



the other one that was awarded was for the East Wood State Park in the City of Syracuse.

The outstanding facility award is given for outstanding and unique achievement in facility design and development. They look for the degree of community involvement, consideration of maintenance and operation expenses and in facility design and construction and special factors influencing Planning and Development. I think the thing that really made our application outstanding was the Community Involvement over the course of many years that made the Senior Center happen. It was the involvement of a number of our seniors; we have several of our seniors here tonight with us, including Gay Ponte and Phyllis Simansky who are members of the Committee that worked for probably five or more years to find us a location and also they were very impressed with the involvement of all the Town Departments in the development and building of the Center. So, with that said, I would like to present to Supervisor Tancredi the plaque that we received at the Conference, the outstanding Facility Award, Class I presented to the Town of Poughkeepsie Senior Center. We are planning to present that to the seniors on June the 22<sup>nd</sup>. They have a luncheon coming up that we would like to do that at.

**Supervisor Tancredi:** I want to thank you and the Recreation Department for all the hard work you've put in and the thing that I think makes the Senior Center special is when I started to go, when we first opened a year ago this past October and have continued to periodically stop in. It is almost like when you buy a home and when you first get your home, a new home, you don't paint the walls the color you want and decorate it quite the way you want to decorate it, but as you know, as you continue to go and each time I go, I see different things the seniors have done to make it their own, whether it's the artificial Christmas Tree they keep up year round and decorate for St. Patty's Day, Easter, 4<sup>th</sup> of July and different events, the pictures they have on the wall, it is so nice for me to see how they have made this their home and I was relaying to Tom that I was at Rebuilding Together, did some homes in the Town and I think in Dutchess County a weekend or so ago and I visited a couple in the Town and when I went into one home, that they were doing some work on and the lady greeted me, a senior lady and I knew I knew her from the Senior Center, but her daughter said to me, "I want to thank you so much for the Senior Center, I don't know what my mother would do without it." Those are the kind of things that encourage me and continue to motivate me to do the things we are doing in the Town. I know Tom has mentioned the same. We recently had a "Senior Prom" with some Arlington High School students and the seniors and students were dancing and just having a great time and so Tom I want to thank you for all the hard work. It's not easy. As the seniors who are here tonight could tell you, we've had our moments and it's been a struggle, but sometimes, when it's a struggle, that's what makes it worth all the work and so I want to thank all of you for all the hard work and congratulate you on this outstanding award.

**Recreation Director Tom Meyering:** Todd, may I have a final word, as I was at the Senior Center today, we announced that this was going to be done tonight, one of

the seniors came up to me and said, make sure you thank the Town Board for making this happen for us. So, "THANK YOU ON BEHALF OF THE SENIORS."

**Motion made to open Public Hearing #1: Zoning Designation –Dalia Site Plan:  
Supervisor Tancredi/J. Conte  
CARRIED: 7-0**

**Doreen Tignanelli:** First of all, I see again another Overlay District, it seems we have an awful lot of those and I don't know what changed, but in 2007, I believe it was, when Mr. Wilson who is current Director of Planning, but at the time was only a consultant for the Town, he said he was not in favor of Overlays, and yet, it seems like we have an awful lot of projects with Overlays. My other concern is about the Wetland and the information that was posted on the website for tonight. One of the things I saw was that the total delineation of the Wetland was a .81 acres and if it was one acre, it would get a buffer and many times we see the projects come in at .8 or .9 and it just seems like potentially that is the way to avoid buffer protection on the project. Now, the other thing that it says, is that there was a delineation on site of the wetland, but yet the wetland it appears continues offsite and traditionally when there is a wetland that is off site and onsite, it's considered one and the same and so I'm not sure when they say there is no proposed disturbance to the on-site wetland, what does that exactly mean, is there a disturbance to wetland off-site? I wonder if we could have that explained. And again, it says that there is no permit required, but the Town requires a permit for a disturbance of a tenth of an acre of wetland and/or wetland buffers so I didn't see any table on the site plan that exactly said what the wetland amounts were, so, if there is any chance that could be clarified, I would appreciate that. Thank you.

