



**Tom Meyering, Town Recreation Director and Jay Baisley (Chairman of our Recreation Commission, handed out certificates to the players. Certificate handouts started with the 15 year olds. Names were all called and certificates handed out to the teams. The first team was the Eastern New York District Runner Up. Next team given certificates was the 13 year olds. Eastern New York District Runner Ups also. Next were the 12 year olds and they were the Eastern New York Third Place Team. Next team was the 11 year olds, Eastern District Runner Ups. Next team was the 10 year olds. (This is the team seen in the video) The 10 year olds were the Eastern New York Champions as well as the Eastern New York State Runner Up Team. Next the 9 year old team who were the Eastern New York District Runner Up Team. Next were the 8 year old team who were the Eastern New York District Champions as well as the Eastern New York State Champions. (Supervisor Tancredi liked the New York State Champion hats).**

**A FIVE MINUTE BREAK OCCURRED AT THIS TIME**

**Motion made to open Public Hearing #1: Country Club Sewer District  
Supervisor Tancredi/W. Carlos**

**CARRIED: 7-0**

**NO SPEAKERS CAME FORWARD**

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

**CARRIED: 7-0**

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

**Nays: None**

**CARRIED: 7-0**

**09:17-01 ACCEPT**

**Negative Declaration – Country  
Club Estates Sewer District  
Project**

**RESOLUTION**

**Country Club Estates Sewer District Decommission and Connection  
To Arlington Sewer Treatment Plant**

**WHEREAS, the Town Board of the Town of Poughkeepsie has received a Map, Plan and Report in regard to the decommissioning of the Country Club Estates Sewer District Plant and the connection of the District to the Arlington Sewage Treatment Plant, as well as documentation regarding the financing of this project; and**

**WHEREAS, the Town Board has reviewed said Map, Plan and Report and has considered the Short Form Environmental Assessment Form prepared in regard to the proposed project; and**

**WHEREAS, the Town Board previously determined that the proposed action is an Unlisted Action under the State Environmental Quality Review Act and notified the potential involved agencies of its intent to assume Lead Agency status to coordinate the environmental review of the project; and**

**WHEREAS, the Town Board did not receive any objections from the identified involved agencies to the Board assuming Lead Agency status; and**

**WHEREAS, in its role as Lead Agency the Town Board has compared the proposed action against the Criteria for Determination of Significance in 6 NYCRR 617.7(c) and has determined that there would be no potentially significant adverse environmental impacts associated with the proposed action.**

**NOW THEREFORE BE IT RESOLVED, the Town Planning Board issues a Negative Declaration, a copy of which is attached hereto and made part hereof, for the proposed Country Club Estates Sewer District decommissioning and connection to the Arlington Sewage Treatment System.**

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

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-02 PUBLIC HEARING**

**Country Club Sewer District**

### **RESOLUTION**

**At a regular meeting of the Town Board of the Town of Poughkeepsie, Dutchess County, New York, held at the Town Hall, in Poughkeepsie, New York in said Town on August 20, 2014 and September 17, 2014 at 7:00 o'clock PM, Prevailing Time**

### **PRESENT:**

**Supervisor Tancredi  
Councilman Baisley  
Councilman Carlos**

**Councilman Cifone  
Councilman Krakower  
Councilwoman Shershin**

**Councilman Conte**

**In the Matter**

**Of**

**The Increase and Improvement of Facilities  
of the Country Club Estates Sewer District  
in the Town of Poughkeepsie, Dutchess  
County, New York**

**PUBLIC INTEREST ORDER**

**RESOLUTION**

**WHEREAS, the Town Board of the Town of Poughkeepsie, Dutchess County, New York, has duly caused to be prepared a map, plan and report including an estimate of cost, pursuant to Section 202-b of the Town Law, relating to the proposed increase and improvement of the facilities of the Country Club Estates Sewer District, in the Town of Poughkeepsie, Dutchess County, New York, consisting of the decommissioning of the existing sewage treatment facility, pump station and force main replacement and installation, and connection to the Arlington Sewage Treatment Plant in the Town of Poughkeepsie, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,450,000; and**

**WHEREAS, at a meeting of said Town Board duly called and held on August 6, 2014, an order was duly adopted by it and entered in the minutes specifying the said Town Board would meet to consider the increase and improvement of facilities of the Country Club Estates Sewer District in said Town at a maximum estimated cost of \$1,450,000, and to hear all persons interested in the subject thereof concerning the same at the Town Hall, in Poughkeepsie, New York, in said Town, on August 20, 2014, at 7:00 o'clock PM, Prevailing Time; and**

**WHEREAS, said Order duly certified by the Town Clerk was duly published and posted as required by law; and**

**WHEREAS, a public hearing was duly held at the time and place set forth in said notice, at which all persons desiring to be heard were duly heard, which public hearing was thereat adjourned on the record to September 17, 2014 at 7:00 PM, at which all persons desiring to be heard were duly heard; and**

**WHEREAS, this project, having been determined to be an Unlisted Action under the State Environmental Quality Review Act, and the Town Board having determined that it will not result in a significant adverse environmental impact, a Negative Declaration has been adopted by the Town Board; NOW, THEREFORE, BE IT**

**ORDERED**, by the Town Board of the Town of Poughkeepsie, Dutchess County, New York, as follows:

**Section 1.** Upon the evidence given at the aforesaid public hearing, it is hereby found and determined that it is in the public interest to make the increase and improvement of the facilities of the Country Club Estates Sewer District, in the Town of Poughkeepsie, Dutchess County, New York, consisting of the decommissioning of the existing sewage treatment facility, pump station and force main replacement and installation, and connection to the Arlington Sewage Treatment Plant in the Town of Poughkeepsie, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,450,000.

