

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON MARCH 5, 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
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

03:05-01 PRESENTATION

O'Neil-Dutton Project

Attorney Richard Cantor, Attorney for the applicant, introduced the following people: Lou Kauffman, head operator for developer; Andrew Fetherston, Project Engineer, and Mike McCormack, Project Engineer has a very brief overview. Some time ago, the Town of Poughkeepsie created an overlay district, which would, under its terms, allow this project. The matter that will be coming up before the Board and a request to take that overlay district and place it on the O'Neil portion of the O'Neil-Dutton property that is in the Town of Poughkeepsie. The City of Poughkeepsie Zoning is in place and there are ongoing proceedings before the City of Poughkeepsie Planning Board for the City segment. This is a mixed use project. The commercial and residential portion is in the City and residential in the Town. The Town piece butts up to the Vassar College Rowing Association. With that overview, I'm going to turn this over to Lou, Andrew and Mike and they can give a brief description of how the project looks in its current segment. Andrew Fetherston: Referring to a portion that is in the City, the commercial component is along the main access, which is Dutchess Avenue in the City. There are mid-rise buildings and then Townhouses in the City and Townhouse style buildings in the Town. There are 84 units. Essentially the design in the Town is to comply with the Waterfront Housing Overlay District, although the project would be engineered as a whole so that all the infrastructure and utilities essentially work together. The Town portion will comply with the Town interest and ordinances. I have my Engineer, if you have any specific questions or if you have any questions for me and

I also have the Architect who can give you the renderings we've prepared as to what the Townhouses are going to look like.

Councilman Krakower: 82 or 84 units, is that what's permitted as of right? (Yes) How many units are in the City part? (209) How much square footage is commercial? (13,800) There is a 1400 Riverfront and that will be dedicated for public use and this portion here is in the Town and subject to the Town's scrutiny. I assume the Planning Board would have input on what that looks like.

Supervisor Tancredi: I think, in the past when we spoke, there has been some conversation, which I think is a good idea, about some type of memorandum of understanding with the City that the emergency response will be from the City first and Town second as it would be a little difficult for our people to get to and hopefully that will still be the case, because that is important. I really hope you will initiate that conversation with them, because I really want that to be in place.

Lou Kaufman: It will be an intermunicipal agreement between the City and the Town on this as to how they will break up the services and I will initiate it immediately.

Councilman Cifone: If I recall correctly, there was a question you people wanted us to forgive our Recreation Fee to help the parkland. I think that came up one night and we were pretty solid that we weren't going to do that, and so I hope that is not still in your planning design.

Lou Kaufman: It was in the air that that was a possibility, but, I believe our suggestion was that the park is in lieu of the fees, but, I hear you and I can't say that I am thrilled about that, but, it is certainly something we will have to explore and discuss that.

Mike McCormack: This is a rendering from the Northern portion of the site in the corner looking down river so that if you were on the northern portion of the site looking south, this would be where HRRR is now. That's the corner of the property right here. This is the architect we started to develop. As we've been going along, we've had meetings with several entities, including the City Planning Board, Scenic Hudson, County Planning and we've actually involved the architecture into more of what we would see in a river city in terms of up and down in terms of the roof lines of buildings, varied architecture so it looks like separate buildings that would have evolved over time so it looks more organic in terms of the compositions of the buildings themselves. We would certainly have some brick accents in terms of materials and the materials we would change in different areas in terms of being a hardy plank board that would be painted. You can see that it starts to take on life going down the river proper. So, instead of something that looks more homogeneous This is more organic and that is how we are moving along with the architecture proper. These would be a 15 unit and a 12 unit town house. It is three stories over and the bottom has a parking area with access from the back. Anything you would

see from the river front, we call streetscapes, would have porches so that you don't see the garage doors at all.

Councilman Carlos: So, from the river, it's four stories tall? (Yes)

Councilwoman Shershin: The setbacks look like you are setting the buildings further back from the river than you were before. Has that distance increased and is it out of the flood plain?

Mike McCormack: The floodplain is elevation 8. The site is a former Brownfield Site from the former industrial use. So, there was a remediation done and a tapping of two feet of clean soil just for that purpose. We are lifting above that taking entire site out of the flood plain, exception being, and the park front. The park, similar to many parks and recreation facilities, can be inundated in an extreme storm event. Our buildings are above elevation 9. There is nothing lower than 11 or 12 for the elevation, and that's garage floors and so we are well out of the flood plain. As far as the distance back from the river, it's about 125 feet.

