

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON SEPTEMBER 16, 2015 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Tancredi
Councilman Baisley
Councilman Carlos
Councilman Cifone
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
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 public Speaking on Public Hearing #1:
Supervisor Tancredi/Councilman Baisley**

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

Motion made to close public hearing #3: Supervisor Tancredi/ Councilman Carlos

09:16-01 PUBLIC HEARING

**Town Code Amendment – Chapter
192 Vehicles, Abandoned**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to public hearing held on September 16, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town Code Chapter 192, entitled "Vehicles, Abandoned", specifically Sections 192-2 and 192-7, and

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

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on September 4, 2015 and published in the Poughkeepsie Journal on September 8, 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 take effect immediately upon filing with the Secretary of State.

SO MOVED: J. Baisley/M. Cifone

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

CARRIED: 6-0

AMENDMENTS ATTACHED TO FINAL BOOK COPY

Motion made to open Public Hearing #2: Supervisor Tancredi/M. Cifone

CARRIED: 6-0

John Harkin: I talked to a couple of people on the Board today about this and I am not in favor of not being able to ride your personal ATV on your own property. There are many children here and I have friends of mine who have little kids that have little ATV's and they make no more noise than a lawn mower and they ride around their yard. Now, if an ATV has been modified with loud exhaust and is causing a problem, it should come under the noise ordinance. It shouldn't come under that you can't ride an ATV. When I use mine, I have one, it is quiet as a cat. I live right up by the rail trail and the police come by all the time, the Sheriff's office, and you have to look to see that they are there. But, you don't have to look to see a modified one, you can hear them. This should be under the noise because you will have four surrounding towns that one side of the road the ATV's are legal and the other side isn't. There is no zoning in Wappinger's, none in Hyde Park, none in Pleasant Valley, and so, what are you going to do, say you can ride on this side of the road? You can't mandate the other Town. So, let's try to get some reasonable way of doing this because I spoke to Mr. Carlos today and I have a problem with heating oil and so I dump a load of logs in my driveway and I start cutting at 7 AM in the morning with the noise ordinance and I stop at 10 PM at night and there is nothing you can do and there is nothing more noisy than a chain saw.

Councilman Cifone: I've had residents call me, I've been on the phone with them. They are in houses in close proximity of each other and they are in their house,

windows closed and air conditioners on, and I can't hear anything but that ATV riding around the neighbors yard.

John Harkin: I know we have a problem with that, but, if you had regular---the way that machine was made, not the way they made it, the kids made it that way, they took the exhaust systems off. They modified the exhaust system because when they come out of Dutchess Rec, you could ride them right in your front yard and you wouldn't know it, you would have to look out the window. But, there has to be some way that we could right this thing. Carlos and I talked today. You can't ride within 500 feet of a house, ok, that would eliminate a lot of it, because how many people are 500 feet from their neighbors? If you have-in a development where the houses are only 50 or 30 feet apart and the guy is trying to ride around it, make it a distance. But then, when you go to 376, my friend owns the old Greenvale Farms and he has 12 acres in there and from his garage to his house is a quarter of a mile. So we ride the four wheeler down, go to the garage, get back on and ride up to the house and get a soda and now you are going to tell me I can't ride that four wheeler from that garage up to there to get a soda, this don't make sense. You just have to come up with something where you don't tell the people they can't use their own property to ride their four wheeler. I would rather see my kid riding a four wheeler than playing with a computer figuring how to grand theft auto and how to kill cops. I think its better he rides the four wheeler.

Kim Borell: Next door to me is a house that has three, four or five quads. My property is 1/3 of an acre, like my neighbor with the quads and most of the houses in the neighborhood. My house is about 20 feet from the house with the quads and out of my bedroom window, I have a clear view of a dirt track in the back yard next to me. Over the past three years I and my neighbors have had to listen to one or more of those quads being driven around that track any time of day or night or year and I have a lot of video and pictures. The newest addition is a dirt bike that sounds like a chain saw that doesn't stop. These vehicles are so loud I can't have the TV on, I can't have a radio on. I can't talk on the phone and when my windows are open, especially the bedroom windows which are closest to that yard, I can smell fumes and dust blows into the two bedrooms. I also can't even sit outside on my patio and there were times that I actually left my house to get away from the noise. My neighbors and I have called the police many times and we are now at the point where we need the Town to help us and something new to add—at least three times a week lately, someone is powerwashing quads in the driveway next to me and shortly after, they put the quad in a truck and go. I don't know if this person has some kind of a business with quads, but that is something new to endure because powerwashing that close. I hear that also.

Doreen Tignanelli: To say I am in favor of some sort of regulation for the ATV's, not that long ago, I talked to the Town Board where we had an issue where over a period of about four hours some three or four ATV's and dirt bikes riding along the back of our property making a loop up through Pleasant Ridge and the noise is just ---I've never heard any quiet ATV's. They are very noisy, very destructive, the

areas they continually ride around are all torn up. Just about two weeks ago I saw someone on an ATV riding into property owned by the Poughkeepsie Day School near the old IBM golf course there and they were riding through there. It is a problem and I am in favor of regulation because you should be able to have peace and quiet in your own house.

