

BE IT FURTHER ENACTED, that the town Board has previously declared its intent to act as Lead Agency and the action to amend the Zoning Map is an Unlisted Action under the New York State Environmental Quality Review Act; and

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) prepared by the Director of Municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in Part II of the EAF and; 3) a Negative Declaration is hereby issued; and

BE IT FURTHER ENACTED, that a written recommendation dated April 11, 2014 was received from the Dutchess County Department of Planning and Development and that said recommendation stated that the adoption of the herein zoning amendment is a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated April 22, 2014 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein zoning amendment; and

BE IT FURTHER ENACTED, that the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 18, 2014 and published in the Poughkeepsie Journal on April 23, 2014; and

BE IT FURTHER ENACTED, said local law shall take effect immediately upon filing with the Secretary of State.

SO MOVED: W. Carlos/J. Conte

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

Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 6-0

AMENDMENT ATTACHED TO FINAL BOOK COPY

Motion made to open Public Hearing #2: Supervisor Tancredi/J. Conte

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

Motion made to close the Public Hearing: Supervisor Tancredi/J. Conte

CARRIED: 6-0

05:07-02 PUBLIC HEARING

**MacDonnell Heights Center
- Code Amendment**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 7th day of May, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Chapter 210, Article VIII, specifically Section 210-27(H)(1), and

BE IT FURTHER ENACTED, that the 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 ENACTED, that the Town Board has previously declared its intent to act as Lead Agency under the New York State Environmental Quality Review Act and does declare said action to be an Unlisted Action; and

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) prepared by the Director of Municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in the attached Determination of No Significance and; 3) a Negative Declaration is hereby issued; and

BE IT FURTHER ENACTED, that a written recommendation dated April 11, 2014 was received from the Dutchess County Department of Planning and Economic Development stating that the proposed amendment was a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated April 22, 2014 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein amendments; and

BE IT FURTHER ENACTED, that the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 18, 2014 and published in the Poughkeepsie Journal on April 23, 2014; and

BE IT FURTHER ENACTED, said local law shall take effect immediately upon filing with the Secretary of State.

SO MOVED: J. Conte/W. Carlos

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

ATTACHMENTS MADE TO FINAL BOOK COPY

Motion made to open Public Hearing #3: Supervisor Tancredi/J. Conte

NO SPEAKERS CAME FORWARD

Motion made to close the Public Hearing: Supervisor Tancredi/J. Conte

CARRIED: 6-0

**05:07-03 PUBLIC HEARING River Point Residential And West Park
Professional Building Approval Of
Senior Housing Overlay District**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 7th day of May, 2014 at 7:00 PM at Town of Poughkeepsie Town Hall, One Overocker Road, Poughkeepsie, New York does hereby amend the Town Code, Chapter 210, entitled “Zoning” specifically Section 210-20, which amendment is as follows:

An application for designation as a Senior Housing Overlay District (SHOD) for a project known as River Point Residential and West Park Professional Buildings, and further identified as two parcels, one at 2055 South Road, Poughkeepsie, New York consisting of +/- 6.42 acres, parcel Grid number 6159-03-375410, and one at 83 Old Post Road, Poughkeepsie, New York consisting of +/- 0.18 acre, parcel grid number 6159-03-365369, plus an additional 0.54 acre contiguous land in the New York State Highway right-of-way proposed for acquisition for the project, All being zoned Office Research (O-R).

AND BE IT FURTHER ENACTED, that the Planning Board of the Town of Poughkeepsie has heretofore been designated as Lead Agency and has determined that the proposed action is an Unlisted Action; and

BE IT FURTHER ENACTED, that a written recommendation dated April 11, 2014 was received from the Dutchess County Department of Planning and Economic Development stating that the proposed amendment was a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated March 26, 2014 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein amendments; and

BE IT FURTHER ENACTED, that the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 18, 2014 and published in the Poughkeepsie Journal on April 23, 2014; and

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

SO MOVED: M. Cifone/J. Conte

Councilwoman Shershin: Is this still going to be a luxury senior housing, because I see it's gotten much smaller and they've taken the restaurant out, but I wish there was going to be somebody here.

Supervisor Tancredi: It's supposed to be high-end.