**Supervisor Tancredi:** I don't know what the best way to do it is. We have the applicant's consultant here tonight, I thought we could have her do a presentation first or take questions first, 6 of 1 and half a dozen of another, but maybe we can take questions and hopefully she can answer the questions in her presentations.

**Bob Gephardt:** I speak as a resident of the adjacent property only. To help you answer that question, there are some residents here who have not seen the pitch and I think it would be helpful if you could do the pitch first and then do the comments and I will be willing to delay my comments until the pitch is done.

**Kelly Libolt:** For the record, I did give the Town Clerk the green cards, noticing the Public Hearing and we did have a sign posted at the site, consistent with the Zoning requirements notifying tonight's Public Hearing. I've been here before giving you a fairly lengthy presentation and I'm sorry if this is repetitive, but I do want to be thorough so everyone understands this project. So, again, we are seeking permission from the Planning Board for site plan approval in the Shod Overlay District for a Senior Housing project. This is a varied step process and so I just want to go through that with you very quickly. So, on a rezoned project, as you know, it starts with the Town Board and we get an application to you, a preliminary

review which we did. The Board reviewed the application at length some time ago and after you felt comfortable with the general lay-out of the Plan, we went over to the Planning Board and the Planning Board acted as the Lead Agency for the review of the project for SEQR, which is the environmental review of the project, as you know. We were before the Planning Board for several months providing a lot of information on the environmental impacts for the project and as a result of that project, the Planning Board held a Public Hearing and there was a SEQR Determination of "Negative" for that project. So, now we are back before the Town Board and our discussion here tonight is for the SHOD Designation. After this there is still a lengthy process for this project and so we do have the Public Hearing tonight and then we go back to the Planning Board and I really want to make that note, that we do go back to the Planning Board, because it is an important part of this project, although this Board tonight is important as well. Many of the items that you will see on the plan are fairly well laid out but there are certainly additional Site Plan related items that will be resolved and discussed with the Planning Board. Street Scape issues, landscaping, specific parking, signage, colors, materials, etc. So, many of those items are still yet to be discussed. But, of course, we are here tonight following this rather lengthy process. As many of you know, the property is located on Violet Avenue and consists of approximately seven acres. Just a quick overview of some of the permitted uses in the R-20, R-M and SHOD Overlay Districts. The R-20 is single family, cemetery, country club, church, family day care schools, RM has multi family, and the SHOD is Senior Housing, businesses, professional offices and so forth. Many of what I'm discussing tonight is detailed in the documents that you have. There is a very lengthy EAF that was reviewed by the Planning Board for the SEQR determination and so a lot of the additional information I'm going over with you tonight and the supplemental information is in the Appendix in that thick document. This is the current site plan for the project again, there are a lot of additional street scape items that would need to be addressed, but for purposes of tonight's presentation, this is the plan that we are presenting, I've also put it on the board here so you can see it as well. What I would like to do is break down each of the components of this Plan for you so I can give you some additional detail, but I wanted to start with this. So, we are proposing 84 dwelling units in six buildings. The buildings are three story buildings; they are approximately 36 feet tall. In addition there are 10,125 sq. ft. of what is called non-retail space. So, we've gone over that definition before, but it's essentially professional services including the Community Center. There are currently 114 parking spaces. I want to talk to you tonight regarding some potential alternative additional parking space locations. The buildings are essentially designed as two different types and that is what I ballooned the four buildings in the front, which are A, B, C, and D and the two buildings in the back, the front being the area closest to 9G. So, buildings A, B, C, and D are all three story buildings. They all contain flats on the bottom, which is just a one story unit and on the second and third floor there would be one unit, so anyone living on the second or third floor, would have a two story unit and so a flat on the bottom is one unit, and the second and third floor is comprised of one unit stacked on top of each other across the building. In the back, buildings E and F are also three story units but each floor contains its own separate unit, more like an