Edgar Licis: I live close to Kim and I own several acres of property and have lived there over 30 years and this is the first time since I've been there that an individual has not respected my property where I've had to put PRIVATE PROPERTY, NO TRESPASSING signs on because the ATV's. I agree with this other gentleman here, yes, you should not outlaw them, but I do agree with Kim that it is a nuisance. A few years ago, this began and I don't live as close to this individual as Kim does and it is also very noisy for me and I live several thousand feet away I believe. I'm barbequing on a Friday evening and I have to hear the ATVs being ridden around. Also, when it first happened, it was on my property. They were actually on my property. I don't want to be liable for anything that happens to these people.

CJ Antonucci: I live close by to Kim in that general community where the ATV riding has been going on for approximately three years. Personally, I agree that kids are definitely better off outdoors than instead of in front of TV's and video games, etc., however, there is a quality of life issue that people should come to understand that they have. I personally have a very young child that 3 years ago when this started, and during countless hours of the day sometimes my child is trying to nap or whatever the case is, you have this going on and so, the only way it ever stopped was when there had to be law enforcement involved in ticketing and fining and it seems though that even a conversation that we've tried to have in the past really go's out the window because there is no mutual respect between the parties involved, so it is very likely that legislation might be needed to somehow curtail this from becoming into a potentially escalated matter in the future, not just in our case-but generally speaking. If there is no mutual respect, then unfortunately law and legislation has to be passed to conduct that, or at least I expect it.

Patrick Kenny: I guess we're not going to beat a dead horse, you've pretty much heard everything, except sometimes they get bored and like to ride up and down the roads and Kinry Road School is right around the corner and that can't be good for anybody and just to rebut on what that guy said about you should be able to do what you want on your property, I play in a very loud heavy metal band, I don't put my stuff on the front lawn and blast it so everybody can hear it. You can't function with these things going. You can't watch TV or do anything, it's so loud. We've had to leave the house also and go out to dinner because you just don't want to sit there anymore and hear it.

Supervisor Tancredi made a motion to close the Public Hearing: Seconded by Councilman Carlos

CARRIED: 6-0

Councilman Carlos: After I talked to Mr. Harkin today, we came up with this 500 foot rule, the same as the firearms rule and when we first started this back in February or March, there was discussion amongst us as to how much, one acre, three acres, four acres, it sounds like there has to be some kind of restriction to protect some of the houses, but to not completely eliminate the use of these vehicles. This afternoon, I spoke to the Town Attorney, and we came up with some wording to modify the current resolution to make it within 500 feet of a dwelling and that substantially changes the section so, unless there is strong objection, I think we should table this, redo the wording and come back and pass it the right way, rather than hurt somebody.

Councilman Cifone: I definitely think we should look at it, but the problem is 500 feet may not be enough. Certain parcels of property, especially in my Ward, where property is quite extensive, but houses are on equal sides and 500 feet wouldn't be enough.

DISCUSSION CONTINUED AMONGST THE BOARD FOR OVER SEVEN MINUTES. TABLED TO 10/7/15.

Motion made to open Public Hearing #3: Supervisor Tancredi/M. Cifone

CARRIED: 6-0

NO SPEAKERS CAME FORWARD

Motion made to close Public Hearing #3: Supervisor Tancredi/ W. Carlos

CARRIED: 6-0

**9:16-03
PUBLIC HEARING**

**TOWN CODE
AMENDMENT-CHAPTER 195
PROHIBITED TURNS/
MALMROS/ROWLEY**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 16th day of September, 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 repeal 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 <u>Wappingers</u> <u>Central</u> School <u>District</u> buses * |
| Rowley Road | Southeast | Left | All | Vassar Road; except <u>Wappingers</u> <u>Central</u> School <u>District</u> 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 September 4, 2015 and published in the Poughkeepsie Journal on September 8, 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: W. Carlos/M. Cifone

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

CARRIED: 6-0

Supervisor Tancredi read the Agenda. Motion made to suspend the Rules for Public Comment on Agenda items. S/B. Carlos

Bob Casement: I would like to make a comment on when you set a Public Hearing for like property maintenance. The Board gets pictures of what this looks like, I'm wondering if it is possible that the TV could pick up those pictures and put them on so we in the audience could see those pictures also?

Supervisor Tancredi: Sure that is a good idea, we will work on that. Yes.