Councilwoman Shershin: Ok, because I wish there was someone here to talk to us about what percentage occupancy they need to make and what happens if they don't.

Christopher Lapino with Chazen Company representing the applicant this evening. I can't talk about the occupancy rate they need to make this---

Councilwoman Shershin: Or what would happen if they don't make the occupancy rate and they are not at least breaking even on the project?

Christopher: No. I can't speak to that. I can give you a discussion of --they've reduced it of 112 to 85 and the reason behind this was the previous application had 112 units with the restaurant's space and the stand alone 3,000 sq. ft. office building and in addition to that with the underground parking and the project in terms of the feasibility of the construction vs. the revenue was not economically feasible for the applicant. They've gone back and re-run the numbers they've been working with a number of general contractors and determined that to make this a financially rewarding project, they would have to eliminate the underground parking and

consolidate the medical office use into the main building. So, it's one building now and it reduced the overall construction costs too.

Supervisor Tancredi: I think smaller is better. I prefer to see it a little smaller anyway and so I'm in favor of the lower number of units.

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

CARRIED: 5-1

ATTACHMENTS MADE TO FINAL BOOK COPY

Motion made to open Public Hearing #4: Supervisor Tancredi/J. Conte

CARRIED: 6-0

05:07-04 PUBLIC HEARING

Storm Water Annual Report

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the draft Storm Water Annual Report prepared by the Town of Poughkeepsie Director of Municipal Development; and

BE IT FURTHER RESOLVED, that said report has been filed in the Town Clerk's Office for review and comment by any interested party, and has been posted on the Town's website and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 17, 2014 and published in the Poughkeepsie Journal on April 19, 2014; and

BE IT FURTHER RESOLVED, that on May 7, 2014 a public hearing was held at a regularly scheduled meeting of the Town Board; and

BE IT FURTHER RESOLVED, that the public review and comment period ends at 4:00 PM on May 16, 2014 when all written or oral comments are to be submitted; and

BE IT FURTHER RESOLVED, that the Town Board does direct the Director of Municipal Development to review the comments and prepare for filing the final report which is due May 29, 2014.

SO MOVED: Supervisor Tancredi/J. Conte

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

Doreen Tignanelli: I will be submitting written comments before the end of the comment period. I do have some issues with several construction projects that have gone on during the reporting period. For example, the Poughkeepsie Day School changes that were made that resulted in ponding of storm water run off. Some issues with the Library on Boardman Road, and again, construction site run off is one of the leading polluters of our water and we drink the Hudson River water and the more pollution in the water, the more it costs to clean that water and so it's really to everyone's benefit if the storm water is well managed. I will be submitting some comments.

Sean Crimmins, Town Engineer: I just wanted to recap with the annual report in regards to the Library. The project got started without the consent of the Town. It was started without a Building Permit and the Town was really unaware of the activities that happened on the site. Luckily there was no run-off. The site was mostly contained and then once we were made aware that the project had actually begun, we went on to the site and we remedied any issues that we had with containment. I just want to do a recap of the annual report. We have 6 minimal control measures that the Town upholds every year. We furnish this information to the DEC. They consist of public education and outreach. Public involvement and participation. Illicit discharge elimination detection. Construction runoff control. Post construction, storm water management, storm water management of municipal operations and the most notable achievement we accomplished this reporting period was the completion of the SWIMPP (Storm water management pollution plan) and it's a living document that is revised every year and it is available for public comments and it is on the Town's website.

Councilman Carlos: Sean, how long was it from when they started that construction without a permit, to when we found out about it?

Sean Crimmins: I think it was maybe 5 or 6 weeks or so.

Councilman Carlos: Were they sited for the violation?

Supervisor Tancredi: They received a Stop Work Order.

Sean Crimmins: Yes, and then they had to furnish all of the monthly inspection reports and give us all the data and compaction testing and the Building Inspector went in there and I believe he got all the information he needed and everything was up to date. I think that the violation we gave them included all of the penalties and I believe all has been resolved.

Supervisor Tancredi: They started work without the permit and so it was hard to say exactly when it began.