**Section 2.** The Order shall take effect immediately.

The question of the adoption of the foregoing order was duly put to a vote on roll, which resulted as follows:

<b>JON JAY BAISLEY</b>	<b>AYE</b>
<b>WILLIAM CARLOS</b>	<b>AYE</b>
<b>JOSEPH CONTE</b>	<b>AYE</b>
<b>MIKE CIFONE</b>	<b>AYE</b>
<b>STEPHAN KRAKOWER</b>	<b>AYE</b>
<b>ANNE SHERSHIN</b>	<b>AYE</b>
<b>TODD TANCREDI</b>	<b>AYE</b>

The order was thereupon declared duly adopted.

**MOVED BY: William Carlos**

**SECONDED: Joseph Conte**

**CARRIED: 7-0**

**09:17-03 AUTHORIZE**

**Bonding – Country Club Sewer  
District**

#### **BOND RESOLUTION**

At a regular meeting of the Town Board of the Town of Poughkeepsie, Dutchess County, New York, held at the Town Hall, in Poughkeepsie, New York, in said Town on the 17<sup>th</sup> day of September, 2014, at 7:00 o'clock PM, Prevailing Time.

The meeting was called to order by **TODD TANCREDI**, and upon roll being called, the following were

**PRESENT:**

**ABSENT:**

**Jon Jay Baisley**

**None**

**William Carlos  
Joseph Conte  
Michael Cifone  
Stephan Krakower  
Anne Shershin**

**The following resolution was offered by Councilman Joseph Conte who moved its adoption, seconded by Councilman Stephan Krakower to-wit:**

**BOND RESOLUTION DATED SEPTEMBER 17, 2014**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO \$1,450,000 BONDS OF THE TOWN OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK, TO PAY THE COST OF THE INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE COUNTRY CLUB ESTATES SEWER DISTRICT, IN THE TOWN OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK**

**WHEREAS, the capital project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined will not result in a significant environmental effect; and**

**WHEREAS, pursuant to the provisions heretofore duly had and taken in accordance with the provisions of Section 202-b of the Town Law, and more particularly an Order of even date herewith, said Town Board has determined it to be in the public interest to improve the facilities of the Country Club Estates Sewer District, in the Town of Poughkeepsie, Dutchess County, New York, at a maximum estimated cost of \$1,450,000; NOW, THEREFORE, BE IT**

**RESOLVED, by the Town Board of the Town of Poughkeepsie, Dutchess County, New York, as follows:**

**Section 1. For the specific object or purpose of paying the cost of the increase and improvement of the Country Club Estates Sewer District, in the Town of Poughkeepsie, Dutchess County, New York, consisting of the decommissioning of the existing sewage treatment facility, pump station and force main replacement and installation, and connection to the Arlington Sewage Treatment Plant in the Town of Poughkeepsie, including original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, at a maximum estimated cost of \$1,450,000, there are hereby authorized to be issued up to \$1,450,000 bonds of said Town pursuant to the provisions of the Local Finance Law.**

**Section 2. It is hereby determined that the maximum estimated cost of the aforesaid specific object or purpose is \$1,450,000 and that the plan for the financing**

thereof is by the issuance of the \$1,450,000 serial bonds of said Town authorized to be issued pursuant to this bond resolution.

**Section 3.** It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years pursuant to subdivision 4 of paragraph "a" of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

**Section 4.** The faith and credit of said Town of Poughkeepsie, Dutchess County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. To the extent not paid from monies raised from said Country Club Estates Sewer District as applicable in the manner provided by law, there shall annually be levied on all the taxable real property of said Town, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

**Section 5.** Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

**Section 6.** The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of said Town, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Supervisor shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

**Section 7.** All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Supervisor, the chief fiscal officer of such Town. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00

of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Supervisor shall determine consistent with the provisions of the Local Finance Law.

**Section 8.** The Supervisor is hereby further authorized, at his sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 1 hereof, or a portion thereof, by a bond, and/or note issue of said Town in the event of the sale of same to the New York State Environmental Facilities Corporation.

**Section 9.** The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and contents as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

**Section 10.** The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

**Section 11.** This resolution shall constitute a statement of official intent for Purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

**Section 12.** This resolution, which takes effect immediately, shall be published in summary form in the official newspaper, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.



The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

<b>JON JAY BAISLEY</b>	<b>VOTING AYE</b>
<b>WILLIAM CARLOS</b>	<b>VOTING AYE</b>
<b>JOSEPH CONTE</b>	<b>VOTING AYE</b>
<b>MICHAEL CIFONE</b>	<b>VOTING AYE</b>
<b>STEPHAN KRAKOWER</b>	<b>VOTING AYE</b>
<b>ANN SHERSHIN</b>	<b>VOTING AYE</b>
<b>TODD TANCREDI</b>	<b>VOTING AYE</b>

The resolution was thereupon declared duly adopted.

**Dated: September 17, 2014**  
**Moved: Joseph Conte**  
**Seconded: Stephan Krakower**

**CARRIED: 7-0**

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

**CARRIED: 7-0**

**Rob Rubin: (Speaking on Agenda Item #09/17/07 the McCollister Lease) Several weeks ago, I came here and I had questioned under what authority the Town could proceed with this lease because I could find nothing in the Town Code, and Supervisor, you were kind enough to say you would get back to me within the next day and I think it was the next day you got back to me. What you gave me and I printed up, (I will give this to the Clerk) the Chapter 21-1 and 21-2 leases. Chapter 21-2 is an interesting part of this. It is the authorization to negotiate lease terms. It says, "The Town Board will determine on a case by case basis what is the most appropriate term to be utilized in it's negotiations as a lease involving leases for recreational purposes and set term may exceed the term of the Town Board". It only talks about recreational purposes, not about being allowed to do a lease of any Town property to a private corporation for other than recreational uses. So, in terms of what you were kind enough to give me, I still do not see where the Town has the authorization to lease Town property to a private corporation, specifically, in this instance, McCollister. I would object to that lease being signed. If I may, I'll give this to the clerk.**

