

**MINUTES OF REGULAR TOWN BOARD MEETING  
HELD ON AUGUST 20, 2014 AT 7:00 PM AT TOWN HALL,  
ONE OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

**PRESENT:** Supervisor Tancredi  
Councilman Baisley  
Councilman Carlos  
Councilman Conte  
Councilman Krakower  
Councilwoman Shershin  
Town Attorney Nelson  
Town Clerk Salvatore

**ABSENT:** Councilman Cifone

- **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**

**Supervisor Tancredi:** I would like you to remain standing for a moment of silence for a former Town Police Chief who passed away, George Lochner.

**Motion made to open Public Hearing #1: Amendment to our local Vehicle and Traffic Law, "No Parking on Boardman Road." Supervisor Tancredi/Councilwoman Shershin**

**CARRIED: 6-0**

**Doreen Tignanelli:** At the first meeting, this was brought up we heard that it was a problem and then at the second meeting, we heard that parking was not a problem, but it was trying to prevent any problem. Unfortunately, what happens is, with these projects that come before the Planning Board and Town Board; again, it's never a problem. Lourdes had said that they had traffic studies done and they were going to have sufficient parking. They said the studies were not theoretical studies, they did counts, and they said they had an over capacity for parking and so again, the real problem here is, when these projects come before the Town Board for Rezoning, or Planning Board, they tell you one story and then you end up with a situation completely different. We did hear Sgt. Jicha say that Boardman Road is a heavily traveled road and the Wegman's Assisted Living on the Corner of Spackenkill and Boardman is not even in place yet and so I think, instead of changing the law, I think we need to be doing a better job when it comes to having these projects under the scrutiny of the Planning Department and for Zoning for the Town Board because, again, every time you have a traffic consultant, there is never going to be a traffic issue and so the studies just don't appear to be reliable and we end up changing laws, as in this case, or having other issues.

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

**CARRIED: 6-0**

**08:20-01 PUBLIC HEARING**

**Amend V & T Local Law – No  
Parking Boardman Road**

**BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 20<sup>th</sup> day of August, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Town Code, Chapter 195, entitled “Vehicles and Traffic”, specifically Section 195-48. Schedule XIII: “Parking Prohibited at all Times”, as follows:”**

<b>Name of Street</b>	<b>Side</b>	<b>Location</b>
<b>Boardman Road</b>	<b>East/West</b>	<b>From the intersection with Zack’s Way (at Town/City Line), South approximately 3,168 feet</b>
<b>“Old” Boardman Road</b>	<b>North/South</b>	<b>From the intersection with Zack’s Way, East 200 feet to the intersection with Coachlight Drive</b>

**AND BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on August 7, 2014 and published in the Poughkeepsie Journal on August 9, 2014; and**

**BE IT FURTHER ENACTED, that the Town Board of the Town of Poughkeepsie does determine that this action is a Type II Action requiring no environmental review; and**

**BE IT FURTHER ENACTED, that said local law shall become effective immediately upon filing with the Secretary of State.**

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

**Councilman Krakower: Is this just on one side of the road or both? (Both) We haven’t actually had any complaints, right? We are putting “NO PARKING” up on the road when there actually hasn’t been any problem?**

**Supervisor Tancredi: I haven’t had a complaint, I don’t know if Councilwoman Shershin has.**

**Councilwoman Shershin:** No actual complaints, but I spoke to the one resident who is actually impacted. She is the first house on Old Boardman Road and she said that at Graduation last year that both sides of the road were parked up and that there were people walking down the middle of the road and that she was unable to turn onto Boardman Road and had to exit her house going in the opposite direction. That's the concern that Sgt. Jicha is bringing up, not just the stadium, it's the normal operation of the school and he is concerned about the people parking along side the road. There are blind curves, S curves and it is difficult to see and with inexperienced drivers and people just using the road, he is concerned about vehicles and people being hit.

**Councilman Krakower:** So, this is the whole stretch of Boardman Road? (No) Where does it start and end?

**Councilwoman Shershin:** It ends at the Town/City line, which is just past Lourdes and it stops just where the library starts.

**Councilman Krakower:** So it's the whole Town section?

**Councilwoman Shershin:** No, it's not, it stops where the new library is on Boardman.

**Councilman Krakower:** I don't think it makes any sense to put "NO PARKING" up when no one has actually complained about a problem. I am all for being proactive, but I still don't see where there is really an issue if there is overflow parking where people are parking on the same side of the street as a school and we had a concern raised about a traffic light at the other end of the road and it was the opinion of most people that were looking at it that it was not really a problem, but now we are going to put NO PARKING all over that road because it is a heavily traveled road and it doesn't make sense. I'm not big on making laws to prevent people from doing something that they haven't even been doing. If it had become an issue and we had complaints and we had a problem and it was a dangerous situation, then we should look at it, but if it's not an issue and you just go out looking for a place to put up signs and say you can't park there, you can't do that, and you can't do this, it just doesn't make sense to me.

**Supervisor Tancredi:** I think the time to raise that was last week when Sgt. Jicha was here and I thought he made a convincing argument as to why it's needed. (I was at a funeral last week) Oh, ok, sorry, he was here last week. (Councilman Conte: I thought he had other points about that last week also.) He made a fairly convincing argument and I agreed with you before I heard him speak. He came up and talked about the concern about overflow on big events and the fact that it is curvy.

**Councilman Carlos:** The road isn't wide enough.

**Councilman Krakower:** But, there is plenty of room on the shoulder to park.

**Supervisor Tancredi:** Not a whole lot.

**Councilwoman Shershin:** Not really.

**Councilman Carlos:** What is happening is, they are not taking the car off the pavement portion and parking on the grass. They are parking on the paved portion on the highway. Now, we have parked vehicles taking up lane space from traveling vehicles. Now, you add the pedestrians.

**Councilman Krakower:** But, we have a situation here that hasn't happened and hasn't had a problem.

**Councilman Baisley:** But, it has happened, Stephan, a few times, during a couple of the games. Because I brought up the parking at the Credit Union because, again, I was against "Jumping the gun". I would rather see a temporary sign, but the Sgt. said there are issues and have been times when we've had a couple of overflow games, whether it was a resident or he had gotten complaints and he had been out a few times and he had some very convincing arguments.

**Councilman Krakower:** Wouldn't it make more sense to just put temporary NO PARKING signs for the specific events than to put just NO PARKING? It just seems like he's got to have something better to do with his time than to just find roads to put NO PARKING signs on them where there haven't been any complaints?

**Councilwoman Shershin:** I find Sgt. Jicha to be very prudent and every time I've approached him about a NO PARKING sign, he's told me "NO". So, this is the first time he's ever approved of this, and trust me, in the Arlington Business District, they all want NO PARKING everywhere.

**Councilman Conte:** I agree with that, too. Sgt. Jicha felt like it by doing this we are preparing ourselves to not have an incident there. I believe in his professionalism.

**Councilman Krakower:** But, to pass a law where we've hadn't had an issue, if it's because of Lour's football games, few home games, and graduation, that's once a year, to me it just doesn't make sense to restrict people from doing something that they weren't doing. It just seems like a waste.