Wayne Cichon, Deputy Building Inspector: As soon as I was notified that there was a project going on in the Town that didn't have all the approvals, I went out to the site and verbally gave them a **STOP WORK ORDER** at the site and instructed them to **SAFE** the area, which is what you really need to do no matter what stage the project is in. So, they did comply with that immediately and very shortly thereafter they took the required meeting that was missing that was the mandatory preconstruction meeting.

Councilman Carlos: Do, you know how long it was from when they started to when we found out? (NO, but it wasn't very far into the project.)

Motion made to close the Public Hearing: Supervisor Tancredi/J. Conte
CARRIED: 6-0

MATERIALS ATTACHED TO FINAL BOOK COPY

Motion made to open Public Hearing #5: Supervisor Tancredi/W. Carlos

NO SPEAKERS CAME FORWARD

05:07-05 PUBLIC HEARING **Vehicle For Hire-Code Amendment**

Motion made to adjourn Public Hearing #5 to the first meeting in June. Supervisor Tancredi/A. Shershin

CARRIED: 6-0

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

Nays: None

CARRIED: 6-0

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

CARRIED: 6-0

Doreen Tignanelli: Since the Special Consent items don't show up on the Town's website ahead of time, I was wondering if someone could explain what SC 1 is. It looks like it is some request from the Library District to the Town.

Town Attorney Nelson: The Library District is a public corporation which was established by the State Legislation. The Trustees of the Library from both the City and the Town are elected by the voters. The originally enabling legislation needs to be clarified to determine the number of signatures that must be obtained from each Trustee and when the election will be there in the form of a petition and in order to do that, we have to ask the State Legislature, as does the City, to adopt that legislation because it is not local legislation, it's a State Law. So, this is a request for Home Rule Message in the City adopted one on Monday Evening, which mirrors it.

Doreen Tignanelli: So, is this a new problem, or something that has existed for many years?

Town Attorney Nelson: The original Legislation was adopted in the 1980's and has been amended a few times. It appears that this was a problem that was recognized fairly recently. I'm not aware that there were any practical difficulties in the past, but it required clarification.

Doreen Tignanelli: Ok, thank you. Ok, then SC 3, a settlement for Hildacar. Are you able to say what that is? (Yes)

Supervisor Tancredi: We settled a long standing lawsuit, hopefully the last one related to the Tucker Drive mess and this was a lawsuit that extends back to 2007 and 2008.

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

CARRIED: 6-0

05:07-06 RESOLUTION

Building Inspector Appreciation Day

RESOLUTION

WHEREAS, a community draws its spirit, strength and values from the concern and commitment of individuals serving within its boundaries, a strength measured in national pride that has enabled the Town of Poughkeepsie to grow and prosper, and

WHEREAS, the people of the Town of Poughkeepsie have long benefited from the dedication and exceptional service provided by the Building Inspectors of the Town of Poughkeepsie, and

WHEREAS, we are gathered hereto today to honor building inspectors for their leadership and dedicated service that not only ensure a safe and healthy environment for our residents, but shelter them from the extremities of severe weather and natural disasters, and

WHEREAS, numerous projects which have improved the quality of life in the Town of Poughkeepsie would not have been completed without the diligence of our Building Inspectors crusade for safety for the public,

NOW, THEREFORE, Todd Tancredi, Supervisor of the Town of Poughkeepsie, along with the Town Board expresses their gratitude to all Building Inspectors and hereby proclaims Friday, May 14, 2014

As

“BUILDING INSPECTOR APPRECIATION DAY”

SO MOVED: Councilwoman Shershin/M. Cifone

Councilman Krakower continued with stating that he appreciates all the work the Building Inspectors do and thinks the residents should have a better understanding of why it is important to get a Building Permit and not just that the Town is trying to cost them more money, it is because the Town wants to be sure they are safe in their homes and businesses. He specifically thanked Wayne Cichon for his work in the Town with what he does in the enforcement work, especially with a problem in his Ward recently, Wayne was very pro-active in getting that resolved.

Town Supervisor Tancredi stated he agreed 100%. He also stated that Wayne Cichon is extreme organized and extremely detail oriented with the cases he handles and the Board probably doesn't say this to the Department enough. He also asked Wayne to relate the same sentiments to all of the Inspectors employed by the Town.