**Supervisor Tancredi: That's fine, and just to respond to your statement Rob, our legal staff reviewed this and Mr. Nelson reviewed your concerns and he does not agree with your assessment and your evaluation and so we are proceeding with this lease and we do feel that it is within the Town rights to legally proceed with this lease as we have for the past 8 or so years, but I do thank you for your comments.**

**Joe Armstrong:** Item #2, I guess the one million four fifty there is no consideration of the fact that we are paying double of the costs, the extra 700, 000 is just a water usage thing that is put on us even though we are not a new customer. The other question is #3, the Bonding. It was for five years did you say, the bonding on this?  
**Supervisor Tancredi:** No, the bonding should be a lot longer than five years.

**Joe Armstrong:** I would have thought so. 40 years is the life span, but the bonding isn't for that long.

**Supervisor Tancredi:** It's not five years. I would think it would be 20 or 30 years at least.

**Joe Armstrong :** Do we know what the total cost would be at the end of the bond period?

**Supervisor Tancredi:** It will be a million four fifty. Serial Bonds.

**Joe Armstrong:** That's with interest and everything else involved? That's not to pay the bond off is it? (Yes)

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

**CARRIED: 7-0**

**09:17-04 APPOINTMENT**

**Jennifer Lydon – Full Time Police Assistant**

**RESOLUTION**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby appoint Jennifer Lydon to the position of Full-Time Police Assistant at the Grade 6, Step 1 annual salary of \$40,456.00, effective September 29, 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:** M. Cifone/J. Conte

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

**Nays: None**

**CARRIED: 7-0**

**09:17-05 APPOINTMENT**

**Christina M. Johosky – Part Time Police Assistant**

**RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby appoint Christina M. Johosky to the position of Part Time Police Assistant with the Town of Poughkeepsie Police Department at the Grade 6, Step 1 Salary of \$19.45 per hour, effective October 6, 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: S. Krakower/M. Cifone**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower,  
Councilwoman Shershin, Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-06 APPOINTMENT Sarah E. Raco – Part Time Police Assistant**

#### **RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby appoint Sarah E. Raco to the position of Part Time Police Assistant with the Town of Poughkeepsie Police Department at the Grade 6, Step 1 salary of \$19.45 per hour, effective October 6, 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 Baisley, Carlos, Conte, Cifone, Krakower,  
Councilwoman Shershin, Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-07 RATIFY AUTHORIZE McCollister Lease – Publication**

#### **RESOLUTION**

**WHEREAS**, the Town of Poughkeepsie, by Resolution 9:3-#4 of 2014 authorized a two year lease extension with McCollister's Transportation Group, Inc. for premises at 21 Tucker Drive, effective October 1, 2014; now therefore

**BE IT RESOLVED**, that the lease extension authorization is ratified and the Town Clerk is authorized and directed to publish notice that the extension is subject to permissive referendum, and

**BE IT FURTHER RESOLVED**, that this is a Type II Action requiring no SEQRA review.



**Councilman Baisley:** “Page 3 b) – On any vacant residential lot in any zoning district where no site plan, special use permit, land contour permit, or building permit has been issued for a project on said lot.” That’s not allowed ? If they have a vacant ¼ acre lot, they are not going to be able to do any work on it?

**Neil Wilson:** Not without a permit.

**Councilman Baisley:** Well, say Bill owns a half acre lot and two quarter acres, he can’t touch that other lot without a permit.

**Neil Wilson:** In terms of removing trees, right.

**Supervisor Tancredi:** I thought our discussion was to restrict out – we don’t want to deal with residential properties unless it is five acres or above.

**Neil Wilson:** Right, I had in my notes that we were also interested in covering vacant residential lots.

**Councilman Baisley:** I would say “Five acres or more.”

**Neil Wilson:** Ok, then we have to delete “B”. I had it different in my notes.

**Councilman Conte:** But, should we leave it in just incase someone comes in and say if you clear cut that ¼ acre you could cause flooding. Is that something that we should think about?

**Councilman Krakower:** It’s up to the Board, but there was a fairly small piece of property in my Ward where a person was buying it from a neighbor and they were doing a lot line revision, I believe, and he went in and clear cut that small section and the neighbors were extremely upset about that. So, there is a little shock to the system. I don’t think we should always have to ask the next door neighbor permission to do whatever we want to do, but my main concern is that when if you clear cut five acres and it is in a residential neighborhood, you could create some flooding issues.

**Councilman Baisley:** Five acres I can understand but a quarter acre is what I’m thinking of but this says “any”, if it’s a quarter or higher number on it, I don’t have an issue with it.

**Neil Wilson:** On my notes at the discussion in the Committee of the Whole was we were interested in trying to capture and prevent the clearing of vacant, this is vacant and unoccupied opposed to something with a lot that has a house on it. Then the second category, (c) underneath it on any residential lot occupied or not, 5 acres or greater.

