

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON DECEMBER 3, 2014 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Tancredi
Councilman Baisley
Councilman Carlos
Councilman Cifone
Councilman Krakower
Councilwoman Shershin
Attorney Adrienne Odierna
Town Clerk Salvatore

ABSENT: Councilman Conte

- **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

Motion made to suspend the rules for a Public Hearing to Amend Town Code Chapter 105 – Fees: Supervisor Tancredi/S. Krakower

CARRIED: 6-0

12:03-01 PUBLIC HEARING

**Amend Town Code Chapter
105 – Fees**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 3rd day of December, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Town Code, Chapter 105, entitled “Fees”, specifically Section 105-4 “Fee Schedule”, and

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

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

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on November 20, 2014 and published in the Poughkeepsie Journal on November 24, 2014; and

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

SO MOVED: J. Baisley/W. Carlos

Councilman Carlos: I think everybody got a memo from the Recreation Director. Do we address his concerns here?

Supervisor Tancredi: We can address it. I would suggest at a later date. Most of those are already in place. I don't think we want to hold it up for those.

Councilman Carlos: Can we do it before the summer time, because it's all about swimming.

Supervisor Tancredi: The swimming and the pool we talked about and it's in here and we decided to leave it in in case we discussed it again and the other fees are already in place, but just not in the fee schedule, but, that is something we can take up definitely.

Councilman Krakower: Would it be a significant change if we added them now? (Discussion among Board members made the decision to hold up on them for now)

Councilwoman Shershin: I was talking to Neil about this before and I thought we were going to circulate the fee schedule to all the departments so we could then in the spring change it.

Supervisor Tancredi: So everyone is aware and so there is no misconceptions about the fee schedule, I'll go on record now as saying that I will be opposed to any new fees and any increased fees, I think the town residents are paying enough in fees, just to get that out and not go crazy with fees.

Neil Wilson, Development Director: The changes that you have before you are ones that were primarily results of the conversation I had with the Building Department. They primarily reflect ones from the Departments that report to me. I did not circulate them around to the departments but, there were some fees in there that I thought was critical to get them done sooner rather than later like the clarification of the Recreation fees in particular. I did talk to the Supervisor, and this was probably a couple of weeks ago, and suggested that, let's get these done and then we can circulate them to the other departments. There are some fees in there that I looked at and I don't know what they are. They have nothing to do with any of my departments.

Supervisor Tancredi: I know, I think we might need to eliminate some of them. A lot of them are old.

Neil Wilson: We can clean that up going forward. I have not seen Tom's memorandum on the Rec. fees and so we can take care of that going forward as well.

Councilman Carlos: It's simple, there is the pool and renting the Senior Citizen--

Town Clerk Salvatore: Yes, but there are others.

Neil Wilson: Yes, but there may be others that we may be taking a look at, but the other departments need to look at those as well.

Supervisor Tancredi: I would get the fee schedule done and I think the time to address those issues with the Recreation Department or any other departments at a later date. Let's get this done and get this closed out.

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

AMENDMENTS ATTACHED TO FINAL BOOK COPY

Supervisor Tancredi: Ok, that brings us to the end of our Public Hearing and so I'm going to run through the agenda items very quickly and then we will take questions just on agenda items.

Motion made to suspend the rules for public speaking on agenda items: Supervisor Tancredi/Councilman Cifone **CARRIED: 6-0**

NO SPEAKERS CAME FORWARD

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

CARRIED: 6-0

12:03-02 Public Information Session regarding an Individual Residential Alternative Home on 17 Miron Drive, Poughkeepsie, New York.

Andrea Pollack of New Horizons spoke about the proposed home on Miron Drive at which time the Council and residents asked questions and voiced some of their concerns. For a full view of the session, visit our website:

@ TOWNOFPOUGHKEEPSIE.COM AND GO TO MEETINGS PAGE WHERE OUR YOUTUBE PAGE IS LOCATED.