apartment and all of the buildings in all the units in the back are accessible with an elevator. Starting with the buildings in the front, Building A is 4800 sq. ft. In here we have 4000 sq. ft. of non-retail space, which we talked about doing the non-retail space on the buildings in the front and there are 7 units in this building. Building B is identical in the front, 4800 square feet, 4,000 square feet of non-retail space and seven units. We are proposing a new entrance; we have already met with NY State DOT and are finalizing our permanent application for their review. They were very comfortable with the location, the site distance and grade of the site, etc. Ok, the second set of buildings in the back. Building C is approximately 4300 hundred sq. ft. and contains 9 units. Building D is slightly larger, it is 6400 sq. ft. and it also contains a 2,125 Senior Center. Hopefully we will get some cues from the Senior Center the Town just recently got the award for, and there are 11 units in this building. That square is the area for the Senior Center, which is in really the center of the site. There is, currently, an existing access road. This was previously approved for a sub-division. We are proposing to shut off that road to all vehicular access with the exception of emergency vehicles and so we've already met with the Fire Department and discussed with them the site, truck turning movements, locations of fire hydrants, sprinklers and this gate and we will continue to discuss with them throughout this process, what is an acceptable mechanism there to allow them to easily come in and out of the site if they need to come in and out of the site if the main entrance was blocked. Moving to the back again, we are furthest away from the site. Building E is 8400 square feet, 23 units. This building is fully accessible with an elevator and so three floors are all accessible with an elevator. Building F is 9600 square feet and there are 27 units. Again, this is detailed more fully in the EAF that was reviewed by the Planning Board, but I just simply wanted to provide some of the bulk regulations for a comparison of the different zoning districts, which we are falling underneath of, so, the R20 is the current Zoning District and you will see that there are some comparable front and side yard setbacks. So, for example, if someone were to build a house under the R20 Zoning District, they would need that building to be set back 30 feet from the property line vs. under the SHOD, which is a 50' set back for the building. Something that I want to point out is that under the R20 Zoning District for the landscape buffer, if someone were to build a house, there would be zero landscape buffer and under the SHOD we are required to maintain a 30' landscape buffer to all of the property lines and as detailed on our plan, we actually have in excess of 30 feet throughout the site. The max height of a building in the R20 Zoning District would be 35 ft. The max height permitted in the SHOD is 105 ft. to encourage density and also encourage parking spaces underneath the buildings. We are not proposing 105 ft., we are proposing 36 to 37 feet, which is one or two feet taller than what is permitted for a single family house. I had mentioned before that we had discussed an alternative site layout. There were several discussions with the Planning Board, Town Board and the Town's Planning Board consultants about potentially needing additional parking and so we had a meeting with the Town's Engineer than the Town Planner and collectively tried to determine where the most appropriate place for additional parking would be and how many additional parking spaces may be required and so we came up with 15 spaces could be provided and 3 spaces in the

back and 2 spaces in the back, as well, for a total of 20 additional parking spaces. So, it's something we would like to discuss with this Board and if this Board recommends this, more detail with the Planning Board, whether or not these parking spaces would be built initially or banked, which are graded and seeded, and if it is determined there are more parking spaces needed, the Town has the authority to mandate those spaces be built. The building configuration, I think it was asked at a prior meeting and so I tried to include this as far as the accessible vs. the walk up units, the accessible units being those that are ADA accessible, someone could walk in or walk off an elevator and arrive at and so Building A and B, the buildings in the front, and the one unit on the ground floor is fully accessible with six walk up units. Buildings C & D are identical and so there are three accessible units, which are the units on the ground floor and there are 6 and 8 respectively, walkup units. Buildings E & F all of the units are accessible and are serviced with an elevator.

We've worked with the County Planning Department and Office of the Aging to really look at alternatives for recreational amenities on site. We want to make sure that this is a place where people can live and actually exercise and perhaps shop all in one area to eliminate the need for cars and traveling in cars. So, I've broken down the site recreational amenities again like I did before. In the front eastern area, we tried to create clusters in between each of the buildings and so in this area we have a combination of non-retail and residential space and so we created the walking path along 9G. Today those sidewalks will really connect to nowhere, but we think it is important to build those so that as properties get developed, the Planning Board continues to encourage sidewalks. We have a sitting area here and a difference in grade and so we wanted to use that to provide benches and a sitting wall and perhaps Wi-Fi for people living or using retail space and outdoor reading area and perhaps some tables. Back in the center of the space is where we have the Senior Center and so that's an indoor/outdoor Senior Center. The County Office of the Aging and County Planning really emphasized community gardens. They encouraged us to think about what people lose when they move out of a house and into a facility like this. We have a variety of vegetable gardens and garden areas throughout the site. We did propose some Bocce courts and flexible areas for outdoor classes. Inside the Senior Center, the County encouraged classes for the seniors like cooking classes and other classes, as well as college courses and a Library. The County also encouraged us to connect the sidewalk to the actual residential area next to it, so to be able to bike through the subdivision without having to go onto 9G.