**Supervisor Tancredi; That’s what we discussed. I think the general consensus of the Board was, we didn’t want to impact or worry about the residential home owner or residential lot of a size less than five acres and so anything that would refer to those residential lots, I would just as soon have taken out.**

**Discussion on this item continued a bit further by pro and Coning the quarter acre compared to the five acre lots.**

**Supervisor Tancredi: When this first came before us, my objective was only to deal with the vacant commercial properties that we’ve seen up and down Route 9 that you wake up one morning and the trees are gone. We had a discussion on this Board to “ Let’s include five acres and above”, but the reason we stumbled around and over this tree policy for years, last time we spoke of it was about 8 years ago was because we started to entertain and think about how to deal with the residential home owner and that’s why we were just going to leave that out altogether. “**

**Councilman Krakower: I’m in favor of definitely getting something done tonight. But, I do think somewhere in there we should look at that.**

**Councilman Baisley: I think I’m fine with five acres.**

**Councilman Conte was concerned about neighbors just clear cutting their property without the neighbor being notified to avoid neighbor’s privacy issues and possible water hazards.**

**Supervisor Tancredi: We are not just clear cutting and saying you absolutely can’t do it, we are saying just come to the town and show us you have a concrete plan and show us what you plan on doing with the property and get proper approvals and then you can go in and start cutting trees. We just want to avoid the shock of going along Route 9 as an example and seeing all the trees missing with stumps and sawdust left behind. We can always revisit this issue and tweak it, if needs be at a later time.**

**Motion made to delete (b) (Page 3): J. Baisley/J. Conte**

**ROLL CALL ON AMENDED RESOLUTION: ROLL CALL: Ayes: Councilmen  
Baisley, Carlos, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-09 SET DATE FOR**

**Town Code Amendment – Noise  
Ordinance Law**

**RESOLUTION**

**WHEREAS, the Town Board is considering an amendment to Chapter 139 entitled “Noise”; and**

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

**WHEREAS, the action to amend the noise law is a Type II Action requiring no SEQRA review; and**

**WHEREAS, the amendment of Chapter 139 requires a public hearing NOW, THEREFORE BE IT RESOLVED THAT:**

- 1. The Town Board hereby sets a public hearing on the proposed amendment of the Town Code for October 1, 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 directs the Town Clerk to notify the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

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

**Councilman Cifone: Neil, I would still like to continue to work on this because I still want to get those motorcycles in in some way or some fashion and so I want to sit down with you on it.**

**Neil Wilson: Yes, I’m still wrestling with that.**

**Supervisor Tancredi: This basically restricts the operation of heavy equipment on Saturdays. You have to wait until 10AM to start and you can’t continue after six PM. It restricts use on Sundays and Legal Holidays.**

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

**Nays: None**

**CARRIED: 7-0**

**09:17-10 AUTHORIZE  
SUPERVISOR  
TO SIGN**

**Repayment Agreement – U.S.  
Department Of Housing**

## **RESOLUTION**

**BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign and submit to the U.S. Department of**

**Housing and Urban Development a Repayment Agreement in substantially the form annexed, with the repayment commencement date to be determined by the Town Supervisor.**

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

**Supervisor Tancredi: This has to do with the Section 8 Program and we've talked about it for some time. We've been dealing with the Federal Government trying to get them to respond to our repayment plan. It's in the 2014 Budget and we will have it in the 2015 Budget also and it looks like we will finally be getting that resolved and we will have it being handled by the City of Poughkeepsie.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-11 AUTHORIZE**

**Bid Advertisement Cleaning and  
Televising Sewer Lines**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "SANITARY PIPE T.V. INSPECTIONS AND CLEANING", pursuant to plans and specifications prepared, which plans and specifications will be available on September 22, 2014 in the Office of the Town Clerk, with a bid opening to be held on October 8, 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: M. Cifone/J. Conte**

**Councilman Baisley: Todd, are we going to do this or are we going to wait and see if we are going to get the Town and the Village on board with this?**

**Supervisor Tancredi: Since we are ready to go with some of ours and are being pushed by the DEC, we thought it best to go with this plan. We have plenty more, we are going to have the TV and clean and we've talked to the Tri-muni and the Village in Wappinger's and when we do the next round, we could always ---**



**Councilman Baisley: Try to get the Village and Town together and we could probably get a better price because we all have to TV our lines.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-12 SET DATE FOR PUBLIC HEARING Fairview Commons – Overlay District Designation**

### **RESOLUTION**

**WHEREAS, the Town Board has received a positive recommendation pursuant to Section 210-154 of the Town Code from the Planning Board, dated August 25, 2014, in regard to an application for the Fairview Commons Project, tax parcel number 6162-05-161788, also known as 66 Fulton Street, requesting an amendment of the Town Zoning Code, Chapter Section 210-21 – Planned Residential Overlay District; and**

**WHEREAS, the amendment requires a public hearing; and**

**WHEREAS, the Town Board has received the recommendation dated April 2, 2013 from the Dutchess County Department of Planning and Development stating that the proposed zoning amendment is a matter of local concern with comments;**

**NOW, THEREFORE BE IT RESOLVED THAT:**

- 1. The Town Board hereby sets a public hearing on the proposed amendments for October 1, 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 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: S. Krakower/M. Cifone**

**Councilman Krakower: What's the proposed amendment, because I don't see anything attached here? I don't see anything attached from the Town, just from the applicant. What is the actual proposed amendment that warrants the Public Hearing?**

**Neil Wilson: It's to drop the Planned Residential Overlay District on the subject property.**

**Councilman Krakower: How is that a proposed amendment to the Planned Residential Overlay District? That's an amendment?**

**Neil Wilson: Well, the ---yes dropping the Overlay District on the property is treated as a map amendment. Yes. So, the PROD is an overlay district like the SHOD, the Senior Housing Overlay. We've done it before where we are simply taking and designating a certain piece of property, in this case, the Fairview Commons property, the entirety of it, as the Planned Residential Overlay District.**

**Councilman Krakower: I thought we just designate it as having PROD. Each time we do it we amend the Town Code to add that specific property into the Town Code in the PROD section?**

**Neil Wilson: Exactly, just like we did with the River Point Project on Route 9. Alan Daniels and Jacob (inaudible). It's the same process, it's an overlay district.**

**Councilman Krakower: I didn't think it was done as a Code Amendment.**

**Neil Wilson: It's a Map Amendment, yes, we've done it exactly the same way. The map is incorporated into the Code and so it's treated as a Code amendment, technically.**