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

**CARRIED: 5-1**

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

**CARRIED: 6-0**

**Zoning Map Akmendment – Springside Neighborhood Development**

**Felicia Salvatore: I'm just hearing you talk about this particular issue and if you want to see a narrow road, come on my street. It's really narrow with S curves and I always say the same thing, the issue I have with the development is just the traffic and it's not something new since this development, my kids were 5, 6 and 7 when I took a picture of them by that sign. So, even if you put up these NO PARKING signs, it is quite definite most people won't listen to it because they don't pay attention to the signs on my street, the DO NOT ENTER and the DO NOT TURN RIGHT. It's an interesting topic to do it before a problem, but I've had a problem for over 20 years and it's still not really solved. I do know they are going to get together to see about "DEAD ENDING IT". Is that the answer? I really don't know, it would be interesting to see what everyone has to say about it.**

**Councilman Krakower: Is there NO PARKING there already?**

**Felicia Salvatore: No, the issue is the people use that little section of road as a "Cut through" and they come down from Marple or Pleasant Valley and they head up past where Tom Bauer lives, they fly up the hill, come down and make a right. They bring their kids to Holy Trinity, and it's just a cut-through to get to the Arterial and then you have a bunch of people that come in the wrong way, for whatever reason. I'm not saying it's not some of the people who live on the street as well that do it, it's just, I live right on the curve where you can't see and it's just that I sit on my porch and see people almost get killed on a daily basis.**

**Supervisor Tancredi: Do you think with the realigned road it's helped, or no? That was done temporarily and it can be taken out if doesn't help.**

**Felicia Salvatore: The realigned road doesn't really affect my traffic that much, to be honest, because you still have those same few people that come in the wrong way, it's all those people cutting through to take that right and it's not really the fault too much of my neighbors, if you drive on that street, you will see as far as some people only have room for one car and a gentleman who lives right on the curve, his driveway is big enough for one car and he has two grown children and a girlfriend and now you are talking about four cars and so he parks them right on the road and so when someone comes around the curve, they can only go "here" and when someone is coming the wrong way, it's either hit the car or hit the person. It's just dangerous.**

**Supervisor Tancredi: So, you think dead ending that would benefit?**

**Felicia Salvatore:** I think it would help, but I don't know that would even be. I really don't know what the answer is. I'm just envisioning the businesses opening, the apartments and to be honest, I think it's the people in the apartments section of our street. They don't pay any taxes, and I pay almost \$9,000 where I live, they don't pay taxes, they just come and go in apartments. Actually I was talking to some neighbors who live on Seitz Terrace and one woman lives further up than most people that are here tonight, she lives up further and she just said, "I don't know what to do with the Town". She's still up in arms with Maple Knolls. I guess, when they put that in, there is a little section of property that's between her house and two up from her property, there are a ton of people who walk through her yard to get who knows where and she's had a lot of drainage problems.

**Councilman Krakower:** Has Sgt. Jicha looked at it?

**Felicia Salvatore:** I told her to call the Police. My main thing there is basically the traffic and I don't want to see anyone, especially one of my children, truthfully, if it were up to me, I would say open that to both ways, because where I live, my kids could go left and I could come in the wrong way and go right and I wouldn't have to deal with the curves.

**Councilman Krakower:** Your road is kind of awkward.

**Felicia Salvatore:** It's very awkward!

**Supervisor Tancredi:** So, open your road to both ways?

**Felicia Salvatore:** Yes, if it were up to me, yes.

**Supervisor Tancredi:** So, if that's a suggestion.

**Felicia Salvatore:** No, it's not a suggestion. That would be my way of saving the lives of my family but that's not really what it's about, is it's everyone else on that curve that is in danger. I also just wanted to say that the Tinkelman's did have a meeting with some of the neighbors, which I think was really nice and they did post a sign and that was nice and I also wanted to bring up that there is some kind of meeting coming up in September maybe to discuss the issues of the traffic.

**Supervisor Tancredi:** Not a Public Meeting, just a few from the Town staff that are going to get together to see about what was done and see if it did or didn't work or what have you.

**Dave Ferris:** This is for the Springside Neighborhood Development, is this part of the Arlington Town Center?

**Supervisor Tancredi:** This Public Hearing is to take the piece on the corner, I think it's a three family house and it's to be added to this project.

**Dave Ferris:** So, this is going to be part of the Arlington Town Center? (Yes)  
Ok, over thirty years we tried to get lines put on the road up there. Suddenly, the day before this meeting, we've got lines on the road. Kind of funny isn't it?

**Supervisor Tancredi:** I just got lines put on my road and I've been here ---

**Dave Ferris:** Ok, I have another question for you. If it's supposed to be part of the Arlington Town Center shouldn't it say something on here. Is Springside Neighborhood Development different from the Arlington Town Center?

**Supervisor Tancredi:** Yes, the Arlington Town Center is a Town Center that is within our Town Zoning and that is where Vassar College is, the Juliet, Zimmer Brothers and now this property is going to be part of that Zoning District. The Springside Neighborhood Development is what the developer is calling his project. That's the name of it.

**Dave Ferris:** Ok, now, Tinkelman, this is what the Arlington Town Center is going to be, can anyone show us exactly where it is?

**Supervisor Tancredi:** If you want to come in tomorrow or just give me a call, we can get you a map. I don't remember the borders off the top of my head, but I think it's Hooker Avenue, Up to Vassar, through Main Street, to the Arterial and now including this property and roughly from UNO's to South Grand Avenue. That would be the Arlington Town Center.

**Ryan Doughty:** I grew up on Seitz Terrace all my life and I don't disagree with this project, I am concerned about the traffic. I am there all the time and people fly up our street and I'm actually speaking for my neighborhood because I know everyone in my neighborhood and they are all concerned about traffic issues. Ever since Van Wagner has become a dead end, our traffic has increased and so for the last ten or more years the traffic has been substantial and it's not only the traffic, it's the speeding. It's really a main concern and I would like to see a study done just to see how many people are driving up and down our street and how fast they are going.

**Councilman Conte:** I can get hold of Sgt. Jicha and he can work with this.

**Felicia Salvatore:** When they did mine, to make those signs originally, there were 1500 cars a day on my street.

**Councilman Conte:** Mr. Doughty we can get a device that measures the speed and how many cars travel on that road and we would be happy to work with the Town Police to have that happen for you and also you said, have you noticed a time when you see the most excessive speed, let the police know and sort of give them a time, they can also benefit by helping you that way too. It's usually when people are

coming home or going to work. If you tell them it's say between 8 and 5 they may be able to get a patrol officer up there and be able to catch them in the act.

**Councilman Krakower:** The thing is, if its people going to work and coming from work, what you are going to end up seeing is a lot of your friends and neighbors getting tickets, because that's the group.

**Ryan Doughty:** Absolutely, but my concern is that, we can't back our cars out of our driveways without risk of getting hit because people just fly up that hill. My other concern is that intersection and that intersection has been a problem ever since I was a little kid. It's a fork three in the road and the visibility is a problem and it's just an issue and so, it's not that I don't want to see this project done, it's I want to see it done right and there has been several kids on Van Wagner that have gotten hit by cars and several kids on Seitz Terrace that have been hit and so I'm just really more concerned about safety at this point.

**Supervisor Tancredi:** We appreciate your comments and we will keep that in mind when we work toward solutions to potentially slow that traffic down.

**John Greenar:** I echo Mr. Doughty's concerns. I live on the corner of Lindbergh and North Grand Avenue and I'm sure you've heard this issue from time and again where since the traffic light was put at the end of Delaval Road coming on Innis Avenue, it's often used as a short cut. People come down North Grand Avenue and make a left on to Lindbergh to avoid that traffic light and so we are just concerned with the added traffic from the apartment complex using our street, which is a residential street and not a main road intended for their short cuts on the way to work or Dutchess Community College, etc. It's an issue during morning rush hours. If this development is going to happen, if you could change the timing of the traffic lights, right now if the light is green on North Grand Avenue and Marple, it's green at the same time on my corner so people fly down that corner and living on the corner and sitting out front, kids, nieces, nephews, pets, it is scary just sitting in my front yard seeing the cars come directly at the house and there has been plenty of accidents there in the past. So, I believe it would be in the resident's best interest to take into consideration the proper and safe traffic precautions especially with people flying and speeding past there. The Town has put police cars there when the time allows and sometimes there is a resident speeding home and what not, but, possibly change the timing on the lights.

**Supervisor Tancredi:** Good suggestion, we'll take a look at that.

**Frank Carlon:** My main concern with this project is the traffic. The intersection, the one everyone is talking about, you have 4 and you used to have 5 with Van Wagner intersecting. The traffic light is an old system. It is not these big gray boxes, they are all computerized and I've stopped calling the Town Police because it is not a permanent thing, but this traffic light continues to, because it is old, they don't make them any more, it's screwing up and staying on one car longer than it

should and my concern is who is going to pay for this when it needs to be upgraded. There is going to be a big increase in traffic. There should be, with the apartments that are proposed, there will be an increase in emergency response, businesses with truck traffic, and I would like to know who is going to maintain it? Is any tax revenue you get from this project, are they going to put back into the infrastructure. I was at the meeting that Felicia was talking about at the office and so far these people have done an outstanding job. They took these three old houses and rehabilitated them and they have a top notch business in there now. Another concern of mine is Seitz Terrace is a wide road, but if you go north on Raymond Avenue extension and you go left at that light, you now enter Springside Parkview Terrace. Right in front of that building on the corner, that road is very narrow and in the winter with a lot of snow, you can't get two cars by there and they tell us there are no plans to do anything about that. No plans to repave the roads or do any kind of redesign or to take care of the infrastructure and I'm serious, I would like to know, down the road, who is going to pay for this traffic light and to redo this? Is the Town going to do that?