**12:03-03 AUTHORIZE SUPERVISOR
TO SIGN**

**Peach Hill Addendum To
Agreement**

RESOLUTION

WHEREAS, the Town of Poughkeepsie is party to a contract dated June 19, 2006 with Friends of Peach Hill, LTD, a New York not-for-profit corporation (“Friends”), pursuant to which Friends has provided valuable volunteer assistance to the Town by providing maintenance services at the Peach Hill Park site; and

WHEREAS, Friends has procured equipment which it uses in connection with its volunteer maintenance activities, including a brush mower, a lawn mower, a riding garden tractor, and other tools and equipment; and

WHEREAS, Friends has offered to procure and site a 10’ x 16’ shed (similar to exhibit A) and to spread crushed stone on the path leading to it, so as to provide secure and convenient storage for its equipment at Peach Park Hill; and

WHEREAS, Scenic Hudson, which holds a conservation easement on the Peach Hill Park has advised the Friends that it has no objection to the placement of the shed; now therefore

BE IT RESOLVED, that the Supervisor is authorized to enter into an amendment to the June 19, 2006 Agreement with Friends to add a new paragraph, Three – A:

The Town licenses Peach Hill Friends to erect and maintain a 10’ x 16’ equipment shed off the north edge of the park picnic area, which license may be revoked by either party on six (6) months notice; and

BE IT FURTHER RESOLVED, that the installation of this shed is a Type II Action requiring no environmental review because it is a non-residential structure of less than 1,000 sq. ft; and

BE IT FURTHER RESOLVED, that the Town Board notes its sincere appreciation for the significant volunteer work of the Friends of Peach Hill, Ltd.

SO MOVED: W. Carlos/M. Cifone

Councilwoman Shershin: This sounds like a wonderful Eagle Scout project.

Supervisor Tancredi: I would just agree to the last sentence of that resolution, the Friends of Peach Hill. It’s amazing the amount of community participation and what volunteers are able to accomplish up there. I’ve said it before and I’ll say it

again, if you haven't been to Peach Hill, you owe yourself a visit and I don't think you will be disappointed.

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

SHED PHOTO AND AMENDMENT ATTACHED TO FINAL BOOK COPY

12:03-04 AUTHORIZE SUPERVISOR TO SIGN Allspace Storm Water Agreement/Easement

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Stormwater Management Facility Inspection and Maintenance Easement in regard to the project known as Allspace Self Storage, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign the Stormwater Management Facility Inspection and Maintenance Agreement and any supporting recording documents in regard to the Allspace Self Storage project; 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 Town Attorney, Planning Board Attorney, Town Engineer and the Director of Municipal Development for the Town of Poughkeepsie.

SO MOVED: M. Cifone/S. Krakower

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

12:03-05 PROMOTE Brian Porter – Auto Center

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby promote Brian Porter to the position of Senior Automotive Mechanic with the Town of Poughkeepsie Auto Center at an annual salary of \$61,584, effective January 1, 2015, which promotion is subject to a probationary period of not less than 8 nor more than 26 weeks per New York Civil Service Law, effective immediately, and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

SO MOVED: S. Krakower/M. Cifone

Councilman Krakower spoke to Mr. Porter who was present at this meeting, by saying that he was aware of Mr. Galbraith speaking very highly of him and he stated that the Town Board was very confident that he was going to be able to “Handle it well” and he wished him good luck.

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

12:03-06A MODIFY

**2014 Budget
A. CSEA Contracts**

**AMENDED
RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2014 Budget, pursuant to the recommendation of the Comptroller, to account for/allocate out monies for settlement of the CSEA contract – 2014, and

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

SO MOVED: A. Shershin/M. Cifone

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

AMENDMENT ATTACHED TO FINAL BOOK COPY

12:03-06B MODIFY

B. PBA Contracts

**AMENDED
RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby modify the 2014 Budget, pursuant to the recommendation of the Comptroller, to account for/allocate out monies for settlement of the PBA contract – 2013/2014, and

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

SO MOVED: Supervisor Tancredi/S. Krakower

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

AMENDMENTS ATTACHED TO FINAL BOOK COPY

12:03-07 AUTHORIZE SUPERVISOR TO SIGN Street Lighting Authority Order-
Nassau Road

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Central Hudson Gas & Electric Corporation Street Lighting Authority Order for the installation of street lights on Nassau Road, a copy of which is attached.

SO MOVED: J. Baisley/W. Carlos

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

12:03-08 AUTHORIZE SUPERVISOR TO SIGN County Agreement Regarding
Snow Plowing

RESOLUTION

WHEREAS, Highway Superintendent Pfeifer has been asked by the County of Dutchess to execute a contract to participate in the Regional County Highway Snow & Ice Control Program (the “Program”) within the boundaries of the Town, and

WHEREAS, participation in the Program, under which the County will supply control materials and reimburse the Town for its labor and equipment use,

will result in more prompt inclement weather response times, thereby enhancing the overall safety of Town residents and those who travel through the Town, and

WHEREAS, such participation by the Town in the Program, by removing snow from designated County Highways and applying sand, salt and other treatments to maintain highway safety and accessibility for emergency services is specifically authorized by Article 6, Section 135-a of the New York State Highway Law, now therefore

BE IT RESOLVED, that the Town Supervisor is authorized to execute an Intermunicipal Agreement (“IMA”) with the County for the Town’s participation in the Program, and the Highway Superintendent Pfeifer is hereby authorized to perform such work and to receive the materials and payments therefore as outlined in the annexed IMA during the winter season 2014-2015, which IMA may be extended by mutual agreement of the parties for up to an additional four (4) years.