**Councilman Carlos: This is the one we discussed about the pilot? (Right) Where we are going to somehow make that a permanent deed restriction?**

**Neil Wilson: Yes, there are a number of agreements and number of requirements that are part of the Planned Residential Overlay District language that requires those agreements to be in place.**

**Councilman Carlos: Ok, so we can require by attaching it to the deed for the future property owner to be bound by this?**

**Neil Wilson: There is a pilot requirement, which is the payment in lieu of taxes, which originally started out as a standby pilot during the discussion on the language a couple of years ago, the standby language came out and now it is just a requirement of a pilot and that pilot all by itself and agreement, whatever the terms of the payments are, has to come back to the Board at a future point in time for this Board's approval. Now, all of that is contingent on this Board actually granting the overlay district designation after Public Hearing.**

**Councilman Krakower: The purpose of the pilot language, my understanding from the discussion of this Board was to prevent a not-for-profit from purchasing that project and taking it off the tax rolls and my understanding, from when we looked at it, it was unenforceable. So, it sort of doesn't make sense. We are negotiating a pilot and we are going to put a pilot in place.**

**Supervisor Tancredi:** That's why it should have said, "Stand by Pilot".

**Councilman Krakower:** Right, but either way, it's unenforceable for not for profit.

**Neil Wilson:** It should have come out entirely, but it didn't. I would love that whole entire section to come out, frankly. This is where we ended up, I couldn't agree more, but in terms of the original intention was to find and deal with the potential of a not for profit company coming in and purchasing the property and turning it into it's own particular use, whatever that may be. One of the parts of the recommendation you will see in the Planning Board's recommendation to this Board is as a condition of your approval, assuming you will approve it, and there is no guarantee that you will, that you approve it with the requirement of a restrictive covenant. I've asked Josh Mackey to be here tonight to talk to you about that, I think the restrictive covenant is probably the answer to the question of trying to find the lawful way of ensuring that the use as apartments, market rates, whatever you want to call them, remains as that, in other words, that you are not going to have an entity, for profit or not for profit, come in, purchase it and then make those units only available for people of their choosing. I would actually like Josh to talk about that particular covenant.

**THIS SUBJECT CONTINUED "AT LENGTH"**

**Councilman Carlos:** I think we should go forward and set the Public Hearing and let the public come in and have their say.

**Neil Wilson:** I will continue to work with Josh in buffing up the language and getting back.

**Supervisor Tancredi:** And make sure this resolution we just received in paper, is electronically distributed.

**Councilman Krakower:** To go back to my original point, if the pilot doesn't work, the language shouldn't be in there, because it doesn't make any sense. The reality is, I don't know if it's a great idea for the location, the type of housing and the situation and other issues. If he is concerned about having students in the neighborhood, I actually hope that it does work, because if it does work, then it's a win for everybody because the kids are in safe housing, the neighbors don't have to deal with them as much and it stays on the tax rolls. If it doesn't work, it could be a huge mess. I have some concerns about it may not work and the down side risk is pretty high, but I do hope it works, regarding the pilot and tax situation, I've never been in favor of putting language into law or passing laws that make no sense and not enforceable, that don't work, so my only issue on the front end here was, the pilot doesn't work, so it shouldn't be in there.

**Neil Wilson:** Frankly it's taken the discussion of this project down various paths and pilots are not well understood and I would love to see the language come out, but we are reacting to what is in the Code right now and I would love to see it work.-

**Supervisor Tancredi:** The applicant knows that I've stated it to anybody who will listen. Stephan is absolutely right, our first discussion regarding the pilot was a hope of tying the taxes or payments in lieu of taxes to the land, the intent was never any type of tax abatement on this property in any way, shape, or form, so.

**Councilman Carlos:** Technically, if we set the public hearing on what we have in front of us, do we need to amend this first and then set the public hearing?

**Neil Wilson:** We probably should amend it. What I would ask you to do, is probably hold over the Public Hearing in October. We should go on with the Public Hearing on drop because this is about a project, but the language in terms of the pilot should be deleted from the existing Code and can quickly give you that and make that amendment.

**Councilman Carlos:** So, we can set it for a Public Hearing as we've planned, then adjourn the Public Hearing and do whatever modifications we want and then come back to the Public Hearing. (Right)

**ROLL CALL: Ayes: Councilmen Carlos, Conte, Cifone  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None  
Abstain: Councilman Krakower  
Absent: Councilman Baisley** **CARRIED: 5-0-1-1**

**09:17-13 AUTHORIZE Fairview Commons – Stormwater  
SUPERVISOR Documents  
TO SIGN**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Land Contour Easement Agreement and the Performance Bond for Land Contouring Activity in regard to the project known as Fairview Commons; and**

**BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign the Land Contour Easement Agreement and to accept the Performance Bond for Land Contouring Activity in regard to the land contour permit for the project known as Fairview Commons: and**

**BE IT FURTHER RESOLVED**, that such acceptance and authorization by the Town Board of the Town of Poughkeepsie is subject to the approval of all final documents by the Attorney for the Town, the Town Engineer, and the Director of Municipal Development for the Town of Poughkeepsie.

**SO MOVED: J. Conte/M. Cifone**

**Josh:** There is one addition to that. After Hereby Accept, do you want to insert Storm Water Easement and maintenance agreement, you're going to want those at this stage too and then later at site plan.

**Councilman Krakower:** Do we have any of those? (Yes)

**Neil Wilson:** We have drafts of them, we've been working on them. This authorizes the Supervisor to sign them, once they have been finalized and reviewed by myself and Josh. These are standard agreements. We've done this before. We don't have the drafts for you yet. They are in progress, right?