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

Nays: None

CARRIED: 6-0

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

**10 Tucker Drive Rezoning – Town Code
Amendment**

RESOLUTION

**IN REGARD TO AMENDING THE ZONING MAP TO CHANGE THE
ZONING DESIGNATION OF TAX PARCEL NUMBERS 6262-03-162080
FROM NEIGHBORHOOD BUSINESS (B-N) DISTRICT TO HEAVY
INDUSTRIAL (I-H) DISTRICT**

WHEREAS, the Town Board has determined that the Neighborhood Business (B-N) District zoning designation currently applied to town property located at 10-14 Tucker Drive (tax number 6262-03-162080 respectively) should be changed to Heavy Industrial (I-H) District; and

WHEREAS, the action to amend the Zoning Map 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, amending the Zoning Map requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby sets a public hearing on the proposed Zoning Map amendment for June 4, 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**
- 2. 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**
- 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 clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: Supervisor Tancredi/M. Cifone

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

Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 6-0

ADDITIONAL MATERIALS ATTACHED TO FINAL BOOK COPY

**05-07-08 SET DATE FOR
PUBLIC HEARING**

**Home Occupations – Town Code
Amendment**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 2nd day of April, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, to consider a recommendation to amend Chapter 210 of the Town Code, entitled “Zoning”, specifically the amendment to Section 210-74, “Home Occupations”, and does hereby close that public hearing, take no action on said amendments; and

WHEREAS, the Town Board has received a new communication from the Director of Municipal Development recommending the amendment of Chapter 210 of the Zoning Law in regard to the amendment of Section 210-74, 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 amendment of Chapter 210-74 requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby sets a public hearing on the proposed amendments to Chapter 210 for June 4, 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**
- 2. 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**
- 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; and**

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; and
6. That said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

SO MOVED: W. Carlos/J. Conte

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

AMENDMENTS ATTACHED TO FINAL BOOK COPY

05:07-09 SET DATE FOR PUBLIC HEARING B-SC District Signs-Town Code Amendment

RESOLUTION

WHEREAS, the Town Board has received a recommendation from the Director of Municipal Development regarding amending Town Code Section 210, specifically Section 210-128 entitled “Signs permitted in B-SC district”; and

WHEREAS, a copy of the proposed amendments to Section 210 is attached hereto and made part of this resolution and a verbatim reading of said amendment is hereby waived and the Town Clerk is directed to spread the proposed amendment across the record as if it 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 (“SEQRA”); and

WHEREAS, the amendment is subject to a public hearing.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed amendment to Chapter 210 for June 4, 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
2. 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
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/W. Carlos

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

AMENDMENT ATTACHED TO FINAL BOOK COPY

05:07-10 APPOINTMENT **Thomas W. Colgan-Water
Distribution System Operator-
Grade D**

RESOLUTION

WHEREAS, Thomas W. Colgan, by Resolution 10:17-#3 of 2012, was granted a provisional appointment to the position of Water Distribution System Operator-Grade D, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Thomas W. Colgan as permanent Water Distribution System Operator Grade D, pursuant to the notice from the Dutchess County Department of Personnel, a copy of which is attached hereto, subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law, commencing with the date of the adoption of this resolution.

SO MOVED: M. Cifone/J. Conte
Supervisor Tancredi stated that Tom is a great Water Department Employee and is glad he is going to stick with the Town and moving up the chain of command.

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

PERSONNEL NOTICE ATTACHED TO FINAL BOOK COPY

05:07-11 APPOINTMENT

**James R. Normandin-Water Distribution
System Operator – Grade D**

RESOLUTION

WHEREAS, James R. Normandin, by Resolution 6:20-SC 3 of 2012 was granted a provisional appointment to the position of Water Distribution System Operator Grade D, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint James R. Normandin as permanent Water Distribution System Operator-Grade D, pursuant to the notice from the Dutchess County Department of Personnel, a copy of which is attached hereto, subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law, commencing with the date of the adoption of this resolution.

SO MOVED: S. Krakower/M. Cifone

Supervisor Tancredi repeated the same comment about this employee as the previous employee and stated we are lucky to have him.

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

Nays: None

CARRIED: 6-0

05:07-12 APPOINTMENT

**Carla J. Cruger-Permanent Part
Time Senior Clerk – Police**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Carla J. Cruger to the position of Permanent Part Time Senior Clerk with the Town of Poughkeepsie Police Department at the Grade 6, Step 1 salary of \$19.45 per hour, effective May 12, 2014, which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law.