SO MOVED: W. Carlos/M. Cifone

Supervisor Tancredi: This is going to cover 3.17 miles of roads. The roads that are going to be taken care of are Cedar Avenue, IBM Road, Main Street, Sand Dock, Taft Avenue and Van Wagner Road.

Councilman Carlos: Does this count for the mandate that we have for sharing services?

Supervisor Tancredi: I don’t know, it goes along that theme.

Councilman Carlos: It looks like shared services, in the company of shared services and it sounds like shared services, so I would think, it’s shared services.

Supervisor Tancredi: Hopefully it is.

Councilman Krakower: And we get reimbursed back at our manpower rate based on our cost of material and it should make things more efficient and it always makes more sense when government works together to solve a problem. God knows how many years it took to get to this point, but it seems like a good idea.

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

Nays: None

CARRIED: 6-0

INTERMUNICIPAL AGREEMENT ATTACHED TO FINAL BOOK COPY

12:03-09 NOTIFICATION

The Following Claims Have Been
Referred to Legal Department

1. **Hildacar v. Town of Poughkeepsie**
2. **Suozzi v. Town ZBA**

REFERRED TO LEGAL DEPARTMENT

12:03-10 NOTIFICATION

Mole Mole Liquor License

NOTED BY TOWN BOARD

**12:03-11 AUTHORIZE SUPERVISOR
TO SIGN**

**Section 8 - Indemnification
Agreement With The City Of
Poughkeepsie**

RESOLUTION

WHEREAS, the Town of Poughkeepsie has operated an approved Housing Assistance Program (“HAP”) under the standards of 24 CFR Part 570, which was funded by the U.S. Department of Housing and Urban Renewal (hereinafter “HUD”); and

WHEREAS, the City of Poughkeepsie is currently managing the Town of Poughkeepsie’s HAP pursuant to a Management Agreement; and

WHEREAS, the Town of Poughkeepsie desires to transfer its HAP to the City of Poughkeepsie, and the Town of Poughkeepsie and City of Poughkeepsie have by resolution agreed to such transfer; and

WHEREAS, the City of Poughkeepsie has requested that the Town of Poughkeepsie sign an Indemnification Agreement indemnifying the City of Poughkeepsie from claims which may have arisen during the Town of Poughkeepsie’s management of its HAP, and

WHEREAS, the Town of Poughkeepsie has notified HUD of its intention to transfer its HAP to the City of Poughkeepsie and HUD has indicated to the Town of Poughkeepsie that it will approve the transfer effective January 1, 2015;

BE IT RESOLVED, that the Supervisor of the Town of Poughkeepsie is authorized to execute an Indemnification Agreement between the Town of Poughkeepsie and the City of Poughkeepsie in substantially the same form as that annexed hereto; and

BE IT FURTHER RESOLVED, that the execution of the foregoing agreement, which is part of the ongoing administration of the Town involving no

changes which will effect the environmental, is a Type II Action requiring no environmental review.

SO MOVED: M. Cifone/J. Baisley

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

INDEMNIFICATION AGREEMENT ATTACHED TO FINAL BOOK COPY

12:03-12 AUTHORIZE Special Consents SC 1 and SC 2

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. Appointment Elizabeth Fraser – Part Time Recreation Assistant**
- 2. Notification Liquor License-Kokopelli’s Pizza**

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: S. Krakower/M. Cifone

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

12:03-SC 1 APPOINTMENT Elizabeth Fraser – Part Time Recreation Assistant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Elizabeth A. Fraser to the position of Part Time Recreation Assistant at the rate of \$10.00 per hour, effective January 1, 2015, 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

Councilwoman Shershin: I've met Elizabeth and she is very nice and doing a really good job at the Senior Center and she amazes me. She can remember people's names and signs them in and is really a friendly face at the front desk and so it's a good move.