**Josh:** They are pretty much finalized. The only thing that remains is this Declaration of Covenants.

**Neil Wilson:** But, the Declaration of Covenants is for later right,?

**Councilman Krakower:** Can we accept an agreement that none of us have read?

**Neil Wilson:** We have done it before.

**Town Attorney Nelson:** It is subject to approval of the Attorney to the Town, the Town Engineer and the Director of Development.

**Josh:** I approved them last week and this week and I e-mailed them to the Town.

**Neil Wilson:** You have not received them, I'm going through them. I have not reviewed the Stormwater portion of it. The other documents I've looked at, but actually not had the chance to talk to Josh about them. So these are the bonding and security agreements.

**Supervisor Tancredi;** When you get these done, we can have a special meeting next week to approve this resolution if that's needed.

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

**Nays: None**

**Abstain: Councilman Krakower**

**CARRIED: 6-0-1**

**09:17-14 RESOLUTION**

**Recognizing October 19-25, 2014**

**As “Freedom From Workplace  
Bullies Week”**

**RESOLUTION**

**WHEREAS, the New York Healthy Workplace Advocates is working to increase awareness of Bullying in the Workplace; now therefore**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby declare October 19-25, 2014 “Freedom from Workplace Bullies Week”; and**

**BE IT RESOLVED, that the Town Clerk is hereby authorized to forward the attached Proclamation to the New York Healthy Workplace Advocates.**

**SO MOVED: M. Cifone/J. Conte**

**Councilman Baisley: Is this Statewide?**

**Supervisor Tancredi: Yes, I think its part of “Healthy New York”. I don’t think there is any issue in the Town, but we support that cause.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**PROCLAMATION ATTACHED TO FINAL BOOK COPY**

**09:17-15 SET DATE FOR  
PUBLIC HEARING**

**Special District Assessment Roll**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 1<sup>st</sup> day of October, 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 in regard to the Special District Assessment Roll, which concerns the water districts, sewer districts and drainage districts of the Town of Poughkeepsie; and**

**BE IT FURTHER RESOLVED, that said proposed special District Budgets are on file in the Town of Poughkeepsie Clerk’s office and available for review.**

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

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

**Councilwoman Shershin and Supervisor Tancredi**  
**Nays: None** **CARRIED: 7-0**

**09:17-16 (A) AUTHORIZE** **Tax Certiorari Settlements:**  
**A. HGP Realty Corp.**

**RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement of the tax certiorari proceeding instituted by HGP Realty Corp. for the tax assessment roll of 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 and as a result of said settlement, the Town will issue a corrected bill.

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

**Councilman Cifone – Is there a refund?**

**Supervisor Tancredi: I think there is a refund and it's within our budgeted allotment, but I don't recall the amount.**

**Discussion continued, and it was requested that in the future resolutions concerning Tax Certiorari Settlements include a property address or description.**

**Councilman Krakower: What property is this?**

**Supervisor Tancredi: I think it's the Page Park Drive, the Cell Tower Building, behind Pages, Cell Tower.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower, Councilwoman Shershin and Supervisor Tancredi**  
**Nays: None** **CARRIED: 7-0**

**CONSENT JUDGMENT ATTACHED TO FINAL BOOK COPY**

**09:17-16 (B)** **Tax Certiorari Settlements**  
**B. Casperkill-I**

**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

**Casperkill-I, LLC for the tax assessment rolls of 2008 through 2014 as shown on the attached Consent 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: Supervisor Tancredi/J. Conte**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: Councilman Krakower CARRIED: 6-1**

**CONSENT JUDGMENT ATTACHED TO FINAL BOOK COPY**

**09:17-16-(C)**

**Tax Certiorari Settlements  
C. Town Center**

**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 Town Center Poughkeepsie, LLC for the tax assessment rolls of 2008 through 2014 as shown on the attached Consent 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: J. Baisley/W. Carlos**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: Councilman Krakower CARRIED: 6-1**

**Discussions on Tax Certiorari's commenced regarding school district notifications of refunds, and ensuring that refunds did not get disbursed if additional taxes were delinquent.**

**09:17-17A APPOINTMENT**

**Attorney – 2014 Tax Certioraris  
Kyle Barnett, Esq.**

**RESOLUTION**



**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby assign the following tax certiorari proceedings recently filed to Kyle W. Barnett, Esq. of Van DeWater & Van DeWater, LLP to represent the Town at the hourly rate of \$185.00:**

**SEE ATTACHMENT ON FINAL BOOK COPY**

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

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-17B APPOINTMENT Karen Hagstrom, Esq.**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby assign the following tax certiorari proceedings recently filed to Karen Hagstrom, Esq. of Corbally, Gartland & Rappleyea, LLP to represent the Town at the hourly rate of \$185.00:**

**SEE ATTACHMENT ON FINAL BOOK COPY**

**SO MOVED: J. Conte/M. Cifone**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-18 SET DATE FOR PUBLIC HEARING Property Maintenance-44 Wendy Drive**

**RESOLUTION**

**WHEREAS, Orders to Remedy, copies of which are attached hereto, have been issued for property located at 44 Wendy Drive, Town of Poughkeepsie, State of New York, pursuant to Chapter 159 of the Town of Poughkeepsie Town Code; and**

**WHEREAS, said Orders to Remedy have not been complied with, now therefore**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 15<sup>th</sup> day of October, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider a recommendation from the Zoning**

**Administrator that the Town or its contractor remove and as needed continue to remove all garden waste and fallen tree limbs, cut and continue to cut the grass to a height not to exceed 6 inches, and remove and continue to remove all solid waste, debris and litter, all at the above property, so it will not become overgrown and unsightly, the cost of which work shall constitute a lien and charge on the above real property until paid, satisfied or discharged and shall be collected in the same manner as other Town charges.**

