

**MINUTES OF TOWN BOARD MEETING  
HELD ON OCTOBER 21, 2015 AT 7:00 PM  
AT TOWN HALL, ONE OVEROCKER ROAD  
POUGHKEEPSIE, NEW YORK**

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

**ABSENT:** Councilman Conte  
Councilman Cifone

**Motion made to suspend the rules for Public Hearing #1: Supervisor Tancredi/  
W.Carlos**

**CARRIED: 5-0**

**NO SPEAKERS CAME FORWARD**

**Motion made to resume the rules: Supervisor Tancredi/Councilman Carlos**

**CARRIED: 5-0**

**10:21-01 PUBLIC HEARING**

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

**RESOLUTION**

**BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 21<sup>st</sup> day of October, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town of Poughkeepsie Plumbing Code, Chapter 154, 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:**

**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 Building Inspector ~~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~~ \$100.000 payable to examining company.**

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

**BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on October 9, 2015 and published in the Poughkeepsie Journal on October 13, 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/W. Carlos**

**Councilwoman Shershin: I think this is a good compromise and it is going to help make testing for the plumbers more convenient and more affordable for them.**

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

**Nays: None**

**CARRIED: 5-0**

**Motion made to open Public Hearing #2: Supervisor Tancredi/W. Carlos**

**CARRIED: 5-0**

**Sarah Davis, Zoning Administrator: 15 Wilmar is still a wreck, but I do have a letter from the River Realty who has been hired by the bank to maintain the property. They assured me it would be done by this weeks end. It was not today.**

**Supervisor Tancredi: Ok, we will still approve this and that way you can use your discretion if it's done and if it isn't done, we can still act.**

**Sarah Davis: I think that would be a good idea.**

**Motion made to close Public Hearing #2: Supervisor Tancredi/W. Carlos**

**CARRIED: 5-0**

**10:21-02 PUBLIC HEARING**

**Property Maintenance – 15  
Wilmar Terrace**

## **RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 21, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 15 Wilmar Terrace, Town of Poughkeepsie, County of Dutchess State of New York, bearing Grid No. 6162-10-273629, owned by Charles Christian LaPolt is in violation of Chapter 159; and

**BE IT FURTHER RESOLVED**, that the Legal Notice of Public Hearing was posted on October 8, 2015 and published in the Poughkeepsie Journal on October 10, 2015; and

**BE IT FURTHER RESOLVED**, that said determination is based on the presentation and report submitted at the public hearing by the Town of Poughkeepsie Zoning Administrator; and

**BE IT FURTHER RESOLVED**, that said owner of 15 Wilmar Terrace has not complied with the Orders to Remedy; and

**BE IT FURTHER RESOLVED**, that the Town shall cause the removal of all garden waste, fallen tree limbs and shall cut and continue to cut the grass to a height not to exceed 6 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained; and

**BE IT FURTHER RESOLVED**, that the charges shall be sent to the registered owners of said property for reimbursement; and

**BE IT FURTHER RESOLVED**, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

**BE IT FURTHER RESOLVED**, that the Highway Department or an appointed contractor is authorized to cut and continue to cut the grass to a height not to exceed 6 inches and to remove and continue to remove all garden waste and fallen tree limbs, solid waste, debris and litter.

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

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

Nays: None

**CARRIED: 5-0**

**Motion made to open Public Hearing # 3: Supervisor Tancredi/A. Shershin  
CARRIED: 5-0**

**Sara Davis: Debris and garbage and tall grass still around the house.**

**Supervisor Tancredi: Mr. Casement had made a suggestion a few weeks ago, that if possible, if we could, put the pictures up—**

**Sarah Davis: Yes, but he isn't hear tonight and so I didn't want to start the process until he is.**

**Councilwoman Shershin: There is a car there.**

**Sarah Davis: Yes, the elder parent died and so they just left the car there.**

**Supervisor Tancredi: Oh, we will do it then in the near future, ok.**

**NO OTHER SPEAKERS CAME FORWARD**

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

**CARRIED: 5-0**

**10:21-03 PUBLIC HEARING**

**Property Maintenance – 11  
Darlene Drive**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 21, 2015 at 7:00 pm at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 11 Darlene Drive, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6059-08-958760, owned by Arlen Haymes is in violation of Chapter 159; and**