**Supervisor Tancredi:** Are you talking about the light right at the intersection?

**Frank Carlon:** Yes, and it may be because the increase of traffic, may need a certain type of light system with the sensors in the road, there is none of that there now. It's an old light. I'm concerned about the increase of truck traffic and the Park View Springside, you can see from when they built the Arterial, the difference in the width of the road and condition of the pavement and from there to that intersection is in really bad shape. The Town doesn't have a lot of money. The Highway Department is always saying they don't have the money. Who's going to pay for all this? Are our taxes going to go down because of this project? Another thing that concerns me is that this area historically has been a single family homeS with a few here and there two family homes. Why apartments in the woods behind coming in off of Seitz Terrace, why not put a little dead end and some single family homes because when you have 23 or so apartments, you are going to get a big increase of traffic and it's going to be a big problem. I asked them about the sidewalk plans. Right now people walk on the road and walk from there over toward Holy Trinity, Wendy's and Main Street and in that area and all of this will increase, how are we going to maintain and take care of that with budgets so constrained? What exactly is the benefit to us in that neighborhood to us for all of this? I'm not against progress, they did a nice job, everything's neat and nice, and it's great. Why expand Arlington Town Center? Historically, there are several businesses that have been there for many years. Why expand it north, is it just to accommodate these people?

**Supervisor Tancredi:** It's, hopefully to get more density into the Arlington Town Center because the feeling is, with more bodies you will have a better attraction for businesses to come and stay in Arlington and so, in terms of apartments, it's the one market that there is a demand for it in the Town and elsewhere. We don't have enough nice apartments for people to rent and I would consider these being nicer

apartments. There is a demand for it and not a demand for single family homes. I thought the process is to get a greater density into the Arlington Town Center. It's the one Town Center in the Town that is working reasonably well with more density and with more people we think it would work even better.

**Frank Carlon:** That makes complete sense, but if you go into Arlington, there are sidewalks everywhere. There are no sidewalks up there.

**Supervisor Tancredi:** I think that is a good point. I thought it had been talked about at the Planning Board level, but it is certainly something to bring up at the Planning Board as they are looking at this project, especially in that area where we want to make it more a walkable community and where the residents can frequent the shops.

Frank Carlon also spoke of a blind spot on Seitz Terrace that should be looked into for safety reasons. He also spoke about the increase in traffic on that street and the speed of the drivers. Someone is going to get hit at that blind spot because there are no lights, sidewalks, traffic control or crosswalks or anything. These things have to be considered to be traffic friendly and they have no plans to do anything there and if the Town does have plans to do something there, who is going to pay for that?

**Councilman Carlos** inquired if Mr. Carlon had attended a Planning Board Meeting regarding this and if he knew the meeting was going to happen. Also, if Planning Board was aware of all of these concerns discussed tonight.

**Doreen Tignanelli:** Was a traffic study done on this development?

**Supervisor Tancredi:** I don't know, that would be a Planning Board issue. If there was, they certainly would have addressed that.

**Norman Dennis:** I can understand the whole routine that's going on, and the traffic is only going to get that much worse on Parkview, especially when we do Phase III. I know it's not approved, but obviously we need to look into this in case it is approved. But, obviously they are going to group and go to the arterial. To make a right turn on the arterial is also dangerous without any traffic signals and trees obstructing the right turn on to the arterial. We have phase II in existing creating enough traffic and now when we go to Phase III, there will probably be more houses and more commercial business and that doubles the big issue. He stated that we really need to consider the traffic at that point when this Phase goes through.

**Bill Porter:** My concern about this is basically set on a precedent I think the Zoning Board dealt with when they allowed Maple Grove to go in on North Grand. Seitz Terrace actually has two accesses for Maple Grove. One is on opposite the house next to mine, which is currently a wooded area. The second one is about five houses down from Delaval and Marple Road, which the Zoning did not want roads coming out onto Seitz Terrace. The wanted utilities to go through there, which they did on

five houses down from Marple and down near my area they kept it as a wooded area. Now, considering changing this concept and allowing an access road coming out on Seitz, I think one has to weigh that you are coming in at the top of Seitz Terrace hill there. In the winter it is very problematic. The houses north of that area have water issues and the water from the sump pumps come out on the street and form an ice path that comes down the road there. The Architect and the properties that he has renovated, did a very nice job, with one exception. The road that exits down on to Raymond Avenue extension is about 15 feet from a traffic light and the roads are basically coming down to the point where cars are waiting to go through down by Raymond Avenue extension are going to potentially be impact. Now there are 50 apartments or so on the site plan and so potentially 50 additional vehicles are going to come out onto Seitz Terrace with a water issue from drainage.

I think this is something that has to be weighed. Different egresses should be sought out should this project go through. The road is currently a 5 ton road maximum and I don't know if this would be a concern with construction vehicles going in and out.

**Joe Steinman:** Are any of the units in the proposed apartment complex, are there any government subsidies, Section 8 or low income?

**Supervisor Tancredi:** I don't think so. I think the plan is to have either market level or slightly above market level apartments. From the plans and discussions I've seen and heard, they are going to be nicer end apartments. 1000 square feet and 1200 square feet.

**Councilman Krakower:** The one thing that would lead me to believe that to be the case is because the developer's office is in that building and so that, to my guess, will be part of the reason why you won't see that.

**Motion made to close Public Hearing:** Supervisor Tancredi/W. Carlos

**CARRIED: 6-0**

**08:20-02 PUBLIC HEARING**

**Zoning Map Amendment – Springside  
Neighborhood Development**

### **RESOLUTION**

**WHEREAS, the Town Board of the Town of Poughkeepsie, held a duly noticed public hearing on the 20<sup>th</sup> day of August, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, to consider an application to amend the Town Code, Chapter 210, Article III, specifically Section 210-11, which amendment hereby changes the zoning designation of tax parcel number 6161-08-845933, also known as 57 Springside Avenue, located at and near**

**the intersections of Van Wagner Road, Springside Avenue, and Seitz Terrace from R-20 District to ATC District; and**

**WHEREAS, the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and**

**WHEREAS, the Legal Notice of Public Hearing was posted on August 7, 2014 and published in the Poughkeepsie Journal on August 9, 2014; and**

**WHEREAS, on July 17, 2014, the Town of Poughkeepsie Planning Board as Lead Agency for the proposed action to amend the Zoning Map and to obtain subdivision, site plan and lot line revision approvals, adopted a Negative Declaration for an Unlisted Action under the New York State Environmental Quality Review Act; and**

**WHEREAS, on July 17, 2014, the Town of Poughkeepsie Planning Board recommended adoption of the herein zoning amendment; and**

**WHEREAS a written recommendation dated June 24, 2014 was received from the Dutchess County Department of Planning and Development pursuant to a referral by the Town Board under GML 239-m, and that said recommendation stated that the adoption of the herein zoning amendment is a matter of local concern; and**

**WHEREAS, the Town Board has reviewed the zoning amendment application, the recommendations herein, and public comments;**

**THEREFORE BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a duly noticed public hearing held on the 20<sup>th</sup> day of August, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town Code, Chapter 210, Article III, specifically Section 210-11, which amendment hereby changes the zoning designation of tax parcel number 6161-08-845933, also known as 57 Springside Avenue, located at and near the intersections of Van Wagner Road, Springside Avenue, and Seitz Terrace from R-20 District to ATC District; and**

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

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

**Councilman Conte: I would like to say that I would like to thank the residents for coming out and speaking about their feelings on this, it's a big part. I want to also try and understand and hope the developers can work with the residents of the area and the Town Police help us with some of the problems with traffic and on the Town**

side, us including of Zoning and Planning, we can all try and do our best to make this successful.

