

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON MAY 4, 2016 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

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

**Motion made to suspend the rules for public speaking on Public Hearing #1:
Supervisor Tancredi/Councilman Conte**

**Supervisor Tancredi: Does anyone here wish to speak on Public Hearing #1? No
persons came forward.**

NO SPEAKERS CAME FORWARD

Motion made to close Public Hearing #1: Supervisor Tancredi/J. Conte

CARRIED: 7-0

05:04-01 PUBLIC HEARING

**Town Code Amendment Chapter
210-9 Zoning-Definitions**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on May 4, 2016 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt an amendment to Town Code Chapter 210, specifically Section 210-9, entitled “Definitions”; and

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

BE IT FURTHER ENACTED, that the Town Board has previously declared its intent to act as Lead Agency under the New York State Environmental Quality

Review Act and does declare said action to be a Type 1 Action under the New York State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) prepared by the Director of Municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in the attached Determination of No Significance and; 3) a Negative Declaration is hereby issued; and

BE IT FURTHER ENACTED, that a written recommendation was received from the Dutchess County Department of Planning and Economic Development dated April 13, 2016 stating that the proposed amendment was a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated April 26, 2016 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein amendments; and

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

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 14, 2016 and published in the Poughkeepsie Journal on April 19, 2016; 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

ARTICLE II, SECTION 210-9 ATTACHED TO FINAL BOOK COPY

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

CARRIED: 7-0

**Supervisor Tancredi: I make a motion to open Public Hearing #2: Seconded by
Councilman Conte**

CARRIED: 7-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 7-0

05:04-02 PUBLIC HEARING

**Town Code Amendment – Chapter
210-67.1 Zoning-Energy Facilities**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on May 4, 2016 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt an amendment to Town Code Chapter 210, specifically Section 210-67.1, entitled “Energy Facilities”; and

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

BE IT FURTHER ENACTED, that the Town Board has previously declared its intent to act as Lead Agency under the New York State Environmental Quality Review Act and does declare said action to be a Type I Action under the New York State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) prepared by the Director of Municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in the attached Determination of No Significance and; 3) a Negative Declaration is hereby issued; and

BE IT FURTHER ENACTED, that a written recommendation was received from the Dutchess County Department of Planning and Economic Development dated April 13, 2016 stating that the proposed amendment was a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated April 26, 2016 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein amendments; and

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

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 14, 2016 and published in the Poughkeepsie Journal on April 19, 2016; and

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

SO MOVED: W. Carlos/J. Baisley

Councilwoman Shershin: Yes, from reading this, I understand that this removes the three foot requirement that solar panels have to be set off three feet from the edges of the roof.

Neil Wilson: That's exactly what it's doing. When we adopted this some months ago, it was in anticipation that the State would, well they were in the process of amending the State Building Code to provide for a three foot setback and that was the best information we had at the time and the State Code's people zigzagged a couple of times and they no longer have the three foot set back from the edges or from the bottom edge of the roof. The proposed language which actually won't kick in until late September or October actually only provides that for the peaked roofs, that there be a no less than 18 inch setback from that peak. So, at this point, since they have been kind of zigzagging, let's just take it out of our Code. Whatever the Code Council does, they do.

Councilwoman Shershin: Because this was not popular. I had gotten a few phone calls about it.

Neil Wilson: Right, a lot of people kind of wanted to blanket their roof tops. I get it, but on the other hand, ultimately the question about the safety of firefighters and emergency personal trying to access the roof and so maybe it's not a good idea, but in this case, based on the information we had several months ago, that was the direction the State was going and they have gone in a different direction.

Supervisor Tancredi: Hopefully this will put us more in line with what the State is doing. You're right, the reason we did the three foot setback was thinking of our emergency and first responders that they would have access and a way onto the roof and the State didn't seem to think that that was important.

Discussion continued. Neil Wilson stated that the Building Dept. does not inspect these installations at any time. They rely on the information provided on the application. The integrity of the job is up to the people doing the work.

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

Nays: None

CARRIED: 7-0

**ARTICLE VIII OF CHAPTER 210-67.1 ATTACHED TO FINAL
BOOK COPY**

Supervisor Tancredi: I make a motion to open Public Hearing #3: Supervisor Tancredi/Seconded by Councilman/J. Conte CARRIED: 7-0

Doreen Tignanelli: I just wanted to say, I do have comments on the annual report, but I will be submitting them in writing before the end of the comment period.

Motion made to close Public Hearing #3: Supervisor Tancredi/J. Conte CARRIED: 7-0

05:04-03 PUBLIC HEARING Storm Water Annual Report

RESOLUTION

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

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

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 21, 2016 and published in the Poughkeepsie Journal on April 25, 2016; and

BE IT FURTHER RESOLVED, that on May 4, 2016 a public hearing was held at a regularly scheduled meeting of the Town Board; and

BE IT FURTHER RESOLVED, that the public review and comment period ends at 4:00 PM on May 13, 2016 when all written or oral comments are to be submitted; and

BE IT FURTHER RESOLVED, that the Town Board does direct the Director of Municipal Development to review the comments and prepare for filing the final report which is due May 27, 2016.