Also, a walking path. The rail trail, Dutchess Community College, Loop Bus, two hospitals and the train station are all close amenities. Landscaping was planted by the owner and we wanted to add to that landscaping as well by adding a number of trees. The utilities include water and sewer services, storm water onsite treatment through rain gardens. Everything on east side and in front of property will collect to storm basins and discharge into DOT storm basins.

*Description of planned amenities continued for some time. This was followed by several residents of the neighborhood voicing their concerns and asking questions. Of major concern was the issue of drainage and flooding that may impact current resident's properties. Also, the impacts this project may have on the services provided by the Fire District were discussed by residents and a representative for the Fairview Fire District.*

[Please see meetings page on our website for full view of entire meeting- should you want to view all of the public comment. A link to our "YouTube" page is there. DVD's of the meetings are also available to purchase from the Town Clerk's Office.]

The object of the discussion is that the Fire District does not oppose, they just have problems with the impacts.

Motion made to close Public Hearing #1: Supervisor Tancredi/Seconded by Councilman Conte

**CARRIED: 7-0**

**05:06-01 PUBLIC HEARING**

**Zoning Designation- Dalia Site Plan**

### **RESOLUTION**

**BE IT ENACTED**, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 6<sup>th</sup> day of May, 2015 at 7:00 PM at Town of Poughkeepsie Town Hall, One Overocker Road, Poughkeepsie, New York does hereby amend the Town Code, Chapter 210, entitled "Zoning", which amendment will be as follows:

**An application pursuant to Section 210-11 of the Town Code for a change of zone involving tax parcel numbers 6162-10-448647, 450614, 436615, 429640 and 407662 from Residence, Single Family 20,000 (R-20) District To Residence Multifamily (R-M) District; and**

**An application pursuant to Section 210-20 of the Town Code for designation of tax parcel numbers 6162-10-448647, 450614, 436615, 429640 and 407662 as a Senior Housing Overlay District (SHOD) for a project known as Dalia Site Plan – Senior Housing, located at Sophia's Way and Violet Avenue Lots, and 35 Violet Avenue, Poughkeepsie, New York, said application being contingent on the zoning of the aforesaid tax parcels being changed from R-20 District to R-M District as a condition precedent.**

**AND BE IT FURTHER RESOLVED**, that the Planning Board of the Town of Poughkeepsie has heretofore been designated as Lead Agency, issued a SEQRA Negative Declaration for the project and submitted a positive recommendation with

**suggested conditions dated March 19, 2015 and that the proposed action is an Unlisted Action; and**

**BE IT FURTHER ENACTED, that a written recommendation dated April 10, 2015 was received from the Dutchess County Department of Planning and Economic Development stating that the proposed amendment was a matter of local concern; and**

**BE IT FURTHER ENACTED, that a written recommendation dated March 24, 2015 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein amendments; and**

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

**BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was Posted on April 16, 2015 and published in the Poughkeepsie Journal on April 20, 2015; and**

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

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

**Councilman Cifone: I met with some of the residents last week and we went over this proposal and a lot of the concerns were the height of the building, not necessarily the project in and of itself, but the height of the buildings. I know drainage was a big issue and I think that's something we can definitely address with the Planning Department on that issue and most of the other concerns were gated community, which this would be a gated community and some of the other things we talked about for drainage and impervious surface they are going to put pavers in on the back walkway and that came out of a conversation we had today. The property owner has been away due to a funeral and so I asked him to get some letters out to everyone who came to that meeting last week and address all their concerns and unfortunately those letters didn't go out because of the funeral, but, the letters are going out in the mail tomorrow. Again, he is very concerned and he wants to make this a very good project. He wants to put proper screening in and does not want drainage issues and he is willing to work with every neighbor who contacts him through either me or any other member of the Town Board or Miss Libolt herself. He is trying to do the best project possible and he does want to make every resident comfortable with this project. So, we are going to move forward with that and try to open the door for you and so if you have concerns, reach out to anyone of us.**