Fran Landau: I live next to 14 E. Dogwood Drive. Not in 22 years, have we ever had a roach in our home and now the neighborhood is getting infested and we are forced to spend money we don't have on exterminators and have to have chemicals in our house, which none of us need. We have four disabled people already living on the street, so we don't need that added to the mix. The Town and other people come and post flyers, throw them on the steps and stuff like that and the roaches are eating them and they are in the mailbox eating junk mail. They are traveling to everybody's house and this is a quality of life issue for us. We take care of each other, we take care of our houses and our neighborhood. These people left a pool of stagnant water in their back yard as well as a hot tub. The back lawn gets in excess of two feet high. The front lawn is an eyesore. There is moss growing on the roof. There is an odor I can't even describe coming from the house from an open window and we are trying to sell our house and it is so bad, my husband got to take a job upstate and I have to stay here because we can't get an offer with that mess next door. That's not fair! We have done everything the right way as neighbors, we all take care of each other, but we should not be subjected to this. It is an absolute nightmare. We've contacted the bank, the health department, the Town, the Building Inspector, everybody is trying to help us, but we are getting nowhere. This place has been vacant since mid-May.

DISCUSSION CONTINUED FOR A BIT. Virginia Buechele & Doreen Tignanelli then spoke re: Hudson Heritage, Vassar Fireworks & Municipal Agreement with Spackenkill Schools.

09:16-04 AUTHORIZE

**Marist College – Traffic Control
Agreement Extension**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee to execute a traffic control agreement with Marist College for the academic year of 2015/2016 as outlined in the July 21, 2015 memorandum from Police Chief Spero, and Marist College's letter of July 13, 2015, copies of which are attached, as modified to be a three (3) year agreement, terminable by either party on thirty (30) days written notice, with the payment to the Town to include the Town's actual overtime expense plus an additional payment to the Town to offset its indirect costs of 15% in 2015-2016, 18% in 2016-2017, and 20% IN 2017-2018.

SO MOVED: M. Cifone/W. Carlos

Supervisor Tancredi: This is the same agreement we've had for a number of years with Marist with the exception of this increased payment coming to the Town for these indirect costs. I want to thank the Chief for doing a lot of legwork and work on this but this will help cover things like gasoline and wear and tear on a vehicle and things like that.

ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Lepore,
Councilwoman Shershin and Supervisor Tancredi
Nays: None

CARRIED: 6-0

09:16-05 AUTHORIZE

**Dutchess Community College -
Traffic Control Agreement Extension**

TABLED TO OCTOBER 7TH, 2015

09:16-06 ADOPT

Hudson Heritage – Final Scope

RESOLUTION

**A RESOLUTION OF THE TOWN BOARD ADOPTING A FINAL
WRITTEN SCOPE FOR THE HUDSON HERITAGE PROJECT
PURSUANT TO 6 N.Y.C.R.R. SECTION 617.8**

WHEREAS, EFG/DRA Heritage, LLC (“EFG/DRA”) is the owner of the approximately 156-acre site of the former Hudson River State Hospital on Route 9 in the Town of Poughkeepsie (the “Site”); and

WHEREAS, the Site is located in the Historic Revitalization Development District (“HRDD”) under the Town Code of the Town of Poughkeepsie (“Town Code”); and

WHEREAS, EFG/DRA is proposing various amendments to the HRDD Regulations in the Town Code, and proposing to redevelop the Site as mixed-use, pedestrian-friendly, residential and commercial development (collectively, the “Project”); and

WHEREAS, by Resolution adopted on July 22, 2015, the Town Board designated itself Lead Agency for review of the Project under the New York State Environmental Quality review Act (“SEQRA”) pursuant to 6 N.Y.C.R.R. Section 617.6, and issued a Positive Declaration requiring the preparation of an Environmental Impact Statement (“EIS”) pursuant to 6 N.Y.C. R.R. Section 617.7; and

WHEREAS, EFG/DRA provided the Town Board with a draft scoping document in accordance with 6 N.Y.C.R.R. Section 617.8 (“Draft Scope”); and

WHEREAS, on or about July 23, 2015, the Draft Scope was provided to all Involved and Interested Agencies, as well as was made available for public review in accordance with 6 N.Y.C.R.R. Section 617.8; and

WHEREAS, on August 19, 2015, the Town Board held a public scoping session wherein the Town Board received comments from members of the public concerning the contents of the Draft Scope; and

WHEREAS, the Town Board received written comments concerning the contents of the Draft Scope from Involved and Interested Agencies, as well as the public, through August 31, 2015; and

WHEREAS, a final version of the Draft Scope was prepared by the Town Board’s professional consultants and staff with revisions reflecting the comments received and issues identified during the public review and comment period between July 23, 2015 and August 31, 2015 (the “Final Scope”)

NOW THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board accepts the Final Scope in substantial form as attached hereto as Exhibit “A,” which will focus the content and analyses of the EIS; and**
- 2. The Town Board directs that the Final Scope be circulated to EFG/DRA and its consultant team, as well as all other parties that have requested a copy.**

SO MOVED: J. Lepore/M. Cifone

Councilman Carlos: Neil, just a quick question before the vote, sir. What it says is that we addressed or we considered the comments. From what I understand you to say was the four comments about the same item, the historic buildings, it’s only in the one time, but it’s covered. The points that were brought out by the public are covered?

Neil Wilson: Yes, what we tried to do is to group like comments and looked at them to see what the similarities are and compare it against the original language to see if we need to modify it or maybe it is something we had not covered and there are some instances in the draft that you have in front of you now where that occurred. We had also received a lot of comments that were fairly general in nature. People saying “Well, we would like to see the historic buildings preserved.” Fine, but we also received other comments that were much more specific in terms of the type of preservation they would like to see pursued and those are the kinds of comments

that frankly are much more helpful for us and the developer to look at and try to address. The general comments, we get it, but we are really looking for some very specific comments, as much as we can get. So, that's essentially what we did. We took all of the comments that were received at the Public Hearing back in August. We had the Stenographer here, we had the transcript and took all the written comments as they came in and until the close of business on the 31st started looking at them and looking at them as they were coming in and we received quite a bit and all of those were posted to the Town website along with the transcript as well and then our internal consulting staff, David Cooper, Nea Peak, Michelle Williams as well as your Planning Staff, myself, Eric Hollman, worked on those and we shared drafts as they were being worked on with the folks from DRA as well, and it was kind of a process and what you see is a culmination of the comments we received and attempting to distill them down and update the documents so that it covers all the relevant basis.

That's what you have tonight.

Councilman Lepore: The comments that came in, do we pass them to DRA, all those comments? (Yes definitely)

EXPLANATION OF THE PROCESS CONTINUED FOR A BIT.

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

Nays: None

CARRIED: 6-0

**09:16-07 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 7th day of October, 2015 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: A. Shershin/M. Cifone

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

Nays: None

CARRIED: 6-0

**09:16-08 SET DATE FOR
PUBLIC HEARING**

**Town Code Amendments – Chapter 154
And Chapter 105 – Plumbing**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 7th day of October, 2015 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 amendments to the Town of Poughkeepsie Code, relating to plumbers’ licenses at Chapter 154 specifically, Article IV, Section 154-27, entitled “Examination of applicant”, and Chapter 105, specifically Section 105-4, entitled “Fee schedule”, which amendments are as follows, with the words underlined to be added, and those words stricken* to be deleted:

(* stricken items will be in brackets { })
Section 154-27 Examination of applicant.

A person desiring or intending to conduct the trade, business or calling of plumbing as set forth in this Article shall be required to submit to an examination as determined by the { before the } administrative authority as to his or her experience and qualifications for such trade, business or calling. { Examinations will be scheduled three times annually. }

Section 105-4. Fee schedule.

O. Chapter 154, Plumbing.

(2) Plumber’s examination fee: { \$200. } Per Examining company.

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie determines that this action is a Type II Action and does further determine that no further environmental action is required; and

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

SO MOVED: Supervisor Tancredi/M. Cifone

Councilwoman Shershin: This was as a result of the Plumbing Committee. They are no longer using the testing company they had that actually came here and we had to have a person oversee the test and now we are with Pearsonview and they are located in Albany and Westchester so the plumbers have to travel there, but it is better for them because they can take it any time. I believe they are open five days of the week so they can schedule whenever it is convenient for them to go and take the test there plus we had to charge more for the test because we had to cover

having the proctor come here so this way they just have to pay what the company charges, which is I believe is \$100 and so it's better for the plumbers, it's more flexible for the plumbers.

Supervisor Tancredi: Is this a test that other municipalities, remember the last one there was only a few municipalities that had the same test ---

Councilwoman Shershin: No, there's even fewer that use this one.

Supervisor Tancredi: Fewer? So, what was the thought about not using a test that is more common so that there may be reciprocal agreements?

Councilwoman Shershin: The one that was more common, the problem was with scheduling the tests. The company they were dealing with, they didn't show up or they would try to schedule and they couldn't contact anyone to even make an agreement with them to come and give the test here and so this is better for the plumbers and more flexibility.

Councilman Cifone: Is there still a minimum standard as to how many years?

Councilwoman Shershin: Yes and this is a comparable test to what we had.

Councilman Cifone: Do you know how many years they have to be as an apprentice?

Councilwoman Shershin: It's still ten.

Councilman Baisley: The only issue I have is, there should be a set fee, not set by a company. We should have a contract with them for someone from the Town going up there. The plumber should know when he comes in here that there is an examination fee and we should have a yearly contract with them or something so we can at least let them know when they are coming in.

Councilwoman Shershin: The problem is who you pay it to, because they are paying it directly to the company. If we set the fee, then we need to collect it and pay the company. Is that correct, Jim?

Town Attorney Nelson: Yes, what you could do, if you wanted to, is to put in the amount and then instead of say "per examining company", say "Paid to examining company". The only practical problem that comes up is when they want to raise their price, they will come back to you and ask you to do an amendment, but we do amendments of charges in other cases. You could leave it or you could put in the number and say "Paid to Examining Company" and put it on for a hearing like that.

Councilman Lepore: This is \$200 for how long?

Councilwoman Shershin: I believe its \$100 now.

Town Attorney Nelson: If you want to disclose what it is, you put in the \$100.

Supervisor Tancredi: We are not setting this fee or accepting this fee, this is a fee independent and the way it is set up, they go to this independent testing company to take this plumbing test, the fee is paid to that company and the test is scored by that company and we are informed of the score. My big concern is the same thing we had the last time, we are going to have a test that isn't given by many municipalities, a problem we ran into with the last one and so it creates a difficult time having a reciprocal arrangement with these other municipalities or does it not?

Town Attorney Nelson: Well, the issues that relate to reciprocity, they remain.

Supervisor Tancredi: Right, but if we had a testing company that's, let say Rockland, or Albany County or some of these other counties use, we use the same one, wouldn't that improve the reciprocity issue and allow us a better reciprocal relationship?

Town Attorney Nelson: It probably would, but frankly, I can't remember whether those other places say that they will reciprocate with us if we have the same test or if we have a similar test. If it were the same, it is black and white. Either it matches up or it doesn't then you don't even have a debate as to whether it is similar.

Councilwoman Shershin: Yes, because as I recall, we only have reciprocity with Putnam.

Supervisor Tancredi: Right, but what I want to avoid is the problems we've encountered in the past.

Councilwoman Shershin: Yes, but there are some other things we could do to correct those problems we've been having in the past. The way this is written, too, it gives the Plumbing Board flexibility on who the testing agency is because it is just determined by them so therefore they can change testing companies as need be. We are not specifying a specific company.

Town Attorney Nelson: So you have it in front of you where the fee is as charged by the company—

Councilman Baisley: Can't we just put Plumber Examination Fee to be covered by applicant?

Supervisor Tancredi: I don't want it written where the Plumbing Board can change companies at will. I think this Board ought to be the Board that determines the things such as testing and I just have an issue with that. We are elected, we answer

to the public, including the plumbers, but the residents, I think we make those type of decisions. Theoretically you could change once a month, now if that's the case if this is written that way, Jim, we won't know even that our testing has changed.

Town Attorney Nelson: So, would you change the third line from Administrative Authority to Town Board? Is that what you are suggesting?

Supervisor Tancredi: Absolutely!

Town Attorney Nelson: Ok.

Councilwoman Shershin: Why don't we go ahead and Table this and discuss it further? There is no need to set a Public Hearing and no rush to do this now and so let's table this and discuss it further.

Supervisor Tancredi: Ok, table this until the meeting in October? Yes. Seconded by Councilwoman Shershin

TABLED TO OCTOBER 7TH, 2015

**09:16-09 SET DATE FOR
PUBLIC HEARING**

**Property Maintenance – 45
Pleasant Lane**

RESOLUTION

WHEREAS, Orders to Remedy, copies of which are attached hereto, have been issued for property located at 45 Pleasant Lane, 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 7th day of October, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York 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: J. Baisley/W. Carlos

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

Nays: None

CARRIED: 6-0

**09:16-10 SET DATE FOR
PUBLIC HEARING**

**Property Maintenance – 14 East
Dogwood Drive**

RESOLUTION

WHEREAS, Orders to Remedy, copies of which are attached hereto, have been issued for property located at 14 East Dogwood 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 7th day of October, 2015 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: W. Carlos/J. Baisley

Councilman Carlos: Is there any way we can add roaches?

Supervisor Tancredi: Well, we've got another, we've got a Special Consent, which I was going to ask, I know there are some residents here, so they don't have to sit through the rest of the meeting that we move up that also relates to this location.

Councilman Carlos: And that will solve that problem.

Town Attorney: That specifically refers to insects. Yes.

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

Nays: None

CARRIED: 6-0

09:16-26 and SC2 moved up with the Board's approval.

ORDER TO REMEDY ATTACHED TO FINAL BOOK COPY

**09:16-26
AUTHORIZE**

**SPECIAL CONSENTS
SC 1, SC 2, SC 3**

RESOLUTION

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

- 1. Authorize the Supervisor to sign Inter- Municipal Agreement with Spackenkill School District.**
- 2. Set date for a Public Hearing / Unsafe Building - 14 East Dogwood Drive.**
- 3. Notification-the following claim has been referred to Legal:
1. Allstate V. Town (subrogation/Shih claim)**

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

SO MOVED: J. Baisley/W. Carlos

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

CARRIED: 6-0

**09:16-SC2 SET DATE FOR
PUBLIC HEARING**

**Unsafe Building – 14 East Dogwood
Drive**

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated September 16, 2015 to the Town Board of the Town of Poughkeepsie regarding 14 East Dogwood Drive, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6160-03-001097 (“the Premises”), the owner of record being Deutsche Bank National Trust Co. Trustee, SW 3815 Temple, Salt Lake City, UT 84115, showing that the Premises and the building on it are

dangerous and unsafe to the general public, open at the doorways and windows, infested with insects, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, and that they are unsanitary and present a health, fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of attached Findings and does hereby adopt said Findings and directs that they be spread across the record as if they, in fact, had been read verbatim; and

BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, including the recovery, levy and collection of Town expenses as an ad valorem levy will be held before the Town Board on October 7, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.

SO MOVED: Supervisor Tancredi/J. Baisley

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

CARRIED: 6-0

Supervisor Tancredi: All of us would agree if we could, we would have someone in there tomorrow, we have to wait? There is no way we can do this before ---

Town Attorney Nelson: Wayne Cichon, the Assistant Building Inspector has been in touch with the Health Department and he has looked at the emergency action section of the Code which if there is determination that this presents an imminent threat to public safety or health, he can move more quickly and I was speaking with him about that today and he wanted to get these resolutions on so they were certainly moving towards the October hearing date, but he is exploring whether emergency action would be appropriate and he is looking to see if he could have documentation from somebody who does understand roaches to support him in a conclusion that this requires immediate action.

Supervisor Tancredi: That is something I will certainly talk to him in the morning and see if we can get him to move in that direction as well because I think this is a serious problem for all of you.

Councilman Lepore: To also add, they left the door unlocked and wide open. It's a shame that we've been getting a lot of this. There is nothing we can do to go after the banks and make them accountable of this?

Town Attorney Nelson: Well, yes, one of the things we are always concerned with is making sure that the cost of this is passed on to the owner and not borne by the taxpayers and so the resolutions we have include pass through the owners and Wayne

is working on this emergency with an eye also, not just to get it taken care of, but to make sure that the cost is past through to the owner.

Supervisor Tancredi: Part of the reason we have to go through this process in terms of covering ourselves legally so we can make sure the owners carry the tab as well.

ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Lepore,
Councilwoman Shershin and Supervisor Tancredi
Nays: None

CARRIED: 6-0

09:16-11 SET DATE

**Special Meeting Regarding The
Presentation of the Tentative
Budget To The Town Board**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby call a Special Town Board Meeting on Wednesday, September 30, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY for the following:

- 1. Presentation of the Tentative Budget.**
- 2. Any other matters that may legally come before the Board.**

SO MOVED: W. Carlos/M. Cifone

ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Lepore,
Councilwoman Shershin and Supervisor Tancredi
Nays: None

CARRIED: 6-0

09:16-12 APPROVE

**Freedom From Workplace Bullies
Week October 18-24, 2015**

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 18-24, 2015 “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/W. Carlos

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

CARRIED: 6-0

09:16-13 SET DATE FOR PUBLIC HEARING Community Development Block Grant Program

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 7th day of October, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2016, of which the Town of Poughkeepsie is a member.

SO MOVED: J. Lepore/J. Baisley

Supervisor Tancredi: We are going to make an application to apply for a grant to work on sidewalks and lighting and maybe some trees like we have in Arlington, but this is going to be on the north side of Main Street. They've changed the census line, it used to go directly down Main Street so we could only grab these monies to do work on the south side of Main Street and down in Arlington, in that section. We are going to move to the north side and it's nice that we can because if you drive down Main you can see that the Southside has been done with trees and lighting and sidewalks and the north side hasn't because we couldn't.

Councilwoman Shershin: The North side is in a really bad shape and so this is a very good thing.

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

CARRIED: 6-0

09:16-14 AUTHORIZE Car Show – Arlington Professional Firefighters Association

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application received from Robert Shilkunas to hold the Arlington Professional Firefighters Association and Dyson Racing Benefit Car Show at the Dyson Racing property located at 38 Victory Lane, Poughkeepsie, NY on September 19, 2015 with a rain date of September 20, 2015; and

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

SO MOVED: A. Shershin/M. Cifone

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

CARRIED: 6-0

09:16-15 AUTHORIZE

Car Show – American Legion

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application received from William Doxsey to hold the Sons of the American Legion Benefit Car Show at 55 Overlook Road, Poughkeepsie, NY on September 19, 2015; and

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

SO MOVED: Supervisor Tancredi/W. Carlos

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

CARRIED: 6-0

**09:16-16 SET DATE FOR
PUBLIC HEARING**

**Town Code Amendment – Chapter
195 Lindbergh Place/Darrow
Place**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 7th day of October, 2015 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 amendments to the Town Code, Chapter 195, entitled "Vehicles and Traffic", specifically Sections 195-51. Schedule XVI:

“Parking Prohibited Certain Hours”, 195-41, Schedule VI: “Prohibited Turns at Intersections”, and 195-39, Schedule IV: “One-Way Streets, as follows:

DELETE: Section 195-51. Schedule XVI: “Parking Prohibited Certain Hours”:

| Name of Street | Side | Hours | Location |
|------------------------|--------------|----------------------------------------------------------------------------------------|----------------------------------------------------|
| Lindbergh Place | North | 7:00 a.m. to 9:00 a. m. And 4:00 p.m. to 6:00 p.m. Monday/to Friday | From Innis Avenue to North Grand Avenue |

DELETE: Section 195-41. Schedule VI: “Prohibited Turns at Intersections”:

| Name of Street | Direction Of Travel | Prohibited Hours Turn | At Intersection of |
|------------------------|--------------------------------|----------------------------------|-------------------------------------------------------------------------------------------|
| Lindbergh Place | West | Left | 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m./Monday to Friday |
| | | | Innis Avenue |

ADD: Section 195-39. Schedule IV: “One-Way Streets”:

| Name of Street | Direction Of Travel | Limits |
|------------------------|--------------------------------|---------------------------------------------------------------------------|
| Lindbergh Place | East | From Innis Avenue To North Grand Avenue and Eastbound only |

ADD: Section 195-51. Schedule XVI: “Parking Prohibited Certain Hours”:

| Name of Street | Side | Hours/Days | Location |
|-----------------------|-------------|-------------------------------------------------------------|-----------------------------------------------------------------|
| Darrow Place | Both | 8:00 a.m. to and 5:00 p.m./ Monday to Friday | East side and west side including the cul-de-sac |

AND BE IT FURTHER RESOLVED, 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 RESOLVED, that said local law, if adopted, shall become effective immediately upon filing with the Secretary of State.

SO MOVED: J. Baisley/W. Carlos

Councilman Cifone: As far as the Lindbergh Place goes, this was in regard to a petition we received from the residents up there asking basically if we could take that light out as well. So, we are doing a traffic study and follow up on it and take that light out and make it a stop intersection at North Grand and Lindbergh. Engineering is going to be working on it in the next couple of weeks and so we would like to eventually take that light out.

Supervisor Tancredi: What do they think the benefit would be to take a light out and put Stop Signs in?

Councilman Cifone: Nobody is stopping at the light anyway, they are going through the red lights and turning and kids---

Supervisor Tancredi: So, they are not going to go through a stop sign?

Councilman Cifone: A stop sign will make it a little easier and we are also making it so that you can't make a left hand turn off of North Grand and eventually on to Lindbergh and so that will stop it a little bit. It will slow down the traffic and you pretty much have to stop. We are going to monitor it, you can't have a cop everywhere all the time. But, that light at that intersection is a dangerous light anyway.

Supervisor Tancredi: Let me ask you about Darrow Place. No parking on both sides. This is during the day.

Councilman Cifone: I don't know anything about Darrow Place. That's Joe Conte's.

Supervisor Tancredi: Oh, he's not here. Ok, let's set the Public Hearing Date and then we can talk later, I'm just surprised it's during the day.

ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Lepore,
Councilwoman Shershin and Supervisor Tancredi
Nays: None

CARRIED: 6-0

09:16-17 AUTHORIZE

**Vassar College Fireworks –
Serenading Event**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Vassar College to include a fireworks display at its Serenading weekend event to be held on Sunday, September 20, 2015.

WHEREAS, the applicant has notified the local Fire Department; and

WHEREAS, a Certificate of Liability Insurance has been filed with the Town Clerk naming the Town of Poughkeepsie as an additional insured; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application as submitted for a fireworks display to be held on Sunday, September 20, 2015 at 9:00 p.m. on Vassar College Campus, Poughkeepsie, New York.

SO MOVED: W. Carlos/M. Cifone

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

CARRIED: 6-0

09:16-18 AUTHORIZE

**Vassar College Fireworks –
Leukemia & Lymphoma Walk**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Vassar College to include a fireworks display at the Leukemia & Lymphoma Society Light the Night event to be held on Saturday, October 17, 2015; and

WHEREAS, the applicant has notified the local Fire Department; and

WHEREAS, a Certificate of Liability Insurance has been filed with the Town Clerk naming the Town of Poughkeepsie as an additional insured; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application as submitted for a fireworks display to be held on Saturday, October 17, 2015 at 9:00 PM on Vassar College property, Raymond Avenue, Poughkeepsie, New York.

SO MOVED: M. Cifone/W. Carlos

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

CARRIED: 6-0

09:16-19 ACCEPT/AUTHORIZE

Bihn Sale/Easement Documents

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute such documents as are required to effect the acquisition from Helmuth and Donna Bihn of certain real property title (\$919.00), easements (\$10,223.00) and temporary easements (\$991.00 per year), plus related costs and tax prorrations, which acquisitions are part of the Country Club Sewer District Decommissioning Improvement Project; and

BE IT FURTHER RESOLVED, that this is part of an ongoing improvement project which has previously been the subject of a SEQR review.

SO MOVED: J. Lepore/M. Cifone

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

CARRIED: 6-0

**09:16-20 ACCEPT/AUTHORIZE
SUPERVISOR TO SIGN**

**Hudson Conference Center/ Easement
Documents**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute such documents as are required to effect the acquisition from Hudson Conference Center, LLC of certain easement rights (\$3,738.00) and temporary easements (\$951.00 per year), plus related costs and tax prorrations, which acquisitions are part of the Country Club Sewer District Decommissioning Improvement Project; and

BE IT FURTHER RESOLVED, that this is part of an ongoing improvement project which has previously been the subject of a SEQR review.

SO MOVED: A. Shershin/M. Cifone

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

CARRIED: 6-0

09:16-21 RETAIN

**Van De Water & Van De Water –
Eminent Domain Proceeding/MVK**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Van De Water & Van De Water, LLP, attorneys to the Town, at the rate of \$185.00 per hour for partners, \$175.00 per hour for associates and \$80.00 per hour for paralegals, to represent the Town’s interest in a condemnation proceeding to acquire necessary easements and property interests from owner MVK Enterprises, Inc. in connection with the Country Club Sewer District improvements.

SO MOVED: Supervisor Tancredi/W. Carlos

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

CARRIED: 6-0

09:16-22 AUTHORIZE

Liturgical Publishers Agreement

SUPERVISOR TO SIGN

RESOLUTION

TABLED TO OCTOBER 7TH 2015

09:16-23 AUTHORIZE

**Poughkeepsie Joint Water Board –
IBM Global**

SUPERVISOR TO SIGN

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign all papers necessary and proper to approve the Assignment by IBM Corporation of the IBM Water Supply Agreement with the Dutchess County Water and Wastewater Authority to Global Foundries U.S. 2 LLC, the Agreement as assigned to be secured by a guarantee of its parent corporation, Global Foundries US, and

BE IT FURTHER RESOLVED, that this assignment represents part of the ongoing administration of the Town of Poughkeepsie’s affairs involving no change which would create a substantial adverse environmental impact, and it is a Type 2 action requiring no SEQRA review.

SO MOVED: J. Baisley/W. Carlos

Supervisor Tancredi: This is the water that flows to the East Fishkill site that IBM has sold to Global Foundries.

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

CARRIED: 6-0

**09:16-24 ACCEPT/AUTHORIZE Poughkeepsie Joint Water Board –
SUPERVISOR TO SIGN Hopewell Glen Water District**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to consent on behalf of the Town to an addendum to the Poughkeepsie Water Sale and Purchase Agreement between the Poughkeepsie Joint Water Board and the Dutchess County Water and Wastewater Authority extending for two years the Authority’s water purchase option and water storage agreements in favor of the Town of East Fishkill’s Hopewell Glen Water District, and

BE IT FURTHER RESOLVED, that this agreement represents part of the ongoing administration of the Town of Poughkeepsie’s affairs with no change which would create a substantial adverse environmental impact and is a Type 2 action requiring no SEQRA review.

SO MOVED: W. Carlos/M. Cifone

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

CARRIED: 6-0

**09:16-25 ACCEPT/AUTHORIZE Stormwater, Sidewalk, Sanitary
SUPERVISOR TO SIGN Agreements – Golden Corral**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Stormwater Maintenance Easement in regard to the project known as the Golden Corral; 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, Sidewalk Maintenance Agreement, Sanitary Sewer Easement and any supporting recording

documents in regard to the Golden Corral project, in substantially the form attached; 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/W. Carlos

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

CARRIED: 6-0

**STORMWATER MANAGEMENT FACILITY
INSPECTION AND MAINTENANCE AGREEMENT
ATTACHED TO FINAL BOOK COPY**

09:16-26 AUTHORIZE

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

(ALREADY READ, ALONG WITH SC 2)

SC 1 AUTHORIZE

**Intermunicipal Agreement with
Spackenkill School District**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an Intermunicipal License and Drainage Agreement with the Spackenkill School District in substantially the form annexed and on such terms as are acceptable to the Town Highway, Engineering and Legal Departments, and

BE IT FURTHER RESOLVED, that this agreement represents part of the ongoing administration of the Town of Poughkeepsie's affairs with no change which would create a substantial adverse environmental impact and is a Type 2 action requiring no SEQRA review.

SO MOVED: J. Lepore/M. Cifone

CARRIED: 6-0

SC 3 NOTIFICATION

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

1. Allstate V. Town (Subrogation/Shih Claim)

**Motion made to suspend the rules for public comments or questions on Town issues:
Supervisor Tancredi/ B. Carlos**

CARRIED: 6-0

Doreen Tignanelli: I just have a question for Councilman Lepore. You voted on both agenda items 17 and 18, do you still have a business relationship with Vassar College?

Councilman Lepore: Not at the moment. But we do have contracts ongoing but we don't have a steady contract with Vassar.

Doreen Tignanelli: Well, I would say that to avoid the appearance of impropriety I would hope that in the future if you have any contracts through your business with any agenda items that come before the Board that you would be abstaining.

Councilman Lepore: I agree.

Doreen Tignanelli: My other question was about the condemnation and eminent domain. Is that because these people didn't want to sell property, is that how---

Supervisor Tancredi: We haven't been able to come to an agreement. What we need is an easement. We haven't been able to come to an understanding so we are up against a deadline and we need to start the process—if we can't come to an agreement, we need to start this process. It's a small value that we would need for the easement, less than \$5,000. So, it's not a big deal, the owner just hasn't been cooperative.

Doreen Tignanelli: Is it a commercial property, or---

Supervisor Tancredi: It's vacant. It's across Route 9 where the storage place and Bonefish is, it's just down from that where our pipes are going to go under Route 9 and related to this Country Club project.

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

CARRIED: 6-0

Motion made to close the meeting: Supervisor Tancredi/W. Carlos

CARRIED: 6-0

MEETING CLOSED AT 8:23 PM

FS:lkm