SO MOVED: A. Shershin/M. Cifone

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

Nays: None

CARRIED: 6-0

05:07-13 APPROVE

**Temporary Employment – Athena
Costakis**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the temporary employment of Athena Costakis, which employment will be for no more than 40 hours in total at the hourly rate of \$30.00 for the purpose of training her replacement in the administrative functions of the position of part time Senior Clerk with the Town of Poughkeepsie Police Department.

SO MOVED: Supervisor Tancredi/M. Cifone

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

Nays: None

CARRIED: 6-0

05:07-14 APPOINT

Sarah B. Hutchinson – Police Assistant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Sarah B. Hutchinson to the full time position of Police Assistant (Dispatcher) at the Grade 6, Step 1 annual salary of \$40,456.00, effective May 26, 2014, which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law.

SO MOVED: W. Carlos/J. Conte

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

Nays: None

CARRIED: 6-0

05:07-15 APPROVE

**37th Annual Joseph McDonald/Bill
Crusie Memorial Run**

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie has heretofore received an application from John M. Karge, on behalf of the Mid Hudson Road Runners Club, to hold the 37th Annual Joseph McDonald/Bill Crusie Memorial Run to be held on Saturday, May 31, 2014; and

BE IT FURTHER RESOLVED, that a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured has been filed with the Town Clerk of the Town of Poughkeepsie.

SO MOVED: J. Conte/M. Cifone

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

05:07-16 WAIVE Park Use Permit Application

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the Park Use Permit Application Fee pursuant to the request submitted by the Center for the Prevention of Child Abuse for their Second Annual Step Up for Kids' Family Fun Run/Walk at the Stanley Still Sports Complex on September 28, 2014; contingent upon receipt by the Town of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured.

SO MOVED: M. Cifone/J. Conte

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

**05:07-17 AUTHORIZE Grant – License Plate Reader
SUPERVISOR TO SIGN**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee to execute all papers necessary and proper to effectuate a grant award known as SFY 2013/14 Operation IMPACT Tools Grant Funds from the State of New York Division of Criminal Justice Services, in the amount of \$22,700.00, which funds will be used by the Police Department to purchase an Automatic License Plate Reader.

SO MOVED: S. Krakower/M. Cifone

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

05:07-18 EXTEND

**Traffic Agreement With Dutchess
Community College**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby extend the current traffic control agreement with Dutchess Community College for the period August 25, 2014 through May 6, 2015 as outlined in the April 28, 2014 memorandum from Police Chief Mauro and Dutchess Community College's letter of April 16, 2014, copies of which are attached.

SO MOVED: A. Shershin/M. Cifone

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

Nays: None

CARRIED: 6-0

LETTER ATTACHED TO FINAL BOOK COPY

05:07-19 AUTHORIZE

Inwood Bond Reduction

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the reduction from \$199,148.00 to \$80,250.00 of the Performance Bond from Key Bank, on behalf of The Park at Inwood Lake, pursuant to the recommendations of the Town Engineer and the Town Planning Board, copies of which are attached.

SO MOVED: Supervisor Tancredi/J. Conte

Councilman Krakower: What do they have left over there to build?

Neil Wilson: The short answer is, not much. They have all of the roads cut in, water and sewer remaining pieces have been tested and installed. The remaining construction is of the units themselves, about 5 or 8 started and just need to be finished. I would expect they will be completed this year.

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

Nays: None

CARRIED: 6-0

RECOMMENDATIONS ATTACHED TO FINAL BOOK COPY

05:07-20 AUTHORIZE

Swimming Agreement With

Hudson Valley Community Center

**AMENDED
RESOLUTION**

WHEREAS, the Town Board of the Town of Poughkeepsie wishes to enter into a written agreement with Hudson Valley Community Center, Inc., 110 South Grand Avenue, Poughkeepsie, New York, for it to provide swimming lessons to Town residents for the summer of 2014; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the supervisor or his designee to execute an Agreement with Hudson Valley Community Center, Inc. in substantially the same form as attached.