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

**Nays: None**

**CARRIED: 7-0**

**AMENDMENTS ATTACHED TO FINAL BOOK COPY**

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

**CARRIED: 7-0**

**Motion made to close Public Hearing #2: Supervisor Tancredi/ J. Baisley**

**CARRIED: 7-0**

**05:06-02 PUBLIC HEARING**

**Storm Water Annual Report**

**RESOLUTION**

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

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

**BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 16, 2015 and published in the Poughkeepsie Journal on April 18, 2015; and**

**BE IT FURTHER RESOLVED, that on May 6, 2015 a public hearing was held at a regularly scheduled meeting of the Town Board; and**

**BE IT FURTHER RESOLVED, that the public review and comment period ends at 4:00 PM on May 15, 2015 when all written or oral comments are to be submitted; and**

**BE IT FURTHER RESOLVED, that the Town Board does direct the Director of Municipal Development to review the comments and prepare for filing the final report which is due May 30, 2015.**

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

**Supervisor Tancredi: I agree with Doreen in the sense that if a rain garden is shown in the plans, I think it's important that the project follows through.**

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

Nays: None

CARRIED: 7-0

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

CARRIED: 7-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 7-0

05:06-03 PUBLIC HEARING

Amend Town Code – Vehicle And Traffic

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 6<sup>th</sup> day of May, 2015 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 195-41 Schedule VI, entitled “Prohibited Turns at Intersections”, which would add the following underlined language to Section 195-41. Schedule VI: Prohibited Turns at Intersections, specifically as follows:

Name of Street	Direction of Travel	Prohibited Turn	Hours	At Intersection Of
Malmros Terrace	Southeast	Left	All	Vassar Road; Except Wappinger’s Central School District Buses *
Rowley Road	Southeast	Left	All	Vassar Road; Except Wappinger’s Central School District Buses*

\*Suspended effective May 7, 2015 until receipt of NYSDOT confirmation that Spring Road has been reopened to regular traffic.

**AND BE IT FURTHER ENACTED**, that the Legal Notice of Public Hearing was posted on April 16, 2015 and published in the Poughkeepsie Journal on April 18, 2015; 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. Conte/W. Carlos**

**Councilman Carlos:** This is the last step of what we went through down there. The signing plan that was originally put through with this project had some holes in it and we worked-- Engineer Don Beer and Mark Pfeifer met with me with the Engineer and we got the additional signs put up and it seems to have made a big difference in the amount of traffic and the problem directly related to the lack of signs out on Route 9. This will be in place until I believe August 31<sup>st</sup>.

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

**Nays:** None

**CARRIED: 7-0**

**Motion was made to suspend the rules for public speaking on agenda items:**  
Supervisor Tancredi/M. Cifone

**CARRIED: 7-0**

**Joe Armstrong:** On the Bonding Counsel what does that represent?

**Supervisor Tancredi:** When we go out to Bond, this is for the Country Club project, we have to have bonding counsel which puts the bonds out and gets all the paperwork prepared and sells the bonds. So, this is the individual firm that we've used for quite a few years now that does that work for us.

**Joe Armstrong:** So, the money for this project hasn't been gotten yet? (No)

**Supervisor Tancredi:** We are going to put the bonds out, but this is money that—

**Joe Armstrong:** Am I correct in understanding that we in the Country Club Estates are now already being assessed for the cost of that project?

**Supervisor Tancredi:** Yes, but we haven't incurred costs for that project. We've incurred soft costs.

**Joe Armstrong:** What are we being charged for? Are we going to be charged from now until after “dooms day” until it’s paid off? Is this the set price already? (Hopefully, yes)

**Supervisor Tancredi:** I’m sure you understand the way it works. With the Fire Department, it can’t be much different. Big projects like this and we are de-commissioning a sewer plant that takes time and it’s a lot of effort and planning and so the costs that are incurred here have been planned and presented to the public so that this doesn’t come as a surprise, it’s just one of the steps we have to go through during the process.