**Councilman Carlos:** If I am reading this correctly in the supporting documentation, all we are doing is changing the Zoning for that particular parcel. On page 2, the Zoning Board at that July 23<sup>rd</sup> meeting, postponed all of those (List of 15 items) to be reviewed.

**Supervisor Tancredi:** I know, (Speaking to someone in audience) Mike, do you know when you are back before the Planning Board? Is there a date set yet?

**Mike from Tinkelman Association-** Yes, we will be submitting on Monday for the September 8<sup>th</sup> meeting, I believe.

**Supervisor Tancredi:** So, they are planning on coming before the Planning Board again in September and so if you want to watch the agendas that come out and keep in touch with Felicia, our Town Clerk, she can let the residents know when they will be before the Planning Board because many of the suggestions you made tonight, such as sidewalks and things like that I think are great ideas and those really need to be brought to the Planning Board. Obviously we will give them the messages we've heard tonight, but I think if at all possible, if you could be at the September meeting, if you can't be there, write a letter expressing those issues, I think it will be helpful.

**Felicia Salvatore, Town Clerk:** They did mention at the meeting, at Tinkelman's, that the traffic part of it is not really the developer's issue. They can't really do anything about that part, is what they said.

**Supervisor Tancredi:** And the road is what it is and we are going to have to try and get traffic through there and eliminate people speeding up, whether it's Seitz Terrace or a wrong way down your road, Felicia, but unfortunately it's a problem all over Town, people are in a big rush, I don't really understand it, but we will work on it.

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

**CARRIED: 6-0**

**Motion made to open Public Hearing #3, Country Club Sewer District: Supervisor Tancredi/J. Conte**

**CARRIED: 6-0**

**Don Beer, Town Engineer,** gave a brief presentation so that people could know what they are talking about and maybe they can answer some of the questions before

some of them are asked. “Late last year the Board authorized Morris Associates to prepare a Map, Plan and Report which is required before the Town Board can Bond to Fund a district and the Map, Plan and Report, which I have a copy of and am sure you all got one also. The Map, Plan and Report lays out the proposed improvements for connection from Country Club to the Arlington Wastewater Treatment Plant and it also lays out who is benefited by that district and what the anticipated cost is. Mark Long, who worked on the Map, Plan and Report is here from Morris Associates and he is going to go over and explain the Map, Plan and Report. We are going to also have some handouts to give you (the Council) and I will give some to the audience just to make sure everyone understands what we are doing.”

**Mark Long:** A brief history of the project that the; Country Club Estate Sewer District is composed of 129 parcels. They are mostly residential. Some utility companies and two tenants in the district, which are hotel located north of Rochambeau Lane and Oak Grove Elementary School at the end of Kerr Road. The district conveys sewage to an existing Sewage Treatment plant, by a series of gravity and force mains to the treatment plant. The plant was constructed in the 1960’s and it has reached the end of its useful life. In September of last year an engineers report was prepared contemplating the replacement of the plant and upgrading with treatment processes to meet expected stricter rules in the sewage treat plant discharges. The cost of that upgraded technology would be about 1.7 million estimated. A less expensive to that alternative was sought. The first map shows you that district boundary and where it is. The second map is a conceptual improvement plan. What is proposed is to connect to existing gravity sewer, run new sewer to Route 9, go through an existing empty casing which was installed by New York’s DOT in the 80’s, go through that casing and install a new pump station on the west side of Route 9, pump that to existing gravity sewer that was installed as part of the Three Partner Subdivision that will head north on Route 9 and enter an equalization tank that was constructed as part of the Casperkill Ridge Subdivision and then eventually go into an existing pump station called the Three Partners Pump Station. As part of the improvements, the air piping in that equalization tank will be upgraded. The requirement also is to extend a force main from the hotel to our new gravity sewer which that would be part of the project. At the completion, the existing plant would be decommissioned in place, tanks would be filled, pipes plugged and equipment removed. So, as far as the costs of the district, (he gave another handout) the anticipated construction cost is about \$600,000 with contingency including administrative, legal, engineering, financing, acquisition of two easements that would be required, the map, plan and report, appraisal of the easements and SEQR and Arlington capital buy in, the total anticipated costs would be 1.45 million dollars. As far as the impacts on residents (another handout given). Each parcel in the district is assessed benefit units and basically for each residential parcel in the district is assessed at one benefit unit. The hotel and the school would be assessed at more benefit units. We analyzed a 20 and 30 year bond at an estimated of 4% interest rate with a yearly payment divided by the total number of benefit units in the district, we come up with a cost for each benefit unit. With the

elimination of the plant, the O & M received cost that the residents currently pay, would decrease because of less O & M to run the plant. So, with a 30 year bond, the expected yearly payment for each benefit unit would be \$533.95 with a 20 year bond, it would be \$604.09. So, with the 20 year bond, it would be an increase for one benefit unit for the typical one family home \$165.40.54, correction, for a 30-yr bond it would be \$165.40 for a 20 year bond it would be \$235.54. The next thing is the project schedule (another handout given). Project schedule is anticipated that the design will begin this year and be well on its way by early next year. Submit to approving agencies, the New York State Department of Environmental Conservation and the Department of Transportation by April. Gain approvals and go to bid in the middle of the year and completion of the project by early 2016. That's what we have.

**Supervisor Tancredi:** Ok, we can open it up to any questions from anyone in the audience.

**Joe Steinman:** I asked before I came up if there was any further discussion planned on the breakout of those costs and the answer was "No" and so my first question involves that breakout. The Arlington Capital Buy in Cost of \$555,000, I would like a more detailed explanation of what that means. That's a major portion of this cost. I understand that Arlington owns a lot of the transmission lines that this will be hooked into, but it still seems like a really big cost.

**Supervisor Tancredi:** It's based on the average water use and the flow that the treatment plants receive. What is it we take, a three year average? (Yes) It's a three year average of the flow and it's strictly based on the flow.

**Don Beer:** We came up with about 37,000 gallons a day, plus you have to have some I and I allowance. So, that's how it is calculated.

**Joe Steinman:** So, that's the hit to the plant and their part of the system? (Yes) It still sounds like a pretty high percentage of the cost. More that I would have expected to see. The other thing, it was mentioned how our costs arrived as individuals and it was also said that the two major contributors' to the flow is the hotel and the school system were higher, but there was no indication of how much higher they are. We've had issues with the school system charges when they were initiated. I know the engineering studies that were done supported that, but I've talked to a number of engineers during and since then and they said that those charges are a joke in terms of the actual usage. Some of the people working in the sewer department at that time agreed with those judgments and they didn't publicly state them.

**Supervisor Tancredi:** I think the assertion that somehow the Town is hiding... The way I heard it was somehow the school should be paying more. We have no reason to be charging the Wappinger's Central School District less than what we are charging them and along those lines, we've put meters to actually meter the water

flow. I would much prefer—I have to answer to you, not the school district and so I would much prefer to tell you that they are using more water and get more money from them, than you would have to get from the residents, so, we've tried to meter that water flow and try to be as careful as we can to make sure they are paying their fair share.

**Joe Steinman:** All of the metering done so far supports that you should---

**Supervisor Tancredi:** Yes, if they are using more, we would like to know that.

**Joe Steinman:** Are we also metering the hotel?

**Don Beer:** Right now, if we metered the hotel, we wouldn't be getting much, because there isn't much coming out of it.

**Joe Armstrong:** Some time ago, we had a meeting on this same subject. This time things are broken down in a little bit more detail. Ironically, it came out to the same total. I'm not against the project. It has to be done. Money will be saved in operation costs because the old plant won't be there any more. The land that this is on, who owns that land? (Town) The biggest problem I have, and I've brought it up more than once, is that we are being charged at this point now, \$555,000 to buy in and this irks the daylights out of me! We are not a new customer, we've paid for our system, paid for the water and we are still going to be paying for it. We are just diverting it to a different plant and we are paying for that upfront of about half the cost of the one million four and I can't get my mind around how, as a customer now, we are just being charged a \$555,000 bill, for no reason that I can see. Where is that money going? We are paying for the gallons we use and we will still be paying for that. Here is another \$555,000 that is just being thrown into the pot. If it were a new development being done, I could understand that. I'm amazed at some of the difference in the costs that you are charging for some things that the easement went way down from 100,000 to 22,000 to get the easement to put the pipe in, but the administrative costs at \$212,000 (About 25%.) I guess I'm wasting my breath because evidently you've made your decision because you are already talking about in the next session of the Board, the next item coming up is bonding for this money and I think the cost to each individual with the way the economy is and the way people are struggling to pay their every day bills, it's a shame.