**BE IT FURTHER RESOLVED, that the Legal Notice of Public Hearing was posted on October 8, 2015 and published in the Poughkeepsie Journal on October 10, 2015; and**

**BE IT FURTHER RESOLVED**, that said determination is based on the presentation and report submitted at the public hearing by the Town of Poughkeepsie Zoning Administrator; and

**BE IT FURTHER RESOLVED**, that said owner of 11 Darlene Drive has not complied with the Orders to Remedy; and

**BE IT FURTHER RESOLVED**, that the Town shall cause the removal of all garden waste, fallen tree limbs and shall cut and continue to cut the grass to a height not to exceed 6 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained; and

**BE IT FURTHER RESOLVED**, that the charges shall be sent to the registered owners of said property for reimbursement; and

**BE IT FURTHER RESOLVED**, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

**BE IT FURTHER RESOLVED**, that the Highway Department or an appointed contractor is authorized to cut and continue to cut the grass to a height not to exceed 6 inches and to remove and continue to remove all garden waste and fallen tree limbs, solid waste, debris and litter.

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

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

**CARRIED: 5-0**

**ATTACHMENT TO FINAL BOOK COPY**

**Motion made to open Public Hearing #4 Supervisor Tancredi/A. Shershin**

**Sarah Davis: Unfortunately, this is a reverse mortgage and both of the parties are dead and I guess the mortgage is more than the house is worth. Someone is cutting the grass, but I can't find anyone to remove the garbage and the neighbors would appreciate it if it were gone.**

**NO OTHER SPEAKERS CAME FORWARD**

**Motion made to close Public Hearing #4 : Supervisor Tancredi/W. Carlos**

**CARRIED: 5-0**

**10:21-04 PUBLIC HEARING**

**Property Maintenance – 40 Rochdale Road**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 21, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled “Property Maintenance”, does hereby determine that said property located at 40 Rochdale Road, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid # 6362-01-444820, owned by John and Dorothy LoGiudice is in violation of Chapter 159; and**

**BE IT FURTHER RESOLVED, that the Legal Notice of Public Hearing was posted on October 8, 2015 and published in the Poughkeepsie Journal on October 10, 2015; and**

**BE IT FURTHER RESOLVED, that said determination is based on the presentation and report submitted at the public hearing by the Town of Poughkeepsie Zoning Administrator; and**

**BE IT FURTHER RESOLVED, that said owner of 40 Rochdale Road has not complied with the Orders to Remedy; and**

**BE IT FURTHER RESOLVED, that the Town shall cause the removal of all garden waste, fallen tree limbs and shall cut and continue to cut the grass to a height not to exceed 6 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained; and**

**BE IT FURTHER RESOLVED, that the charges shall be sent to the registered owners of said property for reimbursement; and**

**BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance: and**

**BE IT FURTHER RESOLVED, that the Highway Department or an appointed contractor is authorized to cut and continue to cut the grass to a height not to exceed 6 inches and to remove and continue to remove all garden waste and fallen tree limbs, solid waste, debris and litter.**

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

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

**CARRIED: 5-0**

**Motion made to open Public Hearing #5: Supervisor Tancredi/A. Shershin**

**CARRIED: 5-0**

**NO SPEAKERS CAME FORWARD**

**Motion made to close Public Hearing #5: Supervisor Tancredi/W. Carlos**

**CARRIED: 5-0**

**10:21-05 PUBLIC HEARING**

**Town Code Amendment – Chapter 195-  
50 – No Standing – To allow For the  
Delivery/Pick-Up To New Hamburg  
Residents**

**RESOLUTION**

**BE IT ENACTED, that the Town board of the Town of Poughkeepsie, pursuant to a public hearing held on the 21<sup>st</sup> day of October, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend the Town Code, Chapter 195, entitled “Vehicles and Traffic”, specifically “Section 195-53, Schedule XVIII: No standing Certain Hours”, and “Section 195-53. Schedule: XVIII No Standing Certain Hours the underscored Language as follows:**