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

**CARRIED: 7-0**

**05:06-04 ACCEPT**

**Resignation – Gary Appleton –  
Water Department**

**RESOLUTION**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Gary Appleton from the Town of Poughkeepsie Water Department, effective May 8, 2015.

**SO MOVED: M. Cifone/W. Carlos**

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

**Nays: None**

**CARRIED: 7-0**

**05:06-05 APPOINT**

**Water Department – Kevin Etts, Jr.**

**RESOLUTION**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby appoint Kevin Etts, Jr. to the position of Laborer – Full Time Temporary with the Water Department at \$16.00 per hour, which appointment will become effective May 11, 2015 and which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law; 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: J. Lepore/W. Carlos**

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

**05:06-07 ACCEPT Certificates of Attendance – Ben Paganelli**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificates of Attendance for Ben Paganelli from the Dutchess County Planning Federation, for the courses entitled “Zoning Board of Appeals Overview” and “Planning Board Overview” copies of which are attached.**

**SO MOVED: A. Shershin/M. Cifone**

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

**ZONING BOARD OF APPEALS OVERVIEW AND  
PLANNING BOARD OVERVIEW AND COPIES ATTACHED TO  
FINAL BOOK COPY**

**05:06-08 AUTHORIZE Receiver Of Taxes – Attendance –  
NY Association Seminar**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve that Karen Schubert attend the New York State Association Tax Receiver and Collectors’ seminar from June 7, 2015 through June 10, 2015 in Syracuse, New York; and**

**BE IT FURTHER RESOLVED, that Karen Schubert is hereby authorized to utilize a Town vehicle for travel to, at and from said conference and, subject to budget limits and applicable Town policies, to apply for reimbursement for her lodging, fuel, food and tolls for the conference.**

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

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

**05:06-09ADJUST Water Bill – 111 Vassar Road**

## RESOLUTION

**WHEREAS**, there was a water leak at 111 Vassar Road, Poughkeepsie, New York, which has been documented by the Water/Sewer Billing Department of the Town of Poughkeepsie, and said water leak resulted in a charge of \$907.60, now therefore,

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby authorize the removal of said water charge of \$907.60 from the billing for the property located at 111 Vassar Road.

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

**Supervisor Tancredi:** We have a letter from Water Superintendent Ballard, Keith, your recommendation after evaluation and discussion with the contractor, homeowner and all, was to deny this?

**Keith Ballard:** This problem was ongoing. We have different routes in the Town that we bill and after we get the readings, we do a high/low report, so if we have a high reading that is questionable, we give them the courtesy, we don't have to, but we give them a courtesy call to tell them that they do have a high bill. We called this gentleman on November 21, 2014 for a very high consumption, he didn't return the call, we rechecked it three weeks later and it was 87 units higher, which is a big amount of water. So, the next time we billed him, it was twice as high. So, he finally called us and we sent a couple of guys over to check on what happened and I guess he had a fire in his house and he never called us to turn the water off, and it froze up and there were leaks in the house and he said he is not going to pay the bill. He feels that said he shouldn't be responsible to pay the bill. Unfortunately the Town Code states that if water passes through the meter, it has to be paid for, whether it goes to waste or not. The Town taxpayers should not be responsible to pay his bills. In the meantime, he had hired a contractor to come in who was turning the water on and off to find the leaks and fix them. Well, this contractor is not a Town licensed plumber and so he was working without a license and so he's got other issues. I believe the bill, in question, I don't think it was \$900, he might owe that because he didn't pay the previous bill, but the bill he was questioning I believe it was 500. I handed this over to the Building Department and they are going to take of this.

**Councilman Carlos:** This water was leaking through those leaks that this man was fixing?

**Keith Ballard:** Well, it was leaking before that, they finally turned the valve off before the meter, which we would have turned it off outside for them if they had contacted us. We had no idea he had a fire there or he wasn't living there. He has been living in a hotel since then.

**Supervisor Tancredi:** This consumption was over a number of months. The first bill you called him on was ----

**Keith Ballard:** That was a high bill then, when he was there, so, he must have had some leaks and if it went into the sewer, I would say give him a break on that, but he doesn't have Town sewer. This is water only. Our Code specifically states that it gets paid for whether it goes to waste or not and he says, "Well, where did the water go?" I wasn't there, so he could have pumped his basement out, who knows, but my feeling is the Town taxpayer should not be responsible to pay his bill.