**Supervisor Tancredi:** These people are part of the Arlington Sewer Treatment Plant have paid for years and years and years for their plant and the upgrade and upkeep of it. If we let all of you come in for free, where you all had your own sewer plant, this room would be full of those people saying that's not fair and we are trying to base it on your flow. Your water never went to Arlington before. It was treated at the plant and clean water was spilled into ---

**Joe Armstrong:** Yes, we still paid for that.

**Supervisor Tancredi:** Well, we can put in a new plant if you'd like, but it's going to cost more.

**Councilman Krakower:** Every new tenant that buys into the Arlington Sewer Treatment Plant pays the same rate, correct? (Yes) Every Town resident who connects into that sewer plant at some point, pays the same rate. It's not just something adjusted for you guys, it is what it is.

**Supervisor Tancredi:** We've tried to make it as fair as possible.

**Harvey Frankel:** I am assuming that we are going to have to go along with this and that, unless Todd has a wealthy grandmother that's going to donate a great deal of money, we are going to have to issue bonds. I'm no bond expert, but I do know a little about them and I know that with the double tax exempt, municipal bonds, the rates are usually quite favorable. If it really is as much as 4% for 30 years, it seems like a 20 year loan would be at a lower rate. I'm not even sure that it should be 4% for the 30.

**Supervisor Tancredi:** Yes, that's a good question. I'm not sure either. We are just trying to—

**Don Beer:** Yes, we are trying to be conservative #1.

**Supervisor Tancredi:** I know we've done better than that –

**Don Beer:** The Town will be seeking Environmental Facilities Corporation financing which allows you to be subsidized and they give the lowest rate and I've been working with the Comptroller trying to get the exact number. We didn't get that as of today and so the worse thing for us here is to go through this Map, Plan and Report process and then put out bids and have a number higher than what we have in the Map, Plan and Report and that means you would have to come back and amend the Map, Plan and Report again in the future, so, these numbers should hopefully be taken as conservative and it should be able to be going down.

**Councilman Krakower:** The amount that actually gets paid is based on what the actual financing is. (Correct)

**Harvey Frankel:** Would this be based on the Town's rating? Is the rating on these bonds going to be triple A or only double A?

**Supervisor Tancredi:** Good question.

**Don Beer:** It should be on the Town because it's the Town that is financing it.

**Supervisor Tancredi:** We have a very strong rating and I know a bond we just recently did we locked in for under 2% and so it is likely we can be less than 4. That's a great question.

**Harvey Frankel:** And the last part is whether the bonds will be callable?

**Supervisor Tancredi:** I don't know the answer to that.

**Don Beer:** Me neither.

**Supervisor Tancredi:** If you call tomorrow, I will try and find out for you.

**Bob Ulrich:** Just a piece of history to keep in mind. I've been the development since about 1971 and learned, soon after moving in, that a few years earlier; the sewer system had been approved. Unfortunately, there was Federal Funding available that would have paid for 90% of it but the Town Attorney, or someone in the Town, failed to apply for it and we, as a sewer district, ended up having to fund 100% instead of only 5 or 10% and that has been an anchor around our necks ever since. Assessments every year. If there is Federal Funding available, that should be investigated to see if we can help reduce the financial impact and if it is available, lets be sure we file the right paperwork on time, 45 years after the first mix-up.

**Councilman Conte:** Thanks for that tip.

**Chuck Goldsmith:** I just have a quick question for the Engineer. They put markings on our road from the school out to Spring Road and pipe out there, what is that for? Is that for part of the sewer?

**Don Beer:** It's a gas main. If you look at the schedule you will see we won't have construction starting until probably by the middle of next year.

**Chuck Goldsmith:** Ok, I just wondered what the markings were for.

**Rob Rubin:** I'm very impressed with these plans. Good job and the work supporting it. All I would ask though, if it's possible, that this type of information you passed out tonight on a consistent basis, would you please consider e-mailing this type of information, with your approval, that is, to the Wappinger's School Board to our Superintendent and Board of Education just so we can be kept up on the loop in what's happening? (Sure, we will)

**Councilman Krakower:** Do the residents get anything in the mail or any notification that this is going to change or anything else? (No)

**Supervisor Tancredi:** Councilman Carlos has sent out flyers. We had a meeting here about six months ago for the residents to warn them.

**Councilman Krakower:** I think that information should be sent out to the people that are being impacted by this because some of those people don't come to these meetings.

**Councilman Carlos:** When I read the first map and plan you said that was preliminary and I saw the changes, if I'm on the right page now, the total increase for a unit house in that area would be \$165 for a year and so whatever their current bill is, it will go up \$165?

**Don Beer:** Assuming a 4% bond for 30 years, yes.

**Councilman Carlos:** So, it could actually be less if we get a better bond rate? (Yes) Ok, the other question I have, the Arlington Capitol buy in, I understand where that comes from, if this is a brand new neighborhood of 200 houses, it would be a buy-in. But, I think that could be a negotiable point with Arlington.

**Councilman Krakower:** Everybody that connects in Arlington pays the same rate. We don't negotiate that, correct? No matter who it is where it is.

**Don Beer:** You are the representatives of the Arlington Sewer District.

**Supervisor Tancredi:** If we negotiate this time, we will be expected to potentially negotiate everybody.

**Councilman Carlos:** The difference here is, this is not a new development that is being built, but to add to everything. But, current existing neighborhood that the sewer plant is shot.

**Councilman Krakower:** But, you have other people who have hooked up in other parts of the Town that are Town residents.

**Councilman Carlos:** I'm talking about; this is a new entity to the Arlington Sewer District. The only difference I see is, this plant has been in existence for 50 some years. It's not like it's a decision made by those residents to buy into the sewer district, they don't have too much of a choice. I understand that the only option is to rebuild and redo the entire plant and that is much more expensive.

**Councilman Krakower:** The other option is to them is to rebuild and redo the plant, which is extremely more expensive. The Capital of the Arlington Plant was paid for by the people that are currently in that district and everybody that comes through the door at Town Hall asking to connect, pays that same rate, it's fair. And that's why it's fair. If we start changing that, to me that is where the inequity comes in where different people are paying different rates depending on whether they argued, didn't argue, who represented them, who didn't represent them and that's where I think you create a lot of mess.

**Supervisor Tancredi:** It's not a good option overall for anyone, in my opinion. We are eliminating a sewer plant, which as a whole, the governor's plan to consolidate and streamline and downsize government.

**Councilman Carlos:** He's giving money to consolidate.

**Supervisor Tancredi:** If he'll give us money, we will take it. Trust me.

**Joe Steinman:** The only point I would like to make, it's sort of relevant to what this gentleman just said. The assessments that are being issued in the majority of cases, for new members are on an individual homeowner based, there are very few involved in the whole sewer district, so, I say, just from that point alone, the argument should be, we are not talking about individuals, we are talking about a large number of people and usually that wheels a little bit of power in negotiations if the people who are doing negotiations are going to use that power. It's not individuals now, it's over 100 people, plus two large businesses and that's a big difference in saying that everybody that is joining into the Arlington District is paying the same rate when the vast majority is individuals. It seems like an outlandish cost.

**Supervisor Tancredi:** Before we got a more accurate flow, we had a higher flow number because you are approved for more flow and we were using that approved number, but in talking to Councilman Carlos, our Engineering Team, we wanted to try to get the most accurate numbers we could and we took the average three year flow and it was actually lower than what approved for, so it did reduce that number some.

**Town Attorney Nelson:** Before we go any further, the suggestion of Don, the Development Director and I is that this be adjourned to, originally I felt the 17<sup>th</sup>, but now my suggestion is to adjourn it to the 3<sup>rd</sup>. If the SEQR is done and if we can finish it that night, it would be fine, it might fit better with the notice provisions for the bonding.