**All Town streets and roads west of the westerly terminus of the Bridge Street Bridge between Reed Road and River Road from 6:01 a.m. to 7:59 p.m. Monday through Saturday. This restriction shall not apply to passenger vehicle parking as otherwise permitted, or to otherwise legally operated commercial vehicles which are standing while engaged in the pick up or delivery of merchandise or property at a Residence, Restaurant or Café, Place of Religious Worship, Marina, or a Retail Business which primarily provides merchandise or property to retail customers at the Retail Business site. Capitalized terms are as defined in the Town Zoning Law. And to delete from Section 195-50. Schedule XV: No Standing the stricken language as follows:**

~~All Town owned streets west of the westerly terminus of the Bridge Street Bridge between Reed Road and River Road from 6:01 a.m. to 7:59 p.m. Monday through Saturday~~

AND BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on October 9, 2015 and published in the Poughkeepsie Journal on October 13, 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: Supervisor Tancredi/J. Baisley

Councilman Carlos: This is the one we had a discussion on the last time, whether or not to put Sunday in. Are we talking about the same one (Yes) and this means Monday through Saturday and so Sunday is not involved? (Correct) Sunday is unchanged?

Councilman Baisley: Yes, just wording.

Supervisor Tancredi: This is simply to allow for and make sure our Officers, to clarify the language so that we allow for local deliveries to make deliveries of local delivers. It is simply clarifying that language.

ROLL CALL: Ayes: Councilman Baisley, Carlos, Lepore, Councilwoman Shershin and Supervisor Tancredi

Nays: None

CARRIED: 5-0

Motion made to open Public Hearing #6: Supervisor Tancredi/A. Shershin

CARRIED: 5-0

Ed Decker: This issue is not anything new, 10 years ago was when this probably started. The people moved out, the house was deteriorating when they lived in it and people came to look at it to buy it and stepped in the front door, turned around and walked back out. It's that bad. You can call it a pig pen, but we've seen no pigs running through, but we have skunks, woodchucks and groundhogs, frogs, birds, snakes. The place is a mess. (Mr. Decker had pictures to show Board – attached to final copy as well) Up until about a month ago, came to see Wayne Cichon and I am thankful for that and so maybe now we will get something done. The neighborhood

has asked that it be rebuilt or tear it down, it's that bad. There is an extension on this house that the guy put on without a building permit and it's still there and you can see that the edge of the extension is about 6 feet from the neighbors' property line. The pictures show clearly my main concern and that is, it's a fire hazard. It's totally surrounded by trees and brush. If it catches on fire, that's my concern. Thank you.

**Wayne Cichon, Deputy Building Inspector:** This is a history report for about the last ten years that we've been involved with this property. It's in a very poor condition. It's wide open at the eaves. It's got a lot of rot going on. The people literally walked away from this quite a while ago and we've had a number of Orders to Remedy issued on the property and we've actually revoked the CO for the Building Permit for the addition because it is materially different and according to our law, what they did was not allowed and so this is all part of what was in the presentation along with a grouping of pictures that brings us from 2005 through actions and through the Zoning Administrators office, and also our Fire Inspector on this property. It's a blight on the neighborhood. This place has brought down the effective value of the neighborhood. The building right at this point in time and what we know about it, is that its registered owner is a place called Zoological/Ecological Research Foundation Inc. This company doesn't have incorporation paperwork that we've been able to find in the State of New York and I know I made that part of the package I presented to you. We've actually done the research of looking around in other States surrounding us and none of the States has this registered. The IRS doesn't have it registered. What the owner has said before and to me at the Building Department a couple of years ago is that they have turned it into a research facility to understand how animals lived in houses, which I obviously don't get too much. If you follow it, it would be a "Not for profit organization", but in the end, you would still have to go through certain actions. One of those, certainly a Special Use Permit would be needed at the very, very least and also you would need a Building Permit for the change of occupancy in the status of the building. We aren't even talking about the rot that's on there. Now, we have received a number of complaints over the years. We've had the police and fire department respond there because of water flowing from the building during the winter because there was no one there to take care of it. With some of these complaints, they talked about kids being in here. Flashlights at night, that kind of thing. This is a really nice area of homes in here and the people take care of their property. This is just an eyesore! It's rotting, it's open to the weather. It's in very, very poor condition. What we are asking for is the obvious, which is to go in and secure the structure, and have an order to repair or demolish.

**Council Woman Shershin:** I also googled this Not For Profit and it appears it's being run out of some guys house in Eastern Connecticut.

**Todd Tancredi:** My own suspicion is that it basically is a fabricated, sham

**Wayne Cichon:** Over a period of the last ten years for this property, the actual “owner name” has changed several times. Three happen to be the same individual that lives in Eastern Connecticut. So, if it were legitimate, then why not take the steps you need to do to make it right?

**Councilwoman Shershin:** The filings with the IRS are not that hard to do and, it appears that the property only sold the last time for \$1,000.00. That’s sad.

**Joe Armstrong:** I find it surprising that a building in this shape takes so long to resolve it. It seems to me that there isn’t legal action that the Town can’t take this place over and demolish it, sell the land and be done with it? And sell it for enough to recoup our costs and resolve this issue? Seems to me this is going to go on for ever. How it got this far and falling through the cracks, I don’t understand.

**Todd Tancredi:** Hopefully this is going to be a start in correcting it.

**Motion made to close Public Hearing #6: Supervisor Tancredi/W. Carlos**

**CARRIED: 5-0**

**10:21-06 PUBLIC HEARING**

**Unsafe Building -83 Marple Road Ext.**

**RESOLUTION**

**WHEREAS, by Resolution 10:7-SC1 of 2015 adopted on October 7, 2015, the Town Board of the Town of Poughkeepsie has determined that the Premises and the building on it located at 83 Marple Road Extension, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6162-20-972068 (the “Premises”), owned by Zoological & Ecological Research Foundation, Inc., is dangerous, unsafe and dilapidated, and an imminent threat to the general public; and**

**WHEREAS, the Town Board adopted the Report regarding the Premises and directed the issuance of an order and Notice requiring the securing of the Premises and the setting of a Public Hearing regarding the Order and Notice; and**

**WHEREAS, said Order and Notice of a Public Hearing has been served and posted, which Order included a direction that the required work begin immediately and must be commenced not later than thirty (30) days from service of the Order and Notice and be completed no later than sixty (60) days thereafter, and gave further notice that on failure to timely comply, the Town Board is authorized to secure or demolish and remove the Building and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and**

**WHEREAS, the Town of Poughkeepsie has in the Order and Notice reserved its right to proceed more rapidly with the remediation of this site if it is required pursuant to Town Code Section 71-12, and**

**WHEREAS, that the Legal Notice of Public Hearing was posted on October 8, 2015 and published in the Poughkeepsie Journal on October 10, 2015; and**

**WHEREAS, said Public Hearing has been held this day, now therefore**

**BE IT RESOLVED, that in the event that the owner has not timely commenced or completed the demolition, the Town board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Building by Town employees or by the contractor naming the lowest price proposal to the Town consistent with Town Code Section 71-10, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy, and**

**BE IT FURTHER RESOLVED, that this work is an enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).**

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

**Councilman Carlos: Just so I understand this, we are going to secure this now pretty quickly, means they can't get in and out, then we have to wait 60 days before we can demolish it? (Correct) and that's an operation of the law, so we can't shorten that in any way? (Correct)**

**Wayne Cichon: Well, only in the event of a disaster at the house.**

**Town Attorney Nelson: Eminent threat! Then if that happens, the resolution that Wayne brought forward has a clause in it saying that the Town reserves it's right to proceed more rapidly and that's what that is in reference to, if this became a threat that was out to ripen very quickly, he would get to the Councilperson of that Ward and the Supervisor and they could make a decision to go ahead.**

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

**Nays: None**

**CARRIED: 5-0**

#### **ATTACHMENT TO FINAL BOOK COPY**

**Supervisor Tancredi: That brings us to the end of our Public Hearings. I will now run through the agenda and then take questions on Agenda Items.**

