

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

SO MOVED: A. Shershin/M. Cifone

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

Nays: None

CARRIED: 7-0

**01:22-09 AUTHORIZE
SUPERVISOR TO SIGN**

**Rail Trail Agreement With The
County**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor, on behalf of the Town of Poughkeepsie, to execute the extension of the Dutchess Rail Trail Intermunicipal Agreement with the County of Dutchess, which agreement shall be in effect from January 1, 2014 through December 31, 2015, in substantially the form as presented.

SO MOVED: Supervisor Tancredi/M. Cifone

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

Nays: None

CARRIED: 7-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

01:22-10 APPOINT

Grant Writer

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a contract between the Town of Poughkeepsie and Martin Schneider to provide grant writing services, which contract will be in effect through December 31, 2014, in substantially the form as presented.

SO MOVED: J. Baisley/J. Conte

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

Nays: None

CARRIED: 7-0

Supervisor Tancredi: Last week Councilman Krakower had asked Mr. Schneider

for some references and we received three references and we contacted all three. One didn't get back to us, but the other two was given to the members of the Board and both of them were all good comments and I asked each reference to grade the applicant with a grade 1-10 with 10 being the highest. One graded at 10+ and the other said 8-10 and would hire again. All positive things.

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

Nays: None

CARRIED: 7-0

01:22-11 APPOINT

Deputy Town Clerk

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby recognize the Town Clerk's appointment of Linda Dworak as Deputy Town Clerk, and does authorize the annual salary of \$35,552 for said Deputy Clerk, effective February 3, 2014.

SO MOVED: W. Carlos/J. Conte

Supervisor Tancredi: Linda is coming from the Section 8 Program as most of you are aware. We are shipping that program to the City and I want to compliment our Town Clerk on the outstanding staff she has put together in the Town Clerk's Office.

Town Clerk Salvatore: They are all very, very good.

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

Nays: None

CARRIED: 7-0

01:22-12 NOTIFICATION

**The Following Notice Of Claim
Has Been Referred By The Town
Clerk To the Legal Department
A. Frank Denardo V Town of
Poughkeepsie**

REFERRED TO LEGAL DEPARTMENT

01:22-13 AUTHORIZE

Special Consents SC 1, and SC 2

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. Notification

The following Notice of Claim has been Referred by the Town Clerk to Legal Department

A. Garvey v. Town of Poughkeepsie

SC 2. Accept

Resignation of Linda Dworak as Housing Program Coordinator

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. Conte/W. Carlos

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

Nays: None

CARRIED: 7-0

SC 1 NOTIFICATION

Notice of Claim

A. Garvey v. Town of Poughkeepsie

REFERRED TO LEGAL DEPARTMENT

SC 2 ACCEPT

Resignation of Linda Dworak as Housing Program Coordinator

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Linda Dworak as Housing Program Coordinator for the Town of Poughkeepsie, effective February 2, 2014.

SO MOVED: M. Cifone/W. Carlos

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

Nays: None

CARRIED: 7-0

Motion made to suspend the rules for Public Comment on Town issues: Supervisor Tancredi/M. Cifone

CARRIED: 7-0

Town Clerk Salvatore: I just have something I received here from the Association of Towns I would like to read here. The Association is going to have their yearly meeting on February 16-19th) if anyone wishes to attend. I have all the information for you. It's in the Hilton Hotel, midtown, New York. I have the information in my office for anyone interested.

Bob Casement: I would like to know what is going on on the corner of Raymond and Main Street. That sidewalk has been closed now for about six months forcing people to walk in the street.

Jim Nelson, Attorney: We've issued the notices, I don't have the resolution with me, but the 60 day clock by which the owner has to start and finish, has started and the work is well under way.

Supervisor Tancredi: We passed a resolution a couple of weeks back that basically said that he has 60 days to get this taken care of and if he doesn't do it within that time frame, the Town will do it and put it on his tax bill.

Bob Casement: That should have been done six months ago.

Councilwoman Shershin: Didn't they run into asbestos or something that slowed down the progress? I thought that's what I heard.

Supervisor Tancredi: You have to file the legal channels and that sometimes takes a long time.

Bob Casement: Well, right now, that's a safety hazard.

John Ortiz: I just have a couple comments from the last meeting I attended. I guess I ruffled a couple of feathers, I'm not sure. I had a couple of statements from a couple of people. The first statement was; I don't know if he's a paid fireman or not, but it seems that some of the citizens, that if you are a member of public service, whether it be a Police Officer, Firefighter, Teacher, Town Board Member, basically you are some kind of a "Blood Sucking Leach". Most of us have a real passion for our jobs and love what we do. We are trying to make the community a better place. I would like to commend you all for all the jobs that you do. I know it's hard to sit up there. Some people will never put on a uniform, never teach a class, never trade places with you people, it's a lot easier to sit in this seat right here and fire shots. I've been involved in emergency services for 30 years now. I am a career member of the Arlington Fire District and EMT. This is a statement, not an apology. I am here as a resident and taxpayer. In spite of some negative publicity, recently that has

been brought against the fire district; I would like to make a couple of positive comments on this. Because of the past support of the residents of the fire district, we have one of the best equipped, best trained emergency fire fighters in New York State and this is extended to the Police Department also. They do a great job also. For those who asked if we really need the best, you have to ask someone that has had to dial 911. There are some online publications that have been focusing on spreading local propoganda about local emergency service providers and their members. Don't believe all you read until you hear the whole story. Again thank you for your time and for your service.

Supervisor Tancredi: Thanked all the paid staff professionals.

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

CARRIED: 7-0

EXECUTIVE SESSION

**01:22-ES 1 ADJOURN TO
EXECUTIVE SESSION**

**Executive Session To
Consider The Following Matters**

**A. Matters Leading To The
Appointment, Employment,
Dismissal Or Removal Of A
Corporation**

RESOLUTION

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

- 1. Matters Leading To The Appointment, Employment, Dismissal Or Removal Of A Corporation**

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

SO MOVED: J. Conte/W. Carlos

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

Nays: None

CARRIED: 7-0

**TOWN BOARD MEETING ADJOURNED AT 7:20 PM
TOWN BOARD ENTERED EXECUTIVE SESSION AT 7:21 PM
TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 7:35 PM
NO ACTION WAS TAKEN IN EXECUTIVE SESSION
TOWN BOARD MEETING CLOSED AT 7:36 PM**

Lkm/FS