Councilman Baisley: There are no living quarters on the ground floor, they are all garages?

Mike McCormack: There is just a small area that leads to the stairs to go up into the apartments.

Councilman Conte: On the landscaped front, during storms there is a lot of debris, do we know who is going to be responsible for cleaning up that recreational front area if we do get a little bit of a flood?

Andrew Fetherston: We were just discussing that with the County and State and that is something that has to be determined. But, we believe that ultimately, the Town owns that portion, but there may be another public entity such as the State or the County. That ownership needs to yet be determined. The maintenance, we had suggested it be part of a coalition, whether a bid or whatever. We are expecting to make it as maintenance free as possible.

Councilman Conte: Just one other thing, I've seen this before, you guys are taking into consideration the harsher winters on the body of the Hudson River?

Andrew Fetherston: We've actually added a foot to the elevation to the floor levels of the development portion. There is at least two feet above what exists today. Beyond that, you would get into issues with DEC about what is acceptable and not. So, one of the issues we have to deal with in our cleanup is the soil erosion stabilization, which is overseen by the State. The State has signed on for a grant for the design as well as, we are hoping in the next round to get some funds for some construction so, the State has indicated its wishes to get this done.

Councilman Carlos: Are there buildings behind these?

Mike McCormack: Yes, there are buildings along the riverfront proper and buildings behind it. There are more buildings in the City over here, but in this section there are some industrial buildings, but that's about it.

Councilman Carlos: So, there are two buildings along the river and behind it is parking?

Mike McCormack: Everything in the Gray is a building. (7 Buildings)

Councilman Carlos: So, the four across the back on the east side of the property, how tall are those buildings? (They are all 4 story)

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

CARRIED: 7-0

Doreen Tignanelli: I actually have a question on the project just presented. At the February 2012 COW Meeting, Mr. Koffman had said that cleanup and building of the parkland would come from Grants and not from money from the Town or the City and subsequently when the FEIS was created in March of 2012, that's where they asked for the waiver for the Town's Recreation Fee to use it as part of the clean up of the contaminated strip of land to be used as Public Park plan and so I don't know where this money is coming from, but I'm against any waiving of the Recreation Fees to clean up the park and if that's not waived, someone has to pay for the clean up of that, because from what I understand, there was a pre-rec. for if there were a CO to be issued, both of those parcels had to be cleaned up of the contamination and so, I don't see why the Town should have to pick up any of the cost of that parkland. It's going to be shared by the City and other people are going to use it and so as a taxpayer, I oppose this. Also, keep in mind at the February 2009 Board Meeting, Mr. Koffman had said that the project was going to get \$18 million in tax credits under the Brownfield Cleanup Program and so, again, as a Town resident, I don't want to have to pay anything extra for that parkland.

Joe Armstrong: Where does the Town property come involved? How far north do we go that the town is involved with this?

Supervisor Tancredi: I guess the question is, from the line you showed, do we go north to Marist? (Yes) The Boathouse is in our property, Vassar, Marist ---

Mike McCormack: --and then it goes up to the Hyde Park line.

Supervisor Tancredi: Is that all ours, the rest of the way up? (Yes, Quiet Cove is in the Town)

Joe Armstrong: Also, another question. They mention the riverfront access from the river. Do you know if they did extensive cleanup of the river in front of this project to allow any kind of marine access. That property is notorious for—

Mike McCormack: Our cleanup extends to the banks of the river. The riverbed itself, I believe is the subject of a cleanup from Central Hudson and possibly some other parties, I'm not certain who that may be. But, we've done nothing or intend to do anything in the river. We go to the water line. The riverfront access, when they refer to that, they mean for the public and the public can get in from Dutchess Avenue.

Joe Armstrong: The road that runs up behind it, the mechanical building, is that going to be used as an exit for this?

Mike McCormack: We propose to only use an entrance basically for residents and emergency vehicles. That will be toward the Hoffman Street bridge. Other than that, there is no other access on North Water Street. That's another thing we are working out with the City and Vassar.

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

CARRIED; 7-0

03:05-02 AUTHORIZE

**Referral Of Zoning Amendments –
O'Neil-Dutton Project**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the referral of the O'Neil-Dutton project application for Waterfront Housing Overlay District designation to the Town of Poughkeepsie Planning Board for a recommendation pursuant to Town Code Section 210-154.