**Motion made to suspend the rules for Public Comments on agenda items.**

**CARRIED: 5-0**

**Doreen Tignanelli: Special Consent Item #1, the notifications for the Hamburg Terminal, is that the Bottini? (Yes) Ok, so then they have commenced legal action against the Town? (Yes)**

**Doreen Tignanelli: Ok, my other questions is about Item #12, the fees. What was posted on line said it was Chapter # 177 Subdivision of Land #5 and Chapter 210 Zoning #5, but the \$5,000 fee is also, I believe, referenced in 177.24 Parks and Playground. So, would that need to be amended also? (I don't know)**

**Town Attorney Nelson: I don't believe so, so I think what I will do, with your leave, proceed with the setting of the Hearing to adopt this Resolution and repeal those two subsections 5 and 5 of 177 and 210 and I will look further into 177.24 and see if that requires further ---**

**Doreen Tignanelli: Ok, because it does say \$5,000 per lot or dwelling unit.**

**Joe Armstrong: On the Country Club Estates, #11 for the Electrical Contractor, do we have a handle on where we are at as far as being within budget of this project or it's too early to tell whether we are in budget for the contracts that were put out all ready for what we are going after?**

**Supervisor Tancredi: So far, we are within Budget at this point. I don't know if all the work that needs to be done has been bid out, but at this point, we are within budget.**

**Joe Armstrong: Was it what you expected? (Yes)**

**Motion made to resume the rules: Supervisor Tancredi/W. Carlos**

**CARRIED: 5-0**

**10:21-07 SET DATE FOR  
PUBLIC HEARING**

**BUDGET – 2016**

### **RESOLUTION**

**BE IT RESOLVED, pursuant to and in accordance with the provisions of Section 106 of the Town Law and other applicable provisions of law, the tentative statement of estimated expenditures and revenues heretofore submitted by the Supervisor is adopted as the Preliminary Budget of the Town of Poughkeepsie for**

the fiscal year beginning January 1, 2016 and such Preliminary Budget is on file in the Town Clerk's Office of the Town of Poughkeepsie for public inspection; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby set the 4<sup>th</sup> day of November, 2015 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as the date, time and place of the public hearing, on the Preliminary Budget for the fiscal year beginning January 1, 2016, at which time all interested parties will have the opportunity to be heard, which Preliminary Budget was approved by this Board and filed with the Town Clerk; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized empowered and directed to advertise said public hearing in the Poughkeepsie Journal no less than five (5) days prior to the public hearing and to post same on the Town Clerk's bulletin board; and

**BE IT FURTHER RESOLVED**, that this resolution shall take effect immediately.

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

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

**Nays: None**

**CARRIED: 5-0**

**10:21-08 SET DATE FOR  
PUBLIC HEARING**

**Town Code Amendment –  
Chapter 210-11 Zoning Map –  
30 Arlington Avenue**

### **RESOLUTION**

**WHEREAS**, the Town Board has received a communication from the Director of Municipal Development to suggest that it change the zoning designation of 30 Arlington Avenue, tax parcel number 6161-08-888898, consisting of + 0.30 acres, from Highway Business (B-H) District to Residence, Single Family 20,000 Square Foot (R-20,000 District); and

**WHEREAS**, the action to amend the Zoning Map is an Unlisted Action under the New York State Environmental Quality Review Act; and

**WHEREAS**, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

**WHEREAS**, amending the Zoning Map requires a public hearing.

**NOW THEREFORE BE IT RESOLVED THAT:**

- 1. The Town Board hereby sets a public hearing on the proposed amendment for November 18, 20115, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town hall, One Overocker Road, Poughkeepsie New York; and**
- 2. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and**
- 3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and**
- 4. The Town Board refers this matter to the Town Planning Board for an advisory report.**
- 5. The Town Board directs the Town Clerk to notify the surrounding towns of the public hearing pursuant to GML 239-nn.**

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

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

**CARRIED: 5-0**

**10:21-09 ACCEPT**

**Resignation – Rob Rubin  
Historic Preservation Commission**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does accept, with regret, the resignation of Rob Rubin, effective immediately from the Historic Preservation Commission.**

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

**Ann Shershin: I guess Rob has gotten so busy with the Wappinger Falls School District and so he is going to be missed.**

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

**CARRIED: 5-0**

**10:21-10 ACCEPT**

**Resignation – Joyce Gray - Assessing**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Joyce A. Gray from her part time position in the Town of Poughkeepsie Assessing Department, effective August 14, 2015.**

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

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

**CARRIED: 5-0**

**10:21-11 BID AWARD**

**Country Club Estates Sewer Plant  
Electrical Contract**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the “COUNTRY CLUB ESTATES SEWER SYSTEM CONNECTION AND TREATMENT PLANT ABANDONMENT - ELECTRICAL CONTRACT” to the low bidder, Veith Enterprises, Inc., at the bid price of \$76,250.00, pursuant to the recommendation of the Town Engineer, and**

**BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute a contract agreement with Veith Enterprises, Inc.**

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

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

**CARRIED: 5-0**

**10:21-12 APPROVE**

**Town Code Amendment – Chapter 105-4,  
Fees**

**Town Attorney Nelson: You have in your packet Resolution #12 and Neil, Todd and I had talked about making some changes to it, process wise and we’ve also spoken to Felicia and so I would request a motion to withdraw the Resolution #12 that is in the packet.**

**WITHDRAWN/NEW RESOLUTION**

**Town Code Amendment – Chapter 105-4,  
Fees**

**AMENDED RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby set the 4<sup>th</sup> day of November, 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 repeal recreation fee from Town Code Chapter 105-4, S) Chapter 177, Subdivision-5) and V) Chapter 210, Zoning – 5) and to adopt a resolution after such public hearing to approve the annexed recreation fee schedules for subdivisions of land and dwellings which shall be subject to further amendments per code section 105-5

**AND BE IT FURTHER RESOLVED**, 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 proposed amendments be spread across the record as if they, in fact, had been read verbatim,

**AND BE IT FURTHER RESOLVED**, that the Town Board of the town of Poughkeepsie does hereby determine that this action is a Type II Action requiring no SEQRA review

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

**READ BY ATTORNEY JIM NELSON, MOVED BY SUPERVISOR TANCREDI  
and Seconded by Councilman Carlos**

**Councilwoman Shershin: Ok, so are the amounts going to remain the same as are in this Resolution? (Yes)**

**Supervisor Tancredi: Ok, we will have the Public Hearing on November 4<sup>th</sup>.**

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

**Nays: None**

**CARRIED: 5-0**

**PUBLIC HEARING TO BE HELD ON NOVEMBER 4, 2015**

**10:21-13 ACCEPT**

**Minutes 2015  
Town Board Meeting – July 22, 2015  
Regular Town Board Meeting  
Town Board Meeting – August 5, 2015  
Regular Town Board Meeting  
Town Board Meeting – August 19, 2015  
Regular Town Board Meeting**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does Hereby accept the minutes for the following 2015 Town Board Meetings, to wit:**

**July 22, 2015 – Regular Town Board Meeting  
August 5, 2015 – Regular Town Board Meeting  
August 19, 2015 – Regular Town Board Meeting**

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

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

**Nays: None**

**CARRIED: 5-0**

**10:21-14 AUTHORIZE**

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

**RESOLUTION**

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

**1. Notification**

**The following claim has been Referred to Legal Department**

- 1. New Hamburg Terminal v. Town**
- 2. Monroe v. Town of Poughkeepsie**

**2. Approve**

**Van DeWater & Van DeWater  
To accept service on behalf of Town of Poughkeepsie Re: New Hamburg Terminal v. Town of Poughkeepsie**

**3. Consent**

**Planning Board as Lead Agency  
A. Fox Air Corporation**

- B. Hyatt Place Hotel**
- C. McKinley Lane Lot Line**
- D. Pederson Real Estate**

**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/W. Carlos**

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

**CARRIED: 5-0**

**10:21-SC 1 NOTIFICATION**

**The Following Claims have been Referred To Legal Department**

- 1. New Hamburg Terminal V. Town of Poughkeepsie**
- 2. Monroe V. Town of Poughkeepsie**

**REFERRED TO LEGAL DEPARTMENT**

**10:21-SC 2 APPROVE**

**Van DeWater & Van DeWater To Accept Service On Behalf Of Town Re: New Hamburg Terminal V. Town of Poughkeepsie**

**RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby authorize Van DeWater & Van DeWater, LLP, Attorneys to the Town, to accept service of a Summons and Complaint on behalf of the Town of Poughkeepsie in the matter of New Hamburg Terminal Corporation and Morgan Fuel against the Town of Poughkeepsie and Town Board.

**SO MOVED: A. Shershin/W. Carlos**

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

**CARRIED: 5-0**

**10:21-SC 3 CONSENT**

**Planning Board As Lead Agency**

**A. Fox Air Corporation**

**B. Hyatt Place Hotel**

**C. McKinley Lane Lot Line**

**D. Pederson Real Estate**

**10:21-SC 3A**

**RESOLUTION**

**BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board acting as SEQR Lead Agency for the project known as Fox Air Corporation Amended Site Plan, 2 Tucker Drive, Poughkeepsie, New York, Tax Parcel Nos. 6162-03-133004.**

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

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

**Nays: None**

**CARRIED: 5-0**

**ATTACHMENT TO FINAL BOOK COPY**

**01:21-SC 3B**

**RESOLUTION**

**BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board acting as SEQR Lead Agency for the project known as Hyatt Place Hotel, South Road and Sheafe Road, Poughkeepsie, New York, Tax Parcel No. 6159-01-287638.**

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

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

**Nays: None**

**CARRIED: 5-0**

**ATTACHMENT TO FINAL BOOK COPY**

**01:21-SC 3C**

**RESOLUTION**

**BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board acting as SEQR Lead Agency for the project known as McKinley Lane Lot Line Revision, 36, 40 and 42 McKinley Lane, Poughkeepsie, New York, tax Parcel Nos. 6162-15-693398, 687395 and 6162-58-702386 (City of Poughkeepsie).**

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

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

**CARRIED: 5-0**

**ATTACHMENT TO FINAL BOOK COPY**

**10:21-SC 3D**

**RESOLUTION**

**BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board acting as SEQR Lead Agency for the project known as Pederson Real Estate Site Plan, 244, 246 and 248 Innis Avenue, Poughkeepsie, New York, Tax Parcel Nos. 6162-15-748453, 748465 and 745459.**

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

**Councilman Carlos: They are going to look to change the Zoning and it comes back to us after that?**

**Supervisor Tancredi: If it's a Zoning change, yes, it will come back to us.**

**Councilman Carlos: They will combine the lots that are residential and they want to put up a retail office building, which is a Zoning change.**

**Neil Wilson: Yes, we've already rezoned that area, this is part of the property that when we relocated the Salt Point Center last year, this was included, so it's not coming back to you.**

**Councilman Carlos: So, it's already been done then? (Yes)**

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

**CARRIED: 5-0**

**ATTACHMENT TO FINAL BOOK COPY**

**Supervisor Tancredi: I would like to suspend the rules for public comments on Town issues. Seconded by A. Shershin**

**CARRIED: 5-0**

**Bob Casement:** As you know, there is an eyesore on the corner of Main Street and Raymond Avenue, I'm just wondering if the Town has taken any action to do anything to clean that up?

**Supervisor Tancredi:** Yes, we have taken action and the applicant has actual approvals to construct a building there and so I don't know why it hasn't started, but I can look into it tomorrow. He has gotten his approvals though.

**Motion made to resume the rules:** Supervisor Tancredi/W. Carlos

**CARRIED: 5-0**

**RESOLUTION**

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

- 1. Litigation:** To discuss litigation strategy in a case known as New Hamburg Terminal
- 2. Confidential communications between the Attorney and his Client**  
The Town Board based on Attorney/Client privileges.

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

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

**CARRIED: 5-0**

**TOWN BOARD ENTERED INTO EXECUTIVE SESSION AT 7:58 PM**

**RESOLUTION**

**TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 8:28 PM**

**NO ACTION WAS TAKEN**

**FS/lm**