**Supervisor Tancredi:** The only concern I have is, I don't know if it's going to be done, I would agree, but I don't want people to show up and not really have anything to give them and know we are going to adjourn. If we adjourn it to the 17<sup>th</sup> and have a special meeting a week early, which is our Committee of the Whole, can we do that, or no?

**Town Attorney Nelson:** We have to be certain, so it doesn't have to be readvertised, so, if you want it on for the 10<sup>th</sup> and set a special meeting to have it then, you can do that, but if we adjourn it to the 17<sup>th</sup> ---

**Supervisor Tancredi:** Well, I think the 17<sup>th</sup> is within the timelines that have been established, correct?

**Councilman Carlos: Isn't there a deadline for this? (Yes) The State DEC Deadline?**

**Don Beer: We've been pressured, I guess is the best way to put it, we do not have a consent order, but we have been pressured by NYS DEC to move this project along and I did prepare a letter which the Supervisor reviewed which said that we would have this done by September the 17<sup>th</sup>. We actually thought we would beat the schedule by a month, but, because SEQRA is not finished, we are not able to do that.**

**Town Attorney Nelson: May I ask Mr. Beer a question: (Sure) Was Douglas copied on the information about the 17<sup>th</sup>?**

**Don Beer: No, I don't believe so.**

**Harvey Frankel: I do have one other thought. Because the sewer costs are related directly to the water costs, I think they are up to 50% now, whatever we pay for water, it's an additional 50% for sewer. If this is going to cost more for water, then I certainly hope that this is not going to increase the cost of our sewer bills.**

**Supervisor Tancredi and Councilman Krakower chimed together: It won't raise the Water Bill, just the Sewer Bill.**

**Motion made to adjourn the Public Hearing until the 17<sup>th</sup> of September by Supervisor Tancredi/Seconded by Councilman Conte**

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

**CARRIED: 6-0**

**Don Beer: I would just like to point out that this Map, Plan and Report is on file with the Town Clerk, it is on the Web site and so if there are any people in Mr. Carlos's Ward that want to access it, that is how they can.**

**Supervisor Tancredi: So, Jim, we will take up #4 when we get to it?**

**Town Attorney Nelson: What I would do is to put over Resolutions #3 and #4 because you don't want to adopt them until you finish SEQR.**

**Councilman Carlos: Ok, do I have to make a motion to do that?**

**Town Attorney Nelson: I would, yes.**

**Councilman Carlos: I make a motion to take Item #3 and Item #4 and move to the 17<sup>th</sup> Day of September: Seconded by J. Conte**

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

**CARRIED: 6-0**

**ADJOURNED TO SEPTEMBER 17<sup>TH</sup> TOWN BOARD MEETING**

**Supervisor Tancredi: Before we go any further, I want to do a couple of appointments because we have a couple of people waiting very patiently. We have a couple of Police Officers who are going to be appointed tonight and so let's do item #5 first. Ryan J. Watt**

**08:20-05 APPOINTMENT**

**Ryan J. Watt – Police Officer**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Ryan J. Watt to the position of full time Police Officer under the provisions of Civil Service Law dealing with a resignation/reinstatement, at the yearly salary of \$54,669.00, effective September 15, 2014, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law.**

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

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

**CARRIED: 6-0**

**08:20-06 APPOINTMENT**

**Brian Southworth, Jr. – Police  
Officer**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Brian Southworth, Jr. to the position of full time Police Officer under the provisions of Civil Service Law dealing with a resignation/reinstatement, at the yearly salary of \$54,669.00, effective September 15, 2014, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law, and conditioned on Officer Southworth providing proof of reimbursement to the City of Newburgh for his training expenses prior to his beginning employment on September 15, 2014.**

**SO MOVED: S. Krakower/J. Conte**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, 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: I have a question about the Liquor License Renewal for Monkey Maghees and I want to know, Mr. Carlos, has there been a lot of issues with that bar in Red Oaks Mill Plaza?**

**Councilman Carlos: Not that I've been told about.**

**Councilman Baisley: When that came up the last time, we had a copy given that had a few issues and I'm going to ask the Chief, if he comes back in, if he has had anything on it.**

**Town Clerk Salvatore: I have something to say a little on that. There were a few blotters that I was given. I actually called the State Liquor Authority and as of a few years ago, the restaurants that have been renewing their liquor license don't have to even alert us any more. So, I asked them what we could do and a gentleman gave me an e-mail address that I can give directly to the Police, so when the police have any issues, they do want to still hear about it, but there is really not a lot that the Town, other than sending a letter or anything, that I was told. I have a public affairs e-mail address if anyone has a concern on, police or otherwise.**

**Supervisor Tancredi: I know a couple of years back when this came up, we did have some concerns, but I agree with Councilman—**

**Councilman Carlos: Any fee or licensing has a problem on the premises, they can be referred to have an action against the license, so whether it's a big fancy restaurant or a Monkey whatever this is, they come the same way.**

**Supervisor Tancredi: I haven't heard of any new issues.**

**Councilman Carlos: And I haven't heard any.**

**Rob Rubin: This is just a correction – it's Schomre Israel.**

**Supervisor Tancredi: Oh, sorry about that, I was more concerned about the Eruv than that.**

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

**CARRIED: 6-0**

**08:20-07 AUTHORIZE**

**Collegeview Properties, LLC Tax  
Certiorari Settlement**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement of the tax review proceeding instituted by Collegeview Properties, LLC for the tax assessment roll of 2013 and 2014 as shown on the attached Consent Order and Judgment; 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: A. Shershin/W. Carlos**

**Councilman Krakower: Collegeview Property LLC is Vassar College, right?**

**Supervisor Tancredi: It's 12 Raymond Avenue.**

**Councilwoman Shershin: No. I think they are called something else.**

**Supervisor Tancredi: I don't know what property it is, I just know its 12 Raymond Avenue and it's refund from the Town is \$1363.00.**

**Councilman Krakower: It's going from \$900 down to \$750? (Yes) There has been a lot of new businesses and improvements over there and so I'm just wondering which one went down that much. One burned.**

**Supervisor Tancredi: I don't know the property. I just know the address. I'm sure Kathleen would know, but she's not here. Oh, Its Burt Gold's MD Imaging. Oh, ok.**

**Councilman Carlos: So, if we don't accept it, it goes to court and the ruling is forced on us?**

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

**CARRIED: 5-1**

**CONSENT ORDER AND JUDGEMENT ATTACHED TO FINAL BOOK COPY**

**08:20-08 CONSENT**

**Planning Board – Lead Agency –  
Marist College Natural Science &  
Allied Health Building**

**RESOLUTION**

**BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board acting as SEQR Lead Agency for the project known as Marist College Natural Science & Allied Health Building, Beck Place and Fulton Street, Poughkeepsie, New York, Tax Parcel Nos. 6162-05-005805, 007795, 002778 and 6162-02-999762, 995788, 974742.**

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

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

**Nays: None**

**CARRIED: 6-0**

**08:20-09 CONSENT**

**Planning Board – Lead Agency –  
Lutheran Care**

**RESOLUTION**

**BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board acting as SEQR Lead Agency for the project known as Lutheran Care Network Assisted Living Facility, 382 Van Wagner Road – with frontage on Route 44 a/k/a Dutchess Turnpike, Poughkeepsie, New York, Tax Parcel No. 6262-02567523.**

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

**Councilman Krakower: Does this property have sewer connection? (Yes)**

**Supervisor Tancredi: I'm not sure if this goes into Arlington – Don, does this go into Arlington? (No. Not Arlington)**

**Councilman Cifone: What are they doing over there?**

**Supervisor Tancredi: They want to put in Assisted Living Apartments up on the hill behind the nursing home.**

**Councilman Krakower: So, they picketed that buy and feed back when they got their approvals originally, correct?**

**Councilman Carlos: Yes, and that's the same buy. That's 69 units.**

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

**Nays: None**

**CARRIED: 6-0**

**08:20-10 AUTHORIZE**

**Schomre Israel & Temple Beth El  
- Eruv**

### **RESOLUTION**

**WHEREAS, the congregations Schomre Israel and Temple Beth El have proposed to create an Eruv; and**

**WHEREAS, an Eruv is a symbolic enclosure which surrounds the Jewish community, within the boundaries of which the members of the Jewish community may "carry" on the Sabbath, which includes the use of wheelchairs strollers, and other assistive devices, thereby increasing the ability of the members of the community to take part in and enjoy the Sabbath and enhancing the quality of life in the Jewish community; and**