**Councilwoman Shershin:** Yes, and we never waived one of these before.

**Keith Ballard:** We've waived sewer charges, but never water charges.

**Councilwoman Shershin:** Yes, and I would hope that his homeowners insurance would absorb some of that.

**Keith Ballard:** It would probably take care of all of it.

**Councilman Lepore:** The only concern about that is, he was using an unlicensed Plumber to do work, and in this case, maybe he didn't fix it right, since he was not licensed.

**Keith Ballard:** Well, he's saying that the only time the water was used in the house was when the contractor was turning it on trying to find the leak and then repairing them. Well, that can't be true. It's just physically too much water.

**Councilman Carlos:** It can't be true also, because the meter is inside the house, it's past the house, it's not between the road and us and that's definitely incorrect also.

**Keith Ballard:** And that meter will not register unless there is flow going through it. It's just impossible.

**Supervisor Tancredi:** Ok, our resolution is to remove the charges. So, if you want to remove the charges, vote yes, if you want to turn down this resolution, vote "No".

**ROLL CALL:** Ayes: None

Nays: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,  
Councilwoman Shershin and Supervisor Tancredi

**CARRIED: 0-7**

**05:06-10 APPOINT**

**Plumbing Board Member**

**RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby appoint Ron Diaz to the Town of Poughkeepsie Plumbing Board, which term expires on December 31, 2017.

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

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

**05:06-11 AUTHORIZE Tax Certiorari Settlement –  
Hillside Terrace Association**

**RESOLUTION**

**WHEREAS**, there is now pending in the Dutchess County Supreme Court a tax certiorari proceeding relating to property located at 1 Knollwood Lane, (Grid No.: 6362-01-360898-0000), commenced in 2014 by **HILLSIDE TERRACE ASSOCIATES, L.P.**, (petitioner), seeking a reduction of the assessed valuation for the 2014 tax roll; and

**WHEREAS**, the Town Assessor and Corbally, Gartland and Rappleyea, LLP recommend a settlement of the tax review proceeding; now, therefore

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie hereby approves a settlement of the tax review proceeding for the 2014 tax roll, as it pertains to 1 Knollwood Lane, (Grid No.: 6362-01-360898-0000) as follows:

<b>Assessment Roll</b>	<b>Assessment</b>	<b>Reduced Assessment</b>	<b>Amount of Reduction</b>
<b>2014</b>	<b>2,129,000</b>	<b>1,875,000</b>	<b>254,000</b>

**; and**

**BE IT FURTHER RESOLVED**, that the assessment shall remain at 1,875,000 for the 2015, 2016 and 2017 tax rolls; and

**BE IT FURTHER RESOLVED**, that the Town Supervisor, Town Assessor and Corbally, Gartland and Rappleyea, LLP area hereby authorized to take any and all actions necessary and appropriate to effectuate the terms of this Resolution.

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

**Councilman Baisley: This is an apartment complex, correct?**

**Supervisor Tancredi: I believe so, yes.**

**Councilman Baisley: Going down \$200 some thousand dollars with all of the apartments they are saying nowadays there is an apartment shortage, they are actually coming in the reverse? I can't agree with that assessment, over the years we've been fighting this, times have probably changed and it's probably going in the opposite direction.**

**Supervisor Tancredi: The Town refund on this is \$2344.**

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

**TAX CERTIORARI REFUND LIABILITY  
ATTACHED TO FINAL BOOK COPY**

**05:06-12 AUTHORIZE Special Consents SC 1, SC 2, SC 3,  
SC 4, SC 5, and SC 6**

**RESOLUTION**

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

- |  |   |
|--|---|
| <b>1. Retain</b>                       | <b>Bonding Counsel – Country Club</b>   |
| <b>2. Resignation</b>                  | <b>Mary Lou Pudney – Legal Department</b>   |
| <b>3. Accept</b>                       | <b>Young/Matthews Drainage Easement</b>   |
| <b>4. Appoint</b>                      | <b>Court Attendant – Joe Prisco</b>   |
| <b>5. Authorize Supervisor to Sign</b> | <b>Letter to Employee #387</b>  |
| <b>6. Notification</b>                 | <b>The following claim has been referred to Legal Department<br/>1. William Maloney v. Town of Poughkeepsie</b> |