SO MOVED: W. Carlos/J. Conte

Recreation Director, Tom Meyering: For the last several years we've been involved with the City of Poughkeepsie. This year the City decided not to renew that relationship and so I sought out other locations for our swimming lessons and the Hudson Valley Community Center, which you better know as the Jewish Community Center, has space available and has agreed to run our classes for us. The way the agreement works is we will do the publicity and registration, collect the registration fees and then transmit most of the fees to them to run the classes as they supply the lifeguards and the pool. It's really an easy package for us. It's a win/win situation for everyone.

Supervisor Tancredi: I think it will work out well because we don't have to worry about inclement weather or such.

Councilman Cifone: The only problem I found is there are no night classes. Is there a way we can see if we can add that in at some point?

Tom Meyering: We had to go with the schedule of the times they had available and we did have the Saturday class we were able to keep this year to try to accommodate people who can't come mornings. Other than that, mornings are the times they have available.

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

Nays: None

CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

05:07-21 ACCEPT

Certificate Of Attendance – Peter Fanelli

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Peter Fanelli from Dutchess County Planning Federation, for a course entitled “Planning Board Overview:, a copy of which is attached.

SO MOVED: J. Conte/M. Cifone

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

CERTIFICATE ATTACHED TO FINAL BOOK COPY

**05:07-22 APPROVE 2ND Annual Car Show – Arlington
Business Improvement District**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application received from the Arlington Business Improvement District to hold the 2nd Annual Car Show on Collegeview Avenue on Saturday, June 28, 2014 with a rain date of Sunday June 29, 2014; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the closing of Collegeview Avenue between Fairmont Avenue and Raymond Avenue from 8:00 AM to 5:00 PM for said car show on Saturday, June 28, 2014, with a rain date of June 29, 2014; and

BE IT FURTHER RESOLVED, that a Certificate of Liability Insurance has been filed in the Town Clerk’s Office naming the Town of Poughkeepsie as an additional insured.

SO MOVED: M. Cifone/A. Shershin

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

05:07-23 APPROVE Road Name Change – Saint Francis Way

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve, subject to all Planning Board conditions, the renaming of “Baker

Avenue” in the Town of Poughkeepsie to now be known as “Saint Francis Way”;
and

BE IT FURTHER RESOLVED, that upon adoption of this resolution and after compliance with all conditions, said resolution shall be sent to the 911 Facilities for Dutchess County by the Town Clerk of the Town of Poughkeepsie.

SO MOVED: S. Krakower/M. Cifone

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

05:07-24 ACCEPT **Town Board Minutes 2014
April 2, 2014 – Town Board
April 9, 2014 – Committee of The Whole**

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:

**April 2 – Regular Town Board Meeting
April 9 – Committee of the Whole Meeting**

SO MOVED: A. Shershin/W. Carlos

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 6-0**

05:07-25 NOTIFICATION **Town Of Lloyd Public Hearing –
Three (3) Zoning Map Amendments**

ATTACHED TO FINAL BOOK COPY

05:07-26 SPECIAL CONSENTS **SC 1, SC 2, AND SC 3**

RESOLUTION

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

1. AUTHORIZE

**Submission of Home Rule Request
for amendment of Library District
Legislation**

2. APPONT

**Lawrence Slomin-Zoning Board of
Appeals**

3. AUTHORIZE

Hildacar Associates settlement

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: Supervisor Tancredi/J. Conte

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

Nays: None

CARRIED: 6-0

05:07-SC 1 AUTHORIZE

**Submission Of Home Rule Request
For Amendment Of Library District
Legislation**

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize and direct the Supervisor and the Attorney to the Town, acting in concert with the designated officials of the City of Poughkeepsie, to take all steps necessary and proper to communicate to the Town and City of Poughkeepsie representatives in the New York State Senate and Assembly the Town's request for Home Rule state legislation, Senate bill S7085 and Assembly bill A9372 (bill numbers to be provided), modifying the Greater Poughkeepsie Library District's (now known as the Poughkeepsie Public Library District) enabling legislation, Chapter 524 of the Laws of 1987, as amended by Chapter 627 of the Laws of 1994, as amended by the Chapter 361 of the Laws of 1997, as amended by Chapter 462 of the Laws of 2006, which requested modification is as follows, with those words underlined to be added, and those words stricken to be deleted:

“Section 1. Section 6 of Chapter 524 of the Laws of 1987, relating to establishing the Greater Poughkeepsie Library District, in the City and Town of Poughkeepsie, Dutchess County, as amended by Chapter 361 of the Laws of 1997, is amended to read as follows:

Section 6: The district shall be governed by a board of trustees consisting of eleven trustees. The trustees of the Greater Poughkeepsie library district as of the effective date of the chapter of the laws of 1997 which added this provision shall

become trustees, immediately, of the Poughkeepsie public library district. Trustees shall be elected by public vote at the general election each November and shall appear on the ballot as provided by the Dutchess County Board of Elections, at no charge to the district. Seven of the trustees shall be elected at an election to be held by the voters within the town and four trustees shall be elected at an election to be held by the voters within the city. The trustees elected at the election in by the voters of the town must be qualified voters and residents of the town and trustees elected at the election in by the voters of the city must be qualified voters and residents of the city. Nominating petitions shall be circulated and filed at the same time as independent petitions, as determined annually by the New York State Board of Elections. A separate petition shall be required to nominate each candidate for a vacancy on the board. Each petition shall be signed by at least twenty-five qualified voters of the city or town in which the vacancy occurs. Petitions shall state the residence of each signer, and shall state the name and residence of the candidate. The trustees shall serve for a term of five years and until his or her successor is elected and qualified. Two-thirds of the trustees shall constitute a quorum. Actions of the trustees shall require a two-thirds vote of the entire board. Vacancies shall be filled by appointment by the trustees provided, however, that an election shall be held at the first general election day after the happening of the vacancy. The person or persons appointed by the trustees shall serve until a successor is elected and qualified as provided herein. Vacancies for trustees elected within the city shall be filled by city residents and vacancies for trustees elected within the town shall be filled by town residents.

Section 2. This act shall take effect immediately.”

This State legislation, which is also being requested by the City of Poughkeepsie, is required in order to provide clarity as to the date of the election of the Poughkeepsie Public Library District Trustees and the number of required signatures, timing and process for their nomination and election, and

IT IS FURTHER RESOLVED, that the Supervisor or his designee may complete all necessary documents, and consent to changes to the proposed legislation provided such changes do not alter the substance of the requested legislation, and

IT IS FURTHER RESOLVED, that this Home Rule Message involves the continuing administration of Town affairs and requires no SEQR review pursuant to 6NYCRR617.5(20).

SO MOVED: W. Carlos/J. Conte

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

Nays: None

CARRIED: 6-0

05:07-SC 2 APPOINT

Lawrence Slomin – Zoning Board Of Appeals

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Lawrence Slomin to the Zoning Board of Appeals to fill the unexpired term of Marcy Marlow, which appointment shall take effect immediately and expire on December 31, 2016.

SO MOVED: J. Conte/S. Krakower

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

Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 6-0

05:07-SC 3 AUTHORIZE

Hildacar Associates Settlement

RESOLUTION

WHEREAS, the Town of Poughkeepsie is party to a litigation brought by Hildacar Associates LLC relating to a sewer pipe on the Hildacar property at 45 Friendly Lane, and

WHEREAS, the issues involved in this litigation have been reviewed several times by the Town Board with the Attorneys to the Town, Town Engineer and several Department Heads, and

WHEREAS, by Resolution 4:24-#1 of 2014 this Board authorized the Attorneys to the Town to proceed as discussed with said Attorneys on April 24, 2014 regarding the resolution of the Hildacar litigation, and the attorneys to Town having so proceeded, now therefore

BE IT RESOLVED, that in furtherance of the above resolution, the Town Board of the Town of Poughkeepsie specifically authorizes the Supervisor and Attorneys to the Town to execute a Stipulation of Settlement and related documents with Hildacar Associates LLC on the following principal terms and conditions: Hildacar Associates LLC will at no cost to the Town provide a sewer line easement to the Town for the area on Hildacar's property where the new sewer pipe will be constructed; the Town will at its expense install a sewer line in said easement, which installation will allow the line under 45 Friendly Lane to be capped at the sewer manhole in front of 2 Tucker Drive and at or about manhole RIM 153.06; the current assessment of the Hildacar Associates LLC's parcel at 45 Friendly Lane will be maintained at its current level until the earlier of five (5) years from the execution of the Stipulation of Settlement or until the property is redeveloped,

whichever is earlier; the Town will pay Hildacar Associates LLC the sum of \$55,000, and Hildacar will provide the Town with a General Release in favor of the Town.