SO MOVED: J. Baisley/W. Carlos

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

CARRIED: 7-0

**03:05-03 SET DATE FOR
PUBLIC HEARING**

**Home Occupations – Code
Amendment Section 210-74**

RESOLUTION

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendments to Chapter 210, entitled “Zoning”, specifically Section 210-74, entitled “Home occupations”, and

WHEREAS, the proposed amendments are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendments and does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, the action to amend the Zoning law is an Unlisted Action under the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, the amendments require a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and**
- 2. The Town Board hereby sets a public hearing on the proposed amendments for April 2, 2014, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, one Overocker Road, Poughkeepsie, New York; and**
- 3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and**
- 4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.**
- 5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: W. Carlos/J. Conte

Councilman Krakower: This has been a while since it’s been in front of us and I still have some concerns that we could make this too restrictive on people that are

trying to pay their bills and make a living and I think we want to be careful about sort of overshooting the runway. I know there are a couple of issues out there that we are trying to deal with and I don't want to catch a whole bunch of people in here inadvertently. It's also going to be tough to kind of place some of this where – it says somewhere that you can only have one employee. So, if you take your average Doctor or Dentist office if they have a home office or a loft, one employee in a doctor's office, usually they have a nurse and a secretary. I think we are going to try to control things that are going to be detrimental to the neighborhood, but not control things that need it. I suggest that kind of in the default category, that we move that from one employee to at least two and where it says the default category where you can have up to two customers at a time and with a special permit you can have up to five. I think it would make sense to move that up also because otherwise what you are going to get neighborhoods having disputes and standing there and counting and trying to tell you how many people they have.

Supervisor Tancredi: I see what you are saying, but I think it's important to protect the integrity of a neighborhood. When someone moves into a residential neighborhood, like mine, I have no home occupations around me as far as I know, so it's not a personal issue.

TABLED TO MARCH 19TH, 2014 TOWN BOARD MEETING

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

Nays: None

CARRIED: 7-0

**03:05-04 SET DATE FOR
PUBLIC HEARING**

**ATC District Sign Amendments – Code
Section 210-125**

RESOLUTION

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendments to Chapter 210, entitled “Zoning”, specifically Section 210-125, pertaining to Arlington Town Center (ATC) District wall and freestanding signs, and

WHEREAS, the proposed amendments are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendments does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, the action to amend the Zoning Law is an Unlisted Action under the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, the amendments require a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the Environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and**
- 2. The Town Board hereby sets a public hearing on the proposed amendments for April 2, 2014, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and**
- 3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and**
- 4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.**
- 5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: J. Conte/ J. Baisley

Supervisor Tancredi: But we are giving them flexibility to run their business from 8 AM to 7 PM on any day. That's a long time.

Councilman Krakower: I'm not talking about the hours, I'm talking about the basic criteria. The basic criteria almost exempts everybody out where you can't really do a home business because it is hard to have only two customers in at a time.

Neil Wilson: One of the things we've run into is, well, we've had a number of people in the last 5 or 6 years that are really only sole proprietors, people who are doing baked goods at home and selling on consignment and things like that and they don't have employees and we are putting them through an entire specially approved process. No one shows up at the public hearings and it is costly on the front end between the application fees and escrows and what have you and it just seemed that the way we sort of specked this out is, the first category is a registration where you

come in, talk to Sarah and say this is my business, it's just me, I'm baking cookies, or etc. and she verifies the information and registers the business and they go off and do their thing and it's simple. There is not a lot of come and go from the business like a doctor's office with a lot of people coming in and out. But, the second category where you have that with employees and people going in and out, and you've got employees, kicks you into a special use permit review and I think that's fair, but that's the overall intent.

Supervisor Tancredi: Traffic is probably the biggest issue.

**PROS AND CONS BETWEEN COUNCIL MEMBERS
REGARDING THIS ISSUE CONTINUED**

ROLL CALL: Ayes: None

**Nays: Councilmen Baisley, Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi**

FAILED: 0-7

ARTICLE IX, SECTION 210-125 ATTACHED TO FINAL BOOK COPY

**03:05-05 SET DATE FOR
PUBLIC HEARING**

**Salt Point Town Center-Code
Amendment Section 210-11 And
Section 210-26**

RESOLUTION

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending amendments to Chapter 210, entitled "Zoning", specifically Sections 210-11 and 210-26, pertaining to amendments to Salt Point Center, and

WHEREAS, the proposed amendments are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendments and does direct that the Town Board does hereby waive a verbatim reading of said amendments and does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

WHEREAS, the action to amend the Zoning Law is an Unlisted Action under the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, the amendments require a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and**
- 2. The Town Board hereby sets a public hearing on the proposed amendments for April 2, 2014, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and**
- 3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and**
- 4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.**
- 5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: M. Cifone/J. Conte

Councilman Krakower: I have a question. All these changes in the residential underlying zoning, the Salt Point Town Center, when we did that, had no other underlined zoning, correct?

Neil Wilson: Correct, Salt Point Center is the Zoning, right.

Councilman Krakower: Ok, now we are putting underlying Residential Zoning on to parcels within the Salt Point Town Center?

Neil Wilson: Well, these were all a one acre zone back when we did the Zoning.

Councilman Krakower: Is it going back to what the initial underlying Zoning was, or is it going back to---

Neil Wilson: Right.

Councilman Krakower: So everything is, if it's A it's A and if it's B it's B?

Neil Wilson: Right. With the exception, there is a little piece that says ---this big piece we took out a couple of years ago, but this piece here – there is a distance measurement back from the road, I think it was 1,000 feet, or something like that, but there is a chunk of property, much larger piece of property zoned four acre, that’s what this note is, “Proposed R4A” because there is a piece of this property, un-subdivided from the four acre zone, that would all go back to four acre.

Councilman Krakower: And then the other pieces that are supposed to go to R-20, have previously been R-20? (Yes) Ok, how do we do that, because when we did these Town Centers, the Crown Heights Town Center we had done as an Overlay because we didn’t want to take away the underlying zoning because if it never got built it would freeze everybody out. I thought the Town Center was the Zoning. Are we taking the Town Center out completely?

Neil Wilson: It is the Zoning. We are removing the Town Center from these properties entirely. We are sliding it down the road, so to speak. What we are doing is putting the underlying something close to the original Zoning for these properties. We are returning them to residential, which was what they were previously to 2007.

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

Nays: None

CARRIED: 7-0

**03:05-06 SET DATE FOR
PUBLIC HEARING**

**195 North Grand Avenue Property
Maintenance**

RESOLUTION

WHEREAS, Orders to Remedy, copies of which are attached hereto, have been issued for property located at 195 North Grand Avenue, Town of Poughkeepsie, State of New York, pursuant to Chapter 159 of the Town of Poughkeepsie Town Code; and

WHEREAS, said Order to Remedy has not been complied with, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 2nd day of April, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider a recommendation from the Zoning Administrator that the Town or its contractor remove and as needed continue to remove all solid waste, debris and litter, all at the above property, so it will not become unsightly, the cost of which work shall constitute a lien and charge on the

above real property until paid, satisfied or discharged and shall be collected in the same manner as other Town charges.

SO MOVED: S. Krakower/J. Conte.

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

Nays: None

CARRIED: 7-0

ORDER TO REMEDY VIOLATION ATTACHED TO FINAL BOOK COPY

**03:05-07 SET DATE FOR
PUBLIC HEARING**

**26 North Grand Avenue – Unsafe
Buildings**

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, it was necessary to delay the scheduling of the Public Hearing so that the ownership of the Building could be confirmed, which work has been completed, now therefore,

BE IT RESOLVED, that a Public Hearing on the Order and Notice, as proposed by the Findings, including the demolition and removal of the building and the garbage and debris on the premises, and the recovery, levy and collection of Town expenses to do so as an ad valorem levy be noticed and held before the Town Board on the 19th day of March, 2014 at 7:00 PM at Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

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.

SO MOVED: A. Shershin/J. Conte

ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower,

Councilwoman Shershin and Supervisor Tancredi
Nays: None

CARRIED: 7-0

03:05-08 AUTHORIZE

**Bid Award-Town Parks, Buildings
And Medians**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bids for “Mowing of Town Parks and Facilities, Mowing at Town Buildings, and Maintenance of the Route 9 and Route 55 Medians” as follows:

- **Mowing of Town Parks and Facilities to Franklin Rauch at the bid price of \$63,520.00 per year, for the years 2014 and 2015;**
- **Mowing at Town Buildings to Franklin Rauch at the bid price of \$5,200.00 per year, for the years 2014 and 2015;**
- **Maintenance of Route 9 and Route 55 Medians to Gentile Construction Corp. at the bid price of \$13,759 per year, for the years 2014 and 2015;**

AND BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute contract agreements with the above noted companies upon receipt of insurance certificates and security bonds.

SO MOVED: Supervisor Tancredi/J. Baisley

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

CARRIED: 7-0

03:05-09 PROMOTIONS

Water Department

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does authorize the provisional appointment of Keith Ballard to the position of Water Superintendent, at the annual salary of \$92,000.00, which promotion is a provisional appointment pending results of the Civil Service Examination, effective March 1, 2014; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does authorize the appointment of Edward Losee to the position of Water Maintenance Supervisor, at the salary of \$33.65 per hour, which promotion is a permanent appointment contingent upon Mr. Ballard’s successful results of the Civil Service Examination, effective March 1, 2014, and

BE IT FURTHER RESOLVED, that the above promotions are both subject to a probationary period of not less than 8 nor more than 26 weeks, per Civil Service Law.

SO MOVED: J. Baisley/M. Cifone

Councilman Krakower gave Keith Ballard a compliment on his work and states that this promotion is well deserved.

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

CARRIED: 7-0

03:05-10 AUTHORIZE

**Budget Modification-Sewer Capital
Projects**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2014 Budget, pursuant to the attached Budgetary Transfer Request Form submitted by the Comptroller, to allow for Sewer Capital projects, as follows:

FROM:

S 1990-0409	Sewer Contingency-Misc.	\$137,000.00
S 8120-0481	Sewer Collection-contracted services	\$100,000.00

TO: S 8120-0481 Sewer Collection – contracted services \$37,000.00

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

03:05-11 AUTHORIZE

Budget Modification-Water Department

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2014 Budget, pursuant to the attached Budgetary Transfer

Request Form submitted by the Comptroller, to allow restructuring of the Water Department, as follows:

FROM:

F 8320-0440	Water Purchase	\$14,437.00
--------------------	-----------------------	--------------------

TO:

F 8310-0101	Regular Pay	\$ 1,115.00
F 8310-0811	Social Security	\$ 86.00
F 8320-0101	Regular Pay	\$ 8,740.00
F 8320-0811	Social Security	\$ 669.00
F 8340-0101	Regular Pay	\$ 3,555.00
F 8340-0811	Social Security	\$ 272.00

SO MOVED: J. Conte/M. Cifone

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

CARRIED: 7-0

03:05-12 AUTHORIZE

Tax Certiorari Settlement – C & B Realty

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 C & B Realty Poughkeepsie, LLC, for the tax assessment roll of 2012 through 2013 as shown on the attached Order and Stipulation of Settlement; 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 and as a result of said settlement, the Town will pay no refund.

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

**ORDER AND STIPULATION OF SETTLEMENT ATTACHED
TO FINAL BOOK COPY**

03:05-13 AUTHORIZE

Tax Certiorari Settlement – Govind S. Gill, Trustee

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 Govind S. Gill, Trustee, for tax assessment rolls of 2012 through 2013 as shown on the attached Stipulation of Settlement and Order; 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: S. Krakower/A. Shershin

Supervisor Tancredi: The Town's portion refund on this is \$3,300.

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

Nays: None

CARRIED: 7-0

STIPULATION OF SETTLEMENT AND ORDER ATTACHED TO FINAL BOOK COPY

03:05-14 AUTHORIZE

Homeland Security Grant

SUPERVISOR TO SIGN

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all documents necessary and proper to accept a Competitive Grant Award in the amount of \$99,985 from the New York State Division of Homeland Security and Emergency Services through the U.S. Department of Homeland Security's State Homeland Security Grant Program, which grant is provided to the Town of Poughkeepsie Police Department to improve and develop tactical team capabilities through equipment, training, exercise and planning projects that support counter terrorism missions in the Town's jurisdiction.

SO MOVED: A. Shershin/W. Carlos

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

CARRIED: 7-0

03:05-15 AUTHORIZE

**Poughkeepsie Babe Ruth Baseball
Parade**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Joan Elmendorf on behalf of Poughkeepsie Babe Ruth Baseball, to hold its Opening Day Parade on April 5, 2014 at 11:00 AM, which parade route is outlined on the attached documentation; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application for said Opening Day Parade as submitted pending receipt of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured.

SO MOVED: Supervisor Tancredi/J. Conte

Councilman Carlos: Chief Mauro, I see in the paper the armed robberies that have gone on that the individuals from our Department made several arrests with respect to the series of armed robberies. Then I see the one on the arrest of the individual on Main Street with a semi-automatic assault rifle fully loaded and capable of killing our two officers, I would like to express my gratitude and appreciation to the members of your department involved in that arrest. It's exemplary Police work. Thank you very much. I know they work really hard and up against the wall for time so, please make sure they understand that it is recognized and really appreciated.

Supervisor Tancredi: Right, they basically were patrolling an overtime detail in Arlington and saw a gentleman they thought had some odd movements and questioned them and ended up finding a semi-automatic weapon strapped to his shoulders and so it was completely proactive police work. They could have just driven on and not even gotten out of the patrol car and I completely agree with Councilman Carlos 100%.

Councilman Conte: We appreciate what they do every day.

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

CARRIED: 7-0

03:05-16 AUTHORIZE

**Vassar College Reunion Fireworks
Display**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Vassar College to include a fireworks display at its Vassar College Reunion weekend event to be held on Friday, June 13, 2014 with a rain date of Saturday, June 14, 2014; and

WHEREAS, the applicant has notified the Arlington Fire Department; and

WHEREAS, a Certificate of Liability Insurance has been filed with the Town Clerk naming the Town of Poughkeepsie as an additional insured; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application as submitted for a fireworks display to be held on Friday, June 13, 2014 with a rain date of Saturday, June 14, 2014 at 9:00 PM on Vassar College property, Raymond Avenue, Poughkeepsie, New York

SO MOVED: J. Baisley/W. Carlos

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

CARRIED: 7-0

03:05-17 ACCEPT

**Resignation-Sophia Hsieh-Historic
Preservation**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does accept, with regret, the resignation of Sophia Hsieh, effective immediately from the Historic Preservation Commission.

SO MOVED: W. Carlos/A. Shershin

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

CARRIED: 7-0

Councilman Baisley thanked Sophia for her time, she was very well educated and good and did a lot and I'm sorry to see her go as she did do a lot.

Councilwoman Shershin: She is also an architect and she was very helpful. Currently there is only one opening on the Historic Preservation and we don't have anyone from the Fourth Ward or the Fifth Ward on the commission.

03:05-18 NOTIFICATION

**Procedural Conference-West Point
Project-Voltage Transmission Line
Along/Under Hudson River**

NOTED BY TOWN BOARD

03:05-19 NOTIFICATION

**Town Of Newburgh Public Hearing-
Zoning**

NOTED BY TOWN BOARD

03:05-20 NOTIFICATION SEQRA

**Notice Of Amended Application –
Vassar College – Science Building**

NOTED BY TOWN BOARD

03:04-21 ACCEPT

**2014 Town Board Minutes – February 12, 2014
And February 19, 2014**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2014 Town Board Meetings, to wit:

**February 12 – Committee of the Whole and Special Town Board Meeting
February 19 – Regular Town Board Meeting**

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

RESOLUTION

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

1. SC 1 NOTIFICATION

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

A. McKinny v. Town

**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: M. Cifone/J. Conte

**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 speaking: Supervisor Tancredi/J.
Conte**

CARRIED: 7-0

**Doreen Tignanelli: Regarding the Sign Amendments Code, I'm glad to see that you
did not increase it because that's how you end up with a sign looking like Bed Bath
and Beyond that you could see two counties away. There are always people who
don't obey the law. There is currently a sign in the Arlington Town Center and a
television in the window that's clearly not allowed under the law and it's been up
there for months and she's been issued Orders to Remedy and Tickets and they are
going to appeal it and so I really think that you made the right decision there. As
far as the Home Occupations. I have to agree with the Supervisor, I think that when
you move into a neighborhood and it's residential and you really don't expect to
have a business next to you, my main concern would be parking and where cars are
going to be located because then you don't want to end up with something like in
your neighborhood where they paved over their front lawn to make a parking spot
and we don't want to see that happen either. My other question is how did this new
energy tax affect the Town Budget. Did you have enough time to plan for extra
costs for electric or gas?**

**Councilman Krakower: It's only going to cost something like \$75.00 a year they
said.**

**Jim Wojtowicz, Town Comptroller: I'm not sure if we have to pay that Utility Tax
or not. There are some things we are exempt from, but I'm not sure if that is one.**

**Supervisor Tancredi: It sounds like there is no utility tax to commercial, it was only
applied to residential.**

Councilman Krakower: I just want to re-state that I think that tax is ridiculous!

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

CARRIED: 7-0

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 Ferrari and McKinney.**
- 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/J. Conte

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

CARRIED: 7-0

**TOWN BOARD MEETING ADJOURNED AT 8:28 PM
TOWN BOARD ENTERED EXECUTIVE SESSION AT 8:31 PM**

NO ACTION WAS TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEEETING CLOSED AT 9:10 PM

FS:lkm