**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. Lepore/M. Cifone**

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

**Nays: None**

**CARRIED: 7-0**

**05:06-SC 1 RETAIN**

**Bonding Counsel – Country Club**

### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Douglas Goodfriend, Esq., of Orrick, Herrington & Sutcliffe, LLP to act as bond counsel for the project known as Country Club Sewer District Improvements – Sale to EFC, at a cost not to exceed \$7,500.00 for the bond issue, \$3,785 for a grid note, and \$4,535.00 for a bond anticipation note with related document review and preparation all as detailed in the annexed proposed retainer letter, and**

**BE IT FURTHER RESOLVED, that the Town Board finds it to be in the best interest of the Town to retain Douglas Goodfriend of Orrick, Herrington & Sutcliffe, LLP, to perform these professional services, without the solicitation of alternate proposals, and**

**BE IT FURTHER RESOLVED, that the aforesaid services are a type II Action requiring no SEQRA review.**

**SO MOVED: A. Shershin/M. Cifone**

**Councilman Carlos: Todd, I see in the document that comes with it, they are going to the EFC that is the same EFC we use in the Water and that is the one with the lowest rate?**

**Supervisor Tancredi: Yes, the rates, we just talked with EFC yesterday and taking the Town's financial condition into consideration, short term borrowing will be at 40 or 50 basis points or ½ percent or a long term borrowing will be less than 2 ½% and so EFC is a little work on our part for paperwork and going through the bureaucracy of the State, but the rates are very attractive.**

**Councilman Carlos: In between 2-3-4%.**

**Supervisor Tancredi: The rates fluctuate some, but right now we could get it for under 2 ½.**

**Councilman Carlos: Ok.**

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

**PROPOSED RETAINER LETTER ATTACHED  
TO FINAL BOOK COPY**

**05:06-SC 2 RESIGNATION Mary Lou Pudney – Legal  
Department**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Mary Lou Pudney from the position of Part Time Legal Secretary in the Town of Poughkeepsie Legal Department, effective the close of business May 15, 2015.**

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

**Supervisor Tancredi: I would just like to thank Mary Lou for her years of service to the Town of Poughkeepsie.**

**Councilwoman Shershin: She will be missed.**

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

**05:06-SC 3 ACCEPT Young/Matthews Drainage  
Easement**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Grant of Drainage and Sewer Easement and Right of Way from Jenny Matthews and Linda M. Young at 406 Vassar Road, Poughkeepsie, NY to the Town of Poughkeepsie, copies of which are attached; and**

**BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to record the Easement and any supporting recording documents in the Dutchess County Clerk's Office.**

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

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

**05:06-SC 4 APPOINT Court Attendant – Joe Prisco**

**AMENDED  
RESOLUTION 5:6-SC4 OF 2015**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Joseph Prisco to the position of (\*) Permanent Part Time Court Attendant at the salary of \$15.00 per hour, effective immediately.**

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

**Supervisor Tancredi: I would just like to make an amendment to this resolution. This should state “(\*)UNARMED”.**

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

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

**05:06-SC 5 AUTHORIZE Letter To Employee #387  
SUPERVISOR  
TO SIGN**

**RESOLUTION**

**WHEREAS, the Town Board resolves to send a 30-day notice of termination letter to employee #387 pursuant to New York Civil Service Law Section 71 and due to such employee having been absent from work for a period in excess of one year as the result of an occupational injury; now therefore**

**BE IT RESOLVED, the Supervisor is authorized to execute a notification letter to the employee.**

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

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

**05:06-SC 6 NOTIFICATION**

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

- 1. William Maloney V. Town of  
Poughkeepsie**

**Motion made to accept comments on Town issues: Supervisor Tancredi/M. Cifone**

**CARRIED: 7-0**

*Comments regarding SC4 and the New Hamburg ongoing situation were made by various residents from the Town of Poughkeepsie.*

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

**Motion made to close the meeting: Supervisor Tancredi, seconded by W. Carlos**

**CARRIED: 7-0**

**TOWN BOARD ADJOURNED AT 9:06 PM**

**FS:lk**