**WHEREAS, the establishment of the Eruv requires that ¾ inch conduit be placed on the utility poles which define the perimeter of the Eruv, which conduit runs from the ground to the bracket of the lowest horizontal wire on the pole, but does not connect to the wire or extend vertically from any of the poles; and**

**WHEREAS, the congregations Schomre Israel and Temple Beth El have proposed to create an Eruv in a portion of the Town and City of Poughkeepsie, the perimeter of which is shown on the attached sketch; and**

**WHEREAS, the Town has determined that the utility poles in question are not the property of the Town, but may be located on Town property or rights-of-way; now therefore**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie consents to the creation of the Eruv described above, provided that the conduit is maintained in good order and repair, the congregations obtain all necessary permits and consents which are required for the installation of the conduit on the utility poles, and that the congregations name the Town of Poughkeepsie as an additional insured on their liability insurance policies as relates to the establishment and maintenance of the Eruv.**

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

**Councilwoman Shershin: Rabbi Neil did contact me about this and it is actually really interesting and the portion that is in the Town is actually tiny, it's just a little corner here off of Cedar Avenue onto Walnut Hill Road and so it's primarily in the City of Poughkeepsie.**

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

**Nays: None**

**CARRIED: 6-0**

**08:20-11 AUTHORIZE**

**Bidding – Arlington Wastewater  
Treatment Plant Replacement Heating &  
A/C Equipment**

### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for “ARLINGTON WASTEWATER TREATMENT PLANT REPLACEMENT HEATING AND A/C EQUIPMENT”, pursuant to plans and specifications to be prepared by the Town Engineer, which plans and specifications will be available on August 21, 2014 in the Office of the Town Clerk, with a bid opening to be held on September 22, 2014 at 11:00 AM; 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; and**

**BE IT FURTHER RESOLVED, that the Town Board does hereby determine that this action is a Type II Action requiring no environmental review.**

**SO MOVED: J. Conte/W. Conte**

**Councilman Baisley: Is this being done in-house? (No)**

**Don Beer: If you remember, there were three parts to an approval the Town Board did probably six months or so ago. This part, the first one, was prepared by the Town Engineering Department and the second part was one that we contracted with the United Water on.**

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

**Nays: None**

**CARRIED: 6-0**

**08:20-12 AUTHORIZE**

**Bidding – Arlington Wastewater**

**Treatment Plant Secondary  
Clarifier Basins Equipment  
Replacement**

**RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for “**ARLINGTON WASTEWATER TREATMENT PLANT SECODARY CLARIFIER BASINS EQUIPMENT REPLACEMENT**”, pursuant to plans and specifications to be prepared by the Town Engineer, which plans and specifications will be available on August 21, 2014 in the Office of the Town Clerk, with a bid opening to be held on September 22, 2014 at 11:00 AM; 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; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby determine that this action is a Type II Action requiring no environmental review.

**SO MOVED: S. Krakower/J. Conte**

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

**CARRIED: 6-0**

**08:20-13 APPROVE**

**Alfred Drive Block Party  
To Be Held On September 6, 2014**

**RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Scott McMahon to hold a block party on Alfred Drive on September 6, 2014, with a rain date of September 7, 2014 from 12:00 PM to 10:00 PM, and does hereby authorize the Town of Poughkeepsie Police Department Traffic Division to close said street, but allowing access for emergency vehicles, from 12:00 PM to 10:00 PM; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby waive the “Open Container Law” in the event alcoholic beverages are to be served.

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

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

**CARRIED: 6-0**

**08:20-14 NOTIFICATION**

**Liquor License – Monkey Maghees**

**Supervisor Tancredi: Chief, someone asked a question about the establishment. As far as you are concerned, everything's ok? A couple of years ago we had a discussion.**

**Chief Mauro: They took steps to address the behavior issues. There have been calls for service there, but they are typical of license premises that entertain young people and other things that occur there and can occur anywhere and so they are running a responsible business and I have no issues with them.**

**NOTED BY TOWN BOARD**

**08:20-15 ACCEPT**

**Town Board Minutes  
Town Board Meeting-July 9, 2014  
Special Town Board Meeting –  
July 16, 2014  
Town Board Meeting – July 23,  
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:**

**July 9 – Regular Town Board Meeting  
July 16 – Special Town Board Meeting  
And Committee of the Whole  
July 23 – Regular Town Board Meeting**

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

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

**CARRIED: 6-0**

**08:20-16 Special Consent**

**Set Date for Public Hearing  
To Amend V & T –Stop  
Intersection – Main Street  
New Hamburg at Reed Road**

**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. Set Date for Public Hearing                      Amend V & T – Stop Intersection  
Main Street, New Hamburg at Reed Road**

**AND BE IT FURTHER RESOLVED**, that upon the objection of any member of the Town Board, an item may be removed from the list and voted on separately.

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

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

**CARRIED: 6-0**

**08:20-SC 1 PUBLIC HEARING                      To Amend V & T – Stop  
Intersection – Main Street  
New Hamburg at Reed Road**

**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. Set Date for Public Hearing                      Amend V & T – Stop Intersection  
Main Street – New Hamburg at  
Reed Road**

**AND BE IT FURTHER RESOLVED**, that upon the objection of any member of the Town Board, an item may be removed from the list and voted on separately.

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

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

**CARRIED: 6-0**

**08:20-SC 1 PUBLIC HEARING**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 3rd day of September, 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 an amendment to the Town Code, Chapter 195, entitled “Vehicles and Traffic”, specifically Section 195-44, Schedule IX: “Stop Intersections”, which amendment would be as follows:**

**ADD: Section 195-44. Schedule IX: “Stop Intersections”**

<b>Stop Sign on</b>	<b>Direction of Travel</b>	<b>At Intersection of</b>
<b>Main Street, New Hamburg</b>	<b>Both</b>	<b>Reed</b>

**Councilman Baisley: The only thing I have to say on this is, Mr. Armstrong asked why we put this on, this was tied into the bridge project in New Hamburg. They put a temporary stop sign in at this location last year when they started the bridge and after talking to numerous residents down there, they are in favor of keeping it there and the bridge should be done in about two weeks and they will be driving on the bridge and that sign will come down, but they wanted to get it on the agenda and get it going. It was a major issue over the winter of all the cars ending up in people’s driveways, not necessarily that intersection, but coming around the corner and not stopping and so there was a visibility issue on the corner. This is actually almost a year of trial run and now the residents are asking to keep it there.**

**Supervisor Tancredi: I remember the community meeting that was held down there in the spring the residents raised this issue.**

**Councilman Baisley: There were about 75 residents there that night and so it was a good turnout and voiced their opinions.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, 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**

**Rob Rubin: This is just an observation that affects many municipalities. If the public is not aware, we are affected by something called the gap elimination adjustment by New York State, where New York State, when they pass the budget, if they find they need money coming back to balance their budget, they take money that’s been promised to us districts and bring it back to them and so I just want the public to know that this is an item that we in the various districts have to deal with**

and when we deal with our budget, it's called the gap elimination adjustment and it affects us just like unfunded mandates do.

**Councilman Baisley:** Rob, the States very good about doing that. They do that to small business and all the other businesses with the unemployment insurance. If they are short, they come back and say, "By the way, we didn't get enough money, send us another check". So, the school district is not the only one in that boat.

**Rob Rubin:** I'm not saying I'm the only one on board, but, until I came onto the School Board, I was unaware of this playing around they do.

**Doreen Tignanelli:** At the August 13 Town Board Meeting the Board discussed changes to the Noise Ordinance prompted by the Wegman's/Emeritus Assisted living site on the corner of Boardman and Spackenkill Roads where some neighbors were disturbed in the early Saturday morning hours and it's good that you did that and you are looking into it, but, the very next day at 6:30 AM in violation of the existing noise ordinance, they were doing work and I could hear it on Colburn Drive and I wasn't exactly sure it was them and I verified it with someone else and I know the Supervisor was contacted and here you are trying to make changes to make things better and yet people are not even complying with the existing law and so I was wondering what ever happened with that. Were they fined?