SO MOVED: J. Conte/M. Cifone

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

CARRIED: 7-0

Councilman Baisley: As everybody knows by now, Todd is leaving us and going on to the County. It's going to be a huge loss to the Town of Poughkeepsie. Todd has been with the Town since 1990. He was on the Zoning Board for two years in 1990 and 1993 to the present he was on the Joint Water Board down in the City and from 2002 to 2011 he was a Councilman and from 2011 to present he has been our Town Supervisor. As everybody knows, I've been on the Board with Todd almost this whole time and we went through some tough times in the beginning. Budget time, we always sat on Budget Committees, Recreation Committees, Senior Citizen Committee and the Senior Committee has always been Todd's passion. He's gone back about 20 years ago, they always wanted a Senior Center in the Town and we went many places, the ones who have been on the Board a long time know, we went from building, to building, to building, to the "White House", behind the Police Station and many firehouses and Todd said, "we will get a place". We found a place and he went from an empty building basically into one heck of a Town Center and the seniors are very proud of what he has done, and being the fact that he's going to the County and being Director of Office of the Aging, I think the seniors are very proud of what they are getting. This is one gentlemen with the highest integrity we've had. He's brought a lot of integrity to this Board. I don't think anybody on this Board can really say anything bad about him. We've had our good moments and our bad moments, but we've always fought amongst ourselves and come out with an even ground among everybody. Whether Democrat or Republican, or indifferent, this Board is a heck of a Board and working with Todd as our leader, has been one heck of a ride and everybody should be proud of who we have here today and we have this 25 cent certificate here but we think you are deserving more than just a certificate to hang on your office wall, so Mike has something a little special for you. From your heart I think will mean a lot to you.

The Town Board members made a presentation to Todd for his many years of service, first as a Councilman of the Sixth Ward since 2002 and for the last 4 plus years as our Supervisor beginning in 2012. He was presented with a framed photo, taken by Mark Fink, of the former Juliet Theatre, which is located in the Sixth Ward. Mr. Tancredi, when officially named the new Director of the Office of the Aging will be stepping down as Supervisor. The exact date is yet to be determined, but presumably sometime in June.

Supervisor Tancredi thanked everyone, and mentioned that he was hoping to see the Town Board members when they started to utilize the Office of the Aging's services- which wouldn't be too far in the future.

Supervisor Tancredi made a motion to suspend the rules for public speaking on Agenda items: Seconded by Councilman Conte

CARRIED: 7-0

Supervisor Tancredi read through the Agenda

Doreen Tignanelli: I would like to discuss Agenda Item #5, the Agreement with the City and O'Neill Dutton project. I know this has been discussed before, but I looked at the agreement and it is for the Town to take over ownership of the portion of the Greenway Trail that will be alongside the river and I know you've said before that the Town doesn't want to maintain the site and it looks like the City is supposed to maintain it, if I'm reading the agreement correctly. However, the remedial action plan that was submitted to and approved by the DEC says that the owner of the site, which would be the Town, is responsible for monitoring that will be imposed on the site for years to come and that includes –it says the property owner will provide periodic certification of institutional and engineering controls prepared and submitted by a professional engineer. So, if this is going to cost the Town some money for monitoring, is the O'Neill Group going to give you, the Town, some money to cover these services?

Supervisor Tancredi: I spoke to Doreen earlier and I think this is a valid point and our (the Board's) position on this property has been that we're in favor of a walking path along the Hudson River and I think all of us can agree that that is a great amenity for the residents and the general public and we also, the Town the way we are graphically situated, we don't have a lot of shoreline property. This is a small piece that is in the Town and so if we have the opportunity to take ownership of that, we thought it was a good idea. But, Doreen's absolutely correct in the fact that we've all stated time and again that we are in favor of the walking path, in favor of taking ownership, but we're not in favor of having this property come at the expense of our taxpayers and we're not in favor of contributing any financing toward the project. So, Jim, I would say- can we say that we can amend an addendum or contract to basically say that O'Neil Dutton would be responsible for any expense that is incurred due to 1) monitoring in the foreseeable future and then 2) which would be even a greater concern, is if they did monitor and found something leeching out that no one expected that's the remediation of that. We don't want to be on the hook for either one of those.

Town Attorney: The simple answer to the question which I did discuss with Neil and you is, yes, this document says that the remediation, two paragraphs above it, it says that the following conditions will be met to the satisfaction of the Town and then it says, "Remediation of the property." Taken on the face of it, if we wanted, when the time comes and they tender the property to us, if it has not been adequately cleaned, we could say, "We don't care for it that way." We could add the language you mentioned about them monitoring it, but I think if you do that, I think what you probably want to say is that security for the payment that they will perform and security will be provided for the performance of that ongoing monitoring because we don't know what assets these separate stand alone, ribbon of property LLC's have. So, the simple answer is yes and I think the way to do that

would be to require that they pay for that and before we take title to the property, that they provide security against all the expense for it in case we do have to pick it up.

Doreen Tignanelli: Can I make a comment here? One of the things is that the DEC will determine how long it is to be monitored and this reminds me of the Dutchess County Airport and I do understand that the agreement says that they will clean it up and they have to because they have to meet DEC requirements. But as part of the DEC requirements, it also says, "After it's cleaned up, you are subjected to an environmental easement, a sight management plan and it is clearly laid out, there is a 165 page document and it is clearly laid out in that document.

Supervisor Tancredi: You're absolutely right. It reminds me of the airport property. The airport property was a landfill closed per government regulations some 25 years ago. Somewhere down the road, 15-20 years after that, the powers to be realized "Hey, wait a minute, the way we had the municipalities close this thing wasn't adequate, it's leeching out into the creek", and made us re-do it and we've (and other municipalities) have been paying for it ever since.

Neil Wilson: The environmental easement that Doreen mentions requires cleaning to a residential standard as opposed to a commercial or industrial standard which is a lower level of clean. But, the thing that is not known and probably won't be known until Dutton has done the work and attempts to close out the work that has been authorized is, how long is the monitoring? What does the monitoring consist of? Are you doing annual reporting, quarterly? My guess is it's some combination of, initially, at least quarterly reporting, and as proof is offered that there is no continued and ongoing contamination coming through the ground water or soil. The DEC may turn that into annual monitoring, but we don't know at this point. But the best way to go is the posting of a performance security, either cash or LC to guarantee, