

Lenny Splain, Tim Sickles and Bruce Flower are all on it and we discuss issues in the Town related to the Fire Departments. He is a civilian who is going to be on it.

Rob Rubin: I was curious about the Community Development Block Grant for Red Oaks Mill, is that available for viewing either online or in the office somewhere?

Tom Meyering: There are materials available here in the Town offices. We are applying for more projects that will keep the park more handicap accessible. It's just for the Park itself for that use.

Doreen Tignanelli: Question on Special Consent #9. What parcel is that that says "Convey to the IDA Bill Parcels 2 and 3?"

Councilman Carlos: I believe it is for what is known as Springside Neighborhood Development. I think it is now Van Wagner Development. It is at Van Wagner Road and the Arterial. The parking lot behind the Tinkelman Building.

Motion made to resume the rules: Acting Town Supervisor Krakower/J. Cifone

CARRIED: 5-0

**04:16-01 SET DATE FOR
PUBLIC HEARING**

Storm Water Annual Report

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set May 7, 2014 at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York as the date, time and place for a Public Hearing to accept public comment on a draft Storm Water Annual Report; and

BE IT FURTHER RESOLVED, the searchable draft Storm Water Annual Report, prepared by the Town Engineer, shall be filed in the Town Clerk's Office and posted on the Town's website for review by any interested party on May 2, 2014; and

BE IT FURTHER RESOLVED, that the Town Board will accept public comment on the draft Storm Water Annual Report commencing on May 7, 2014 and ending on May 16, 2014 at 4:00 PM; and

BE IT FURTHER RESOLVED, that the contact person for this report is Eric Hollman, Department of Planning, One Overocker Road, Poughkeepsie, New York, whose email is ehollman@townofpoughkeepsie-ny.gov; and

BE IT FURTHER RESOLVED, that the Town Clerk is authorized and directed to immediately publish a notice of the Public Hearing and the comment period; and

BE IT FURTHER RESOLVED, the Town Board does direct the Director of Municipal Development to review any comments on the draft Storm Water Annual Report and file the final report by May 29, 2014.

SO MOVED: J. Baisley/W. Carlos

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-02 SUPPORT

**Designation Of Wappinger Creek As
An Inland Waterway**

RESOLUTION

WHEREAS, the Wappinger Creek is one of the five major tributaries to the lower Hudson River and drains a watershed of approximately 211 square miles (134,871 acres) of land traversing 11 towns and 2 villages within Dutchess County. Originating in wetlands and lakes in the Town of Pine Plains, the watershed spans thirty eight miles and enters the Hudson River at the border of the Towns of Poughkeepsie and Wappinger, and

WHEREAS, Wappinger Creek runs through the Town of Poughkeepsie and is critical to the local economic and environmental future; and

WHEREAS, Wappinger Creek plays a central role in our local ecosystem impacting groundwater quality, biodiversity, and recreation, and

WHEREAS, the state legislature has introduced legislation in the form S.5408-A by Senator Terry Gipson and Assembly Bill A.8315 by Assemblywoman Didi Barrett that proposes to designate Wappinger Creek as an inland waterway, and

WHEREAS, this legislation would allow many communities in Dutchess County to take advantage of federal funds to protect this body of water and would increase eligibility for technical assistance under the Local Waterfront Revitalization Program (LWRP), administered by the Division of Coastal Resources under the New York Department of State, and

WHEREAS, designating the Wappinger Creek watershed as an inland waterway would make all of the aforementioned communities eligible for the grant

funding necessary for planning, design, feasibility studies, and construction projects as well as implementation of local LWRPs, and

WHEREAS, passage of this bill would allow us to apply for federal funds to invest in environmental infrastructure projects that will create jobs and improve the quality of our water; and now, therefore

BE IT RESOLVED, that the Town of Poughkeepsie requests that members of the New York State Senate and Assembly support and facilitate the ratification of Senate Bill 5408-A and Assembly Bill A.8315, 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: W. Carlos/J. Conte

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-03 ACCEPT

Resignation – Anthony Antenucci

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Anthony S. Antenucci from his position as Temporary Part Time Court Attendant, effective immediately.

SO MOVED: J. Conte/J. Baisley

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-04 APPOINT

**Michael Alphonse – Substitute Court
Attendant**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Michael Alphonse to the position of Substitute Court Attendant at the salary of \$15.50 per hour, effective immediately.

SO MOVED: S. Krakower/A. Shershin

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-05 ACCEPT

Resignation – Stephanie Wagner

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Stephanie B. Wagner from her position as Court Clerk, effective April 18, 2014.

SO MOVED: A. Shershin/J. Conte

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-06 APPOINT

**Town Historian – John R. Pinna
For Years 2014 & 2015**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint John R. Pinna as the Town Historian for the years 2014 and 2015.

SO MOVED: J. Baisley/W. Carlos

Councilwoman Shershin: John is an excellent candidate for this position. He is a retired principal from Spackenkill and he was actually Principal to two of the schools there and his degree is in History. He teaches at Marist now and he was a member of the Dutchess County Historical Society and actually effective in getting grants for them. So, he is really a good candidate and we are thrilled he stepped forward and agreed to do this.

Councilman Krakower: Yes, I looked at his resume and he has a very impressive resume and a perfect resume for this position.

Councilwoman Shershin: Yes, he does and not that Jean is not still missed, but it's time.

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-07 REAPPOINT

**Jeh Johnson and Diane Levitt –
Historic Commission**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reappoint Jeh Johnson of the Town of Poughkeepsie Historic Preservation Commission for a 5 year term, which term runs from April 20, 2014 through April 19, 2019, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reappoint Diane Levitt to the Town of Poughkeepsie Historic Preservation Commission for a 5 year term, which term runs from April 20, 2014 through April 19, 2019.

SO MOVED: W. Carlos/J. Conte

Councilwoman Shershin: Actually we had one member who also is due to be reappointed and she decided she did not want to continue on and that is Carol Gainey and she had been on the Commission for 22 years. It's not like the Supreme Court, until death you are on the Commission, you can decide to step off. Now, we currently have two openings on the Commission and no one from the Third, Fourth, or Fifth Wards. If anyone is interested, get in touch with our Historian.

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

**04:16-08 AUTHORIZE
SUPERVISOR TO SIGN**

**Atlas Copier Maintenance
Agreement**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a Maintenance Agreement with Atlas Star Digital Document Specialist for copier maintenance at the Town of Poughkeepsie Police Department for the agreement period from May 15, 2014 to May 14, 2015 at the annual cost of \$2,295.00, which is no increase from last year; and

BE IT FURTHER RESOLVED, that the Town Board finds that this is a Type II Action requiring no environmental review.

SO MOVED: J. Conte/J. Baisley

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

**04:16-09 AUTHORIZE
SUPERVISOR TO
SIGN**

**Security Agreement – Hurricane
Grill**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept and approve the Security Agreement for Trash Enclosure and Chain Link Fence Remediation as a Town of Poughkeepsie Planning Board requirement for the project known as the “Hurricane Grill Project” located at 11 Raymond Avenue, Poughkeepsie, New York, a copy of which is attached hereto in substantially the form presented, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute said security Agreement

SO MOVED: S. Krakower/J. Conte

Councilman Krakower: What exactly is going on here? They have dumpsters that weren’t enclosed and this is an agreement to do that?

Town Attorney Nelson: Yes, it’s a bonding agreement to be sure of completion of required improvements on the site.

Councilman Krakower: I like this project, my kids like to eat there, but the one thing is, if you go into that parking lot, it’s hard to figure out how to get out without going through the bank drive-through and to me it’s just another instance where I don’t know if we’ve done anything as far as our traffic engineer, but it’s just another example where we need to have someone different looking at these things, because the exit, I guess, is out on Main Street, but when you are in that parking lot the way to get out is to go around the back of the building which is through the drive-through at the bank. I’ve never been there during the banking hours, but I would imagine some people will have to end up waiting behind some one doing banking there. I do think we need to address that some time in the future.

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

SECURITY AGREEMENT ATTACHED TO FINAL BOOK COPY

04:16-10 APPOINT

**Neil Garrison – Bureau of Fire
Prevention**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Neil Garrison to the Bureau of Fire Prevention for a term commencing immediately and ending December 31, 2014.

SO MOVED: A. Shershin/J. Baisley

Councilman Baisley: He is a good candidate. He has a lot of knowledge and a good background and he's been working well and coming to the meetings. It's been working out quite well.

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-11 APPROVE

Minutes:

March 5, 2014 Town Board

March 19, 2014, Town Board

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:

March 5 – Regular Town Board Meeting

March 19 – Regular Town Board Meeting

SO MOVED: W. Carlos/J. Conte

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-12 NOTIFICATION

**The Following Claim Has Been Referred
To Legal Department:**

1. Mullaly V. Town of Poughkeepsie

REFERRED TO LEGAL DEPARTMENT

SO MOVED: J. Conte/W. Carlos

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

**04:16-SC 1 SET DATE FOR
PUBLIC HEARING**

**Vehicle For Hire –Code
Amendment**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 7th day of May, 2014 at 7:00 PM at the Town Hall, town of Poughkeepsie, One Overocker Road, Poughkeepsie as and for the time, date and place of a public hearing to amend the Town Code Chapter 198, entitled “Vehicles for Hire”, specifically Sections 198-1, 198-3, 198-4, 198-5, 198-11, 198-16, 198-17 and 198-25, and

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

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby determine that this action is a type II Action involving the ongoing administration of the Town with no reordering of priorities that might adversely impact the environment, and it requires no environmental review; and

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

SO MOVED: S. Krakower/A. Shershin

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

AMENDMENTS ATTACHED TO FINAL BOOK COPY

04:16-SC 2 AUTHORIZE

**Town Of Poughkeepsie Little
League Parade – April 26, 2014**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Patrick Nesbitt on behalf of Town of Poughkeepsie Little League, to hold its Opening Day Parade on April 26, 2014 at 9:30 AM, which parade route is noted 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: A. Shershin/J. Conte

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

DOCUMENTS ATTACHED TO FINAL BOOK COPY

**04:16-SC 3 AUTHORIZE
LEGAL
DEPARTMENT**

**Van DeWater & Van DeWater –
Institute Legal Action for
Various Violations – 8 IBM Road**

RESOLUTION

WHEREAS, the Town of Poughkeepsie Zoning Department has cited the owner of property at 8 IBM Road in the Town of Poughkeepsie, Dutchess County, New York, for various violations of the Town of Poughkeepsie Town Code; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie authorizes Van DeWater & Van DeWater, as attorneys to the Town pursuant to Town Law Section 268 to institute legal action in the Dutchess County Supreme Court on behalf of the Town of Poughkeepsie seeking all necessary legal, equitable and injunctive relief against such persons as is necessary to compel compliance at 8 IBM Road with all Town of Poughkeepsie Zoning, Building, Fire and other applicable laws, rules and regulations, which legal services will be at the hourly rate of \$165.00 for Partners, \$155.00 for Associates and \$80.00 for Paralegals, and

BE IT FURTHER RESOLVED, that this enforcement action is a Type II Action requiring no environmental review.

SO MOVED: J. Baisley/W. Carlos

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-SC 4 RETAIN

**Don McGrath –Preliminary Evaluation
For 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 \$1,000.00 to act as the appraiser for the Town of Poughkeepsie for the purpose of preparing a preliminary estimate of the cost, including per square foot, of an additional easement to connect the existing Country Club Sewer System to the existing Route 9 force main.

SO MOVED: W. Carlos/J. Conte

Councilman Carlos: This is the next step in replacement of the Country Club Sewer Plant to get the proper amount of money, the new easement.

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-SC 5 AUTHORIZE

**Town Clerk To Advertise For Bids
CDBG-Red Oaks Mill**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for “UNIVERSAL ACCESSIBILITY IMPROVEMENTS – 2014”, pursuant to plans and specifications to be prepared by the Town Engineer, which plans and specifications will be available on May 1, 2014 in the Office of the Town Clerk, with a bid opening to be held on May 22, 2014 at 11:00 AM; and

BE IT FURTHER RESOLVED, that said dates noted above may be changed by the Town Supervisor due to the timing of approvals and the submission of required documents; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part.

SO MOVED: J. Conte/W. Carlos

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

Councilwoman Shershin

Nays: None

CARRIED: 5-0

04:16-SC 6 WAIVE

**Building Permit Fee – Storage Shed At
Poughkeepsie United Methodist Church**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the Building Permit fee for the Eagle Scout project by Tom Borchert to erect a storage shed on the Poughkeepsie United Methodist Church property located at 2381 New Hackensack Road in the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that said erection of this storage shed is a Type II Action requiring no SEQR review.

SO MOVED: S. Krakower/J. Baisley

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

04:16-SC 7 NOTIFICATION

Public Hearing – LaGrange

NOTED BY TOWN BOARD

04:16-SC 8 NOTIFICATION

**The Following Notice Of Claim
Has Been Referred By The Town
Clerk To The Legal Department
A. Charlie's Auto Body V. Town**

NOTED BY TOWN BOARD

04:16-SC 9 AUTHORIZE

**Supervisor To Convey To
Dutchess County Industrial
Development Agency – Build
Parcel II/III**

RESOLUTION

WHEREAS, the owners of Van Wagner Place (25 Van Wagner Road, 45, 48, 52, and 54 Springside Avenue, and a vacant lot), Build Parcel II and Build Parcel III are applying to the Dutchess County Industrial Development Agency for financial assistance for a new project to be located on those parcels in the Town of Poughkeepsie, New York, and

WHEREAS, that financial assistance includes a request for a Payment In Lieu of Taxes (“PILOT”) Agreement which will provide a fifteen (15) year sliding scale tax abatement on the properties which will decline from 50% in year one to 5% in year fifteen (15), and

WHEREAS, the Town of Poughkeepsie supports the request of the property owners for the aforementioned financial assistance and tax relief, now therefore,

BE IT RESOLVED, that the Supervisor of the Town of Poughkeepsie or his designee be and hereby is authorized, empowered and directed to document and convey to the Dutchess County Industrial Development Agency the Town of Poughkeepsie’s support for the application of Build Parcel II and Build Parcel III for the requested financial assistance, including a sliding scale declining abatement Payment In Lieu of Tax “PILOT”) Agreement as described above, and

BE IT FURTHER RESOLVED, that no environmental review of this Payment in Lieu of Taxes Agreement is required.

SO MOVED: A. Shershin/J. Baisley

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

Motion made to suspend the rules for Public Speaking: S. Krakower/S. Carlos

CARRIED: 5-0

Rob Rubin: One of the things I heard on today’s meeting was SC 3 Van DeWater and Van DeWater being authorized to institute legal action for various violations at 8 IBM Road. Not that I have a problem with the representation, but what I kind of find unfathomable is that there was no maximum dollar limit set on this commitment and so what I would ask at this point if it could be considered, please, that at various points in the future, ask for periodic public reports on the dollars being spent to Van DeWater and Van DeWater if that is possible.

Councilman Krakower: That is sort of a developing situation that is being addressed by the Zoning Department and Building Department currently and we had a meeting this morning about some of the issues over there and thought it to be prudent to authorize Van DeWater to be able to start the process, if necessary, to take additional legal actions in State Supreme Court. We don’t have a clear definition as to where this is going to go and that’s why putting a dollar limit on the top side would be difficult, but I assure you we will watch everything closely and will be aware of where that is going and what the cost may be.

Rob Rubin: I thank you for that. My opinion is sign a blank check at this point and all I am asking for as a citizen of the Town is to have periodic public reports on any dollars appropriated.

Doreen Tignanelli: Since these Special Consent Items were not posted online, will the vehicle for hire code amendment be posted?

Councilman Carlos: Yes. We are doing some and the City is doing some and so the two Codes match.

Doreen Tignanelli: Is this Taxi's?

Councilman Carlos: Its Black Cars, Taxis and that kind of stuff.

Councilman Krakower: We started out with the same thing and I guess they tweaked theirs at some point and so we are trying to bring them back in line because it is sort of a joint enforcement between the Town and City and so we are trying to make sure ours matches up with them because it would be hard to enforce it.

Doreen Tignanelli: Ok, the only other thing is that I did see Supervisor Tancredi was on Meet the Leaders Tonight and he talked about the tax burden and how families are being forced to make tough decisions with their personal expenses and he said they may have to cut out something they really don't want to and he said that the Government needs to do the same thing and he believes that the Town has done that. But, when he was talking about the property tax bill, he also said that School Districts, Fire Districts, also need to work to control taxes and he said that all these other taxing jurisdictions need to make the same difficult decisions that the Town is making and I do agree. I believe the Town has made some tough choices when it came to the Budget and I would ask that the School District and the Fire District do the same because that has not happened, in my opinion over the years and will show up on our Town property tax bill, School taxes and Fire taxes are higher than the Town tax for the Town of Poughkeepsie. So, I ask that these other jurisdictions heed Supervisor Tancredi's request making tough choices for Town of Poughkeepsie residents.

Motion made to resume the rules: S. Krakower/W. Carlos

CARRIED: 5-0

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**

Hildacarcar

- 2. Confidential communications 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, Krakower,
Councilwoman Shershin**

Nays: None

CARRIED: 5-0

TOWN BOARD ENTERED INTO EXECUTIVE SESSION AT 7:30 PM