SO MOVED: M. Cifone/A. Shershin

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

Nays: None

CARRIED: 6-0

Motion made to suspend the rules for public comments: Supervisor Tancredi/J. Conte

CARRIED: 6-0

Fireman John Ortiz: This morning the Arlington Professional Firefighters held a basic First Aid Class for Town employees here in Town Hall and I would just like to thank the folks that turned out for it. I would like to thank the Supervisor and Board for supporting the classes because I feel they are pretty important. Hopefully I would like to see another class in a few weeks and will hope they will never have to use it.

Thanks again for your support.

Marlene Galow: I have a question in reference to the Legislation that Bill read very nicely. Who's going to carry the petitions, since some of us are petition carriers, for the trustees for the library. It doesn't say that here does it?

Attorney Jim Nelson: No, the petitions are required to be circulated within the municipality where the proposed trustees come from and there is certain information about the addresses of the signers and there has to be 25 of them and what happens, these are the nomination of library trustees and usually the trustees end up walking these petitions around.

Councilman Krakower: Are they required, the person carrying the petitions, are they required to sign as a witness or as a notary? I don't think it says in there. Because partition petitions, you have to have a member of that party carry it or a notary.

Town Attorney Nelson: What this process does is actually codify what we've been doing for the last 19 years I've been here and the petitions are approved by the Board of Elections. They are independent, nonpartisan petitions and you have to sign. Whoever is carrying the petitions has to be a qualified voter in the municipality and they are signed by that person.

Councilman Krakower: That's not in the resolution right?

Town Attorney Nelson: No, there is a reference to these petitions following the process for independent candidates which is in the election law and frankly, I can't recall, my guess is, if you circulate yourself, can take the witness and you could also have Notary Public take the signatures. The process is in the election law.

Councilman Krakower: So, the person circulating the petition can take the witness himself or a Notary Public can circulate a petition for a candidate and notarize it.

Town Attorney Nelson: The way the Board of Elections has approved our petitions, and they get approved every year, and they haven't been changed, is that the individuals circulating has to be a qualified voter, so if you are a qualified voter, which I assume you are and she's a Town resident, then you are eligible. If the Notary Public is not, I don't believe that would pass muster with petitions the way they are.

Joe Armstrong: Just a couple of clarifications. The two gentlemen for the Water Distribution, are they filling a position or adding to a position?

Supervisor Tancredi: No, he took the test and they get this additional title. It gives the Town better management succession so if something happened to our Water Administrator, hopefully not, but even if he retired, these gentlemen would be ready to step in. They are current employees.

Councilman Krakower: They are current employees with a promotion in title and taking on more responsibility, but we are not hiring additional employees to fill those positions.

Joe Armstrong: Ok, this car show that they are having, do you know the details on what they do at that? Do they park the cars on the street?

Councilwoman Shershin: No, they are going to be on the street and the people will walk down the middle of the street. The last time it was on Raymond, but they are not closing Raymond Avenue this time, they are closing Colledgeview.

Rich Perkins, County Legislator of District #7, Hyde Park and Wards 2 – 4 of the Town of Poughkeepsie, introduced himself and spoke to the Board regarding his concerns of the Dutchess County Jail expansion plans. Pod placement was discussed at great length between Mr. Perkins and Board members.

Councilman Krakower thanked Mr. Pinna for filling that position and stated that he is very qualified for that position and appreciated volunteers such as him because it is important to have qualified people involved in our community.

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. Confidential Communications Between The Attorney And His Client, The Town Board, Based on Attorney/Client Privilege

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

SO MOVED: W. Carlos/J. Conte

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

Nays: None

CARRIED: 6-0

**TOWN BOARD MEETING ADJOURNED AT 8:22 PM
TOWN BOARD WENT INTO EXECUTIVE SESSION AT 8:22 PM
TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 8:40 PM
TOWN BOARD MEETING CLOSED AT 8:41 PM**

FS:lkm