**SO MOVED: M. Cifone/J. Conte**

**Sarah Davis: This property has actually been cut and someone signed for the notice. There is a lot of debris and raw garbage there that has not been cleaned up and so I want to keep it on so that someone will work with us to get it done.**

**Councilman Krakower: I have a question. Is there anywhere other than the Poughkeepsie Journal where we can publish. Can we do it on our website now? (No)**

**Supervisor Tancredi: It would be great if we could.**

**Councilwoman Shershin: That's a State requirement isn't it?**

**Councilman Krakower: It's ridiculous because we support a paper that few and fewer people read the newspaper and more people get the news online and we are paying fees to advertise something to be sure that people see it. It would make more sense to be putting these online.**

**Supervisor Tancredi: I agree 100%.**

**Councilman Cifone: Jim, can't we have a rule that whatever we post can be charged back into the cost of doing business on this property?**

**Town Attorney Nelson: I will check on it for you.**

**Councilman Krakower: I did get a letter from my Senator Terry Gipson saying he is available if anyone needs him and so that may be something our Senator can work on for us.**

**Town Attorney Nelson stated he will look into questions raised about publishing notices.**

**Supervisor Tancredi: That would be a good thing, because I agree 100%. It's kind of an antiquated rule.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-19 SET DATE FOR Property Maintenance – 28  
Millbank Road**

**RESOLUTION**

**WHEREAS, an Order to Remedy, a copy of which is attached hereto, has been issued for property located at 28 Millbank Road, Town of Poughkeepsie, State of New York, pursuant to Chapter 159 of the Town of Poughkeepsie Town Code; and**

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

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 15<sup>th</sup> day of October, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider a recommendation from the Zoning Administrator that the Town or its contractor remove and as needed continue to remove all garden waste, fallen tree limbs, cut and continue to cut the grass to a height not to exceed 6 inches, and maintain throughout the growing season so as not to become overgrown and unsightly, the cost of which work shall constitute a lien and charge on the above real property until paid, satisfied or discharged and shall be collected in the same manner as other Town charges.**

**SO MOVED: J. Conte, M. Cifone**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-20 SET DATE FOR Property Maintenance – 6 Magnolia  
Lane**

**RESOLUTION**

**WHEREAS, an Order to Remedy, a copy of which is attached hereto, has been issued for property located at 6 Magnolia Lane, Town of Poughkeepsie, State of New York, pursuant to Chapter 159 of the Town of Poughkeepsie Town Code; and**

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

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 15<sup>th</sup> day of October, 2014 at 7:00 PM at the Town Hall Town of Poughkeepsie, One Overocker road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider a recommendation from the Zoning Administrator that the Town or its contractor remove and as needed continue to remove all garden waste, fallen tree limbs, cut and continue to cut the grass to a height not to exceed 6 inches, and maintain throughout the growing season so as not to become overgrown and unsightly, the cost of which work shall constitute a lien and charge on the above real property until paid, satisfied or discharged and shall be collected in the same manner as other Town charges.**

**SO MOVED: M. Cifone/S. Krakower**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-21 APPOINTMENT Donald E. Wise – Bureau of Fire  
Prevention**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Donald E. Wise to the Bureau of Fire Prevention for a 2 year term commencing immediately and ending December 31, 2015.**

**SO MOVED: S. Krakower/M. Cifone**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-22 AUTHORIZE Road Names – Dutchess Community  
College**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve, subject to owner's compliance with all Planning Board conditions, the road names:**

**Pine Grove Path;  
Pillar Lane;**

**Gallery Circle; and  
Mascot Drive**

**For the Dutchess Community College campus; 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: A. Shershin/J. Baisley**

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

**Nays: None**

**CARRIED: 7-0**

**09:17-23 APPROVE**

**Referral Dalia/Route 9G Project  
To The Planning Board**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the referral of the application of Linda E. Dalia of the project known as KARC-Dalia for a zoning map amendment from R-20,000 District to R-M District and Senior Housing Overlay District designation for tax parcel numbers 6162-10-448647, 450614, 436615, 429640 and 407662 to the Town of Poughkeepsie Planning Board for a recommendation pursuant to Town Code Section 210-154, and hereby consents to the designation of the Planning Board as the Lead Agency for the SEQR review of said project.**

**SO MOVED: Supervisor Tancredi/M. Cifone**

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

**Nays: Councilman Carlos**

**CARRIED: 6-1**

**09:17-24 NOTIFICATION**

**Liquor License –Sushi Village**

**REFERRED TO LEGAL DEPARTMENT**

**09:17-25 AUTHORIZE**

**Special Consents SC 1, SC 2, and  
SC 3**

**RESOLUTION**



**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Jinnette Gonzalez from her position as School Crossing Guard, effective immediately.**

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

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**09:17-SC 3 RETAIN Hudson Valley Appraisal – Tax  
Certiorari – Arlington Square**

### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie finds that it is in the best interest of the Town to retain Hudson Valley Appraisal Corporation (“HVAC”), for appraisal services for the Town of Poughkeepsie for the tax certiorari proceeding instituted by Arlington Square, LLC against the Town for the assessment roll of 2013, without using an RFP, such retention to be in accordance with the fee appraisal quote dated September 11, 2014, and that Kyle W. Barnett, Esq., Van DeWater & Van DeWater, LLP and/or Kathleen D. Taber, Town Assessor are authorized to sign such papers as are necessary to effectuate the retention.**

**SO MOVED: M. Cifone/J. Conte**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Krakower  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 7-0**

**Motion made to suspend the rules for public speaking on Town issues: Supervisor Tancredi/J. Conte CARRIED: 7-0**

**Supervisor Tancredi: Mr. Armstrong, while Jim is coming up, Section 3 of that resolution you questioned said that the bonds were for 40 years, the last sentence where you heard the 5 years, it says, “It is hereby further determined that a maximum maturity of the serial bonds herein authorized, will exceed five years.” I guess that’s the language we have to have in there, but they are going to be 40 years.**