**Supervisor Tancredi:** No, they weren't fined. We notified them that start time should be 7 AM per our noise ordinance and I received an e-mail back from the person in charge over there saying they had a staff review from all their work force and they reviewed their start time with the crew and assured us they hoped they had settled that issued and they wouldn't start before 7 AM.

**Doreen Tignanelli:** I hope they don't, because one night they were working until 9:30 PM and the heavy equipment under unlawful noises. Heavy equipment is not supposed to be running past 8 PM on weekdays and so, again, if there isn't enforcement and consequences, you can write all the laws you want, but they need to be held accountable. The only other thing about traffic studies, I see they are doing a traffic study on Boardman Road near Poughkeepsie Day School and they are doing now when school is out. So, all of the buses from Lourdes and cars coming and going from Poughkeepsie Day School won't be counted in that traffic count. How accurate is that when you are doing it during the summer time when a lot of the traffic is not there.

**John Zenz:** This is the fourth time I've been here to discuss this issue and I will try to be very brief. I would like to kind of move ahead with this before I get too old. The issue is a drainage issue for houses on Bayberry Lane. Basically that entire street, the water goes into the one pipe that runs behind the houses on the north side of Bayberry Lane, goes underneath Laffin and comes out on McCann Golf Course to a pond. There is an additional pipe that feeds that pipe from the golf course. Those two pipes in the interest of simplification, they are 35" diameter pipes. They

are very large, they get the job done if they are clear. There is no grade. I've been through the pipe, and there is no grade. There is 3 or 4 inches of water in the entire length that wasn't moving and when it goes under Laffin, it actually goes down and it has a lip that if the water had stayed level the whole way of Bayberry Lane then it actually goes up and there is about 8" of water in the next section of the pipe and then it goes out to the pond. So, you have two 35" diameter pipes feeding the pond and one 30" diameter pipe coming off the pond and so that's a critical point. I was told it was an algae problem that blocks that pipe. That always confused me as to how algae could block a pipe, but finally after 20 years went back to the Golf Course and I looked at it and yes, there is algae is blocking it, but the algae is covering rocks. The rocks had fallen down and were blocking the pipe and covered with algae. It's about 40-50% blocked. (Passed a picture of last fall). I went back a couple of weeks later and cleaned it out. Point being, in spite of all the times I've come here, clearly no one addressed this for a long time,

**Supervisor Tancredi:** I would say that that isn't true. I know the rocks alongside there the Highway put there some years back and as their superintendents come and go, we've had assurances in the past that they were going to try and treat this lake for the algae and they have, but as time goes on, we have to re-contact them and remind them of the issue. I will talk to the Highway Superintendent and see if he can contact someone over there and get some work done on it again.

**John Zenz:** I guess my point is, whatever is being done, isn't quite getting the job done. I don't mind going back there two or three times a year. It's very hard to clean it out because of the rush of the water, however.

**Supervisor Tancredi** suggested to Jim Nelson to remind him to type up a letter to the Board of Trustees at McCann. The best way, we have representation on the Board of Trustees and we will make them aware of this problem. The discussion continued for several minutes.

**John Zenz:** Ok, now, in 2011, there was a disaster for everyone on my street. My previous letters from years earlier had gone unanswered to the letter to you and to the Spackenkill School Board. The other problem is at the other end of that same pipe. Once you get down by the tennis courts the grading is steep, no issue, but it's the same grade along by the football field. Before you hit the walkway. You people came in and dug it out and got an unbelievable number of dump trucks full of various things, it was beautiful. It's been three years, and if you drive by there now, the reeds are getting bad. I give it another year or two, I've been there a couple of times and pulled out some things, somebody has to take care of that. Either massive work every five years or a little bit every year. It's a year or two away from that being the bigger problem than the other end. It's normally not a big problem if taken care of early. But, if I have to go in there again with a pitchfork, I've done it, and walk down and do whatever I have to do, but someone has to do it and I've asked you and you've said you were going to talk to Spackenkill and I've gone to Spackenkill and they have said they were going to talk to you and it goes on and on.

**Supervisor Tancredi:** I believe it is Spackenkill property. We did it once with their permission, but we can't just go on Spackenkill property. The other problem for the Town is if we start maintaining all this property that is not ours, ---

**John Zenz:** I totally understand, but when I go to Spackenkill, they say they are trying to work things out with you.

**Supervisor Tancredi:** It's a stream on their property, I don't understand how they can say that. It's not our property.

**John Zenz:** I talked to people there and they say they have been trying to set up a meeting with you people and that was last fall and I went again in the spring and they said they were trying to set up a meeting with you guys again---

**Supervisor Tancredi:** They haven't set up any meetings or tried to call, as far as I know, I'm sure that's their intent for us to go in and do the work for them again. But, we will contact them and see what we can work out. At the end of the day when we contact them, my suspicion is it will not go anywhere and so—

**Councilman Krakower:** One thing with that though is if Spackenkill cleared it out and let it flow down stream, it just flows down stream and clogs up the neighborhood over there because the Hagen Pasture has problems, too when it clogs up. I think when the Highway went in and cleared it up, it solved the Spackenkill problem, solved your problem and the Town's problem down stream and that's the thing, it's a little bit everyone's problem at this point, because if you solve it one place, you jam up another at the next stop down and so on.

**Councilman Baisley:** That's just it. If everyone one took care of their part, it would solve the problem. It's not the Town's responsibility. It's a retention pond. The retention ponds at the Galleria, they have six retention ponds, they have to maintain those ponds, by laws today, they have to maintain them so many years, back then when they were built, the laws didn't exist, but it's their property. They maintain theirs, Spackenkill maintains theirs, this poor guy wouldn't have this problem.

**Councilman Krakower:** Most of these problems are running through people's back yards and things like that, the school is one pressure point, but if the school cleared it out and let it flow down stream then it would clog up all of Pasture Lane and in everyone's back yards and so I do think the Town sort of has a vested interest in solving it up stream if we can. Because otherwise, it's going to be Pasture Lanes' mess.

**Councilman Baisley:** But, if you solve too much up stream, you're going to give them all of that water.

**Supervisor Tancredi:** What happens is you have a storm drain in your yard and it then backs up and actually fills the pipe and goes out the storm drain. McCann's is

going to be fairly easy. We will contact McCann's and the school district and if worse comes to worse, I think last time we had to actually get permission, waivers from the school district to go on their property to do work, but we will start that road again.

**John Zenz:** Well, my comment is this, I will repeat, right now I can tell you, Spackenkill is under the impression that it is not their problem, from what they told me. They just don't think they need to do anything about that. I asked the school board to give me a letter so I could go back to you and say this is what Spackenkill says and I never got a letter. A week later, I got a call from the head of maintenance and he brought me in with one of the Vice-Principals and we talked about it and they said they were getting in touch with the Town Board and they are trying to set up a meeting with Ann Shershin next month and we'll get in touch with you and I waited six months and got nothing and so I went back and they said "Please be patient, we are working on it." Well, it's been close to a year now and I'm just telling you what they told me.

**Councilwoman Shershin:** I helped some of those people on the school board get elected, I'll get in touch with them and get a meeting set up.

**Joe Armstrong:** Who owns Spring Road?

**Supervisor Tancredi:** The County.

**Joe Armstrong:** So, what is the progress with that road, when are they going to do that? They put telephone poles in and it looks like they are not going to take that whole hill out that's there. They straightened it altogether, which is probably a good idea.

**Supervisor Tancredi:** I think the plan was to straighten it out, I think the hold up was with the State DOT. There were some snags with their maps and plans. Any time you deal with multiple levels—

**Joe Armstrong:** I assume we also paid for some studies to be done on that road, from our funds, or am I mistaken?

**Supervisor Tancredi:** No, it's all grants and that type of funding, it's one of the benefits, but, also one of the problems.

**Councilman Baisley:** There are some easement issues there also.

**Joe Armstrong:** In other words, we don't know when?

**Supervisor Tancredi:** Not at this point. Still working toward it.

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

**CARRIED: 6-0**

**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. 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**

**CARRIED: 6-0**

**TOWN BOARD WENT INTO EXECUTIVE SESSION AT 9:05 PM**

**TOWN BOARD MEETING CLOSED AT 9:05 PM**

**FS:lk**