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

12:03-SC 2 NOTIFICATION

**Kokopelli's Pizza – Liquor
License**

NOTED BY TOWN BOARD

Motion made to suspend the rules for public comments on Town issues: Supervisor Tancredi/M. Cifone

CARRIED: 6-0

Doreen Tignanelli: Just like to make a comment about the group home or residential home. How many times over the last 10 or 15 years I've heard people raise concerns and I understand it's in their neighborhood, but then you seldom hear any of those same people come back to the Board and say they have problems and I would just like to point out things I've mentioned before. You don't have any control over who moves into your neighborhood. We had a young adult on electronic monitoring at one point who moved in and a school bus used to stop in front of their house and traffic. We've lived on our street 12 years, have you ever had a house that had 4 teenagers in there with a lot of traffic and you have people and families come and visit. This is just normal things and you don't get to choose who your neighbors are and in this case, Todd, as you pointed out, if there is an issue you would call the police and in this case you would call maybe New Horizons also and alert the Board.

Councilman Krakower: I do want to say though, I think this group of neighbors and residents that came in tonight, were much better than some of the groups in the past. They raise concerns, questions and issues and it didn't get nasty or ugly and hopefully people are getting to see these homes out there in the community and realize they are not a problem. I think the people had reasonable concerns and they came out and asked questions and I was just happy to see it didn't get ugly or nasty as it has in the past.

Doreen Tignanelli: Let's face it, things change. Our neighborhood used to be much quieter 32 years ago than it is now. There are developments around the neighborhood and area and I'm sure other places have it. Nothing stays the same. Another thing I would like to say is, Tuesday, December 9th, the Arlington Fire District as well as other fire districts in the County are having their commissioner elections and for Arlington, the hours are 5 PM to 9 PM and there are two voting

locations, vote at AFD Headquarters, 11 Burnett Blvd. if you live in Wards 3, 4 or 6 and you would vote at the Red Oaks Mill Fire House at 213 Vassar Road if you live in Wards 1, 2 and 5. So, again this is an opportunity for people who want to discuss things like the woman talking about her taxes, voting for a commissioner is one way of ensuring how your tax money is going to be spent. I believe Fairview is 5 to 9, but you can check with your fire houses for details.

Joe Armstrong: I think one thing people have had in their minds is years ago when the State threw a lot of these people out on the street almost, that they have the thoughts in their minds of what kind of people are out there and that's not the case with these people today. I have one in my neighborhood and I don't even know what house it is. You brought up the subject again with the houses that are out there that we are taking care of. I just want to put out my feeling about it again, I just think that these banks that own these houses should be taking care of these houses and not the Town and fighting to get the money back. I think that should be changed and I will never change my thought on that. The other thing I've got, the corner building on Raymond and Main that was shored up there for a long time and they finally got them to knock it down, has anything being done about cleaning that mess up and making it look half way decent? The fire escape is hanging in the air over there and debris still around. It's a hazardous corner. I would like to see that get cleaned up a little bit better.

Councilwoman Shershin: It's moving very slowly. There is a design and plan in place, but right now they said its back in our Building Department.

Joe Armstrong: What's it been, a year or so they have been fooling with thing? These things shouldn't take that kind of time to get resolved.

Supervisor Tancredi: I agree.

Ellen Nesbit: I represent the First District in the County Legislature, the north end of the Town of Poughkeepsie. I just wanted to come in here and see what was going on in your meeting and I wanted to talk a bit about what we are doing with the Budget, which we will be voting on. We are looking to pass it tomorrow night. A couple of things I briefly wanted to go over. There will be no new taxes, no increased spending in the 2015 Budget. This is going to be our smallest workforce in 32 years. We are working just to keep things as lean and as efficient as possible. We will be voting on this tomorrow night and if any of you guys have any questions or concerns, there are several of you I represent. We have the same constituents so, if you have any questions or concerns, give me a call. You guys are doing a great job and I definitely look forward to coming to more of these meetings and maybe we can work together on any projects.

Motion made to resume the rules: Supervisor Tancredi/S. Krakower

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/
Based on attorney/client privileges.**

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

SO MOVED: J. Baisley/S. Krakower

CARRIED: 6-0

**TOWN BOARD ADJOURNED TO EXECUTIVE SESSION AT 8:40 PM.
Don Beer and Franco Zani will be joining us.**

NO ACTION WAS TAKEN IN EXECUTIVE SESSION

**TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 8:59 P.M.
TOWN BOARD MEETING CLOSED AT 9:00 P.M.**

FS:lkm