**Jim Challey: I’m here representing the committee that is going to organize the Arlington Street Fair and I simply wanted to personally invite all of you and anyone that is watching, to join us on Saturday from noon to six and we have a full schedule. Two different stages of live entertainment, all kinds of food. The grand**

opening of two new businesses, every single vendors slot is full, in fact, we had to turn away a few. Over 120 vendors and the weather forecast is good and I think it's going to be a great event and I hope you will all stop by and say "hello". I also want to take this opportunity to thank Sgt. Holbert of the Police Department, Tom Meyering of recreation and Marc Pfeifer, the Highway Superintendent, they have been very helpful and cooperative in getting this set up. There are a lot of details to be taken care of and we are much obliged to all three of them for their help. While I'm here, let me switch hats. I am now representing Peach Hill. On Sunday the 28<sup>th</sup>, we are having what we call our Cider Ramble and this will be in the afternoon from about 1-4. This is an event where people can come, go up on the hill and pick apples and we will have little hooks and baskets where you can reach up and grab them and the apple crop, as many of you know, is not particularly good. It's not nearly as good as last year. We really don't know why or whether it was because it was rather an odd spring and one of the things we did notice was that because of the heavy snowfall late in the spring and the deer couldn't browse, they did a real pruning job on many of the apple trees. The tips of every branch that could be reached has been nibbled off. We will have other apples available if people can't pick as many as they like. We also have a gentleman who has an old 18<sup>th</sup> Century hand operated cider press so that when you pick your apples, put them in a basket and crank them out and out comes some really, really excellent cider.

Jeff Pells: (Joe Conte: As Mr. Pells is making his way up, he is one of the coaches, when I was a young kid developing my skills, he was directly responsible for me being the superstar that I am.) Jeff Pells: I am here to represent the Arlington Professional Fire Fighters Union Local 393 and with the follow-up of Jim Challey's Arlington Street Fair, we do have a booth that will be there. We are going to have general safety information there along with fire prevention information and a new thing we want to try this year is what they call sidewalk CPR. So, what we will be doing is basically, anyone who stops by, it takes about five minutes and talk to them about doing hands only cardio pulmonary resuscitation which is something a lot of people can do very easily. ( He continued to speak about the program and urged people to stop by.)

Rob Rubin: I maybe missed something on Item 09:17-08. What was the date for the adoption of that? Is that October 1<sup>st</sup>?

Supervisor Tancredi: We set the hearing date for October 1<sup>st</sup> for the Public Hearing.

Rob Rubin: I also wanted to mention two things. You were talking about tax certs, we were just recently told on the Wappinger's School Board, by our legal counsel, that if we do not elect to participate right at the very beginning when we receive the notification, we have no right to any approval or say of any settlement on that.

Councilman Krakower: Does your District participate in the Tax Certs? My feeling is, if it is going to significantly impact your school district, you should be at



the table, whether your pay for an attorney to be there all the way through or you participate in some part of the process to actually make a decision.

**Rob Rubin:** Expressed his thanks to the Town of Poughkeepsie Police (Detective Chris Hammel) and Dutchess County Sheriffs Department (Lt. Matt Hannica) for a presentation they gave to an Executive Session of the Wappinger's School Board. He was impressed with the cooperation of various agencies.

**Joe Armstrong:** They are putting in a gas line at the schools now, now on Kerr Road and the one on Vassar Road. The one on Vassar Road, they had flags out because they were bringing the pipes under in on the road and now they are going in up to the school, but the one on Kerr Road, there are no flagmen for these guys digging the trenches and setting these pipes in and hooking them up. They are on the shoulder of the road and they have cones spread out on the edge, but when two cars are passing one another on a tight street, there is no one there with flags. I don't know who has any say about it, but I think it is something that should be looked into. Also, Spring Road I've been looking at, I understand they are going to be taking that hill out because of the way they are putting the poles in, which is going to, unless they lower that road because of the hump, it's still going to be a sight problem with oncoming vehicles because it's not a straight line, there is still going to be a slight curve. I don't know if the Engineers have looked at that road height when the hill is taken out. (Supervisor Tancredi: We'll check on that.) Also, this Fairview Commons you were talking about, got me thinking with how it's going to be laid out, whether it will be not-for profit or whatever and how to using the buildings and how they set it up, pay taxes, or no paying taxes, does anyone know how Vassar College is set up with all the houses they own on the side streets and businesses they are buying up on Raymond, do they pay taxes on all those places?

**Supervisor Tancredi:** On the businesses they pay taxes. The town-homes off Hooker, they wouldn't pay taxes on.

**Councilman Krakower:** I think Vassar has made an intentional effort to keep those commercial properties on the tax rolls. When they bought them, even the vacant properties I believe they kept them on the tax rolls all along.

**Councilwoman Shershin:** They sell the houses to individuals and they do pay property taxes on the houses. When they sell the houses, they have to, according to the deed, sell them back to Vassar College who will sell them again to someone else.

**Motion made to resume the rules: Supervisor Tancredi/M. Cifone**  
**CARRIED: 7-0**

## **RESOLUTION**

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

- 1. Litigation: Contract Negotiations. Collective Negotiations**
- 2. Confidential Communications between Attorney and his client, the Town Board based on Attorney/Client privileges**

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

**SO MOVED: W. Carlos/T. Tancredi**

**CARRIED: 7-0**

**TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:30 PM**

**NO ACTION WAS TAKEN IN/FROM EXECUTIVE SESSION**

**TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 9:50 PM**

**TOWN BOARD MEETING CLOSED AT 9:51 PM**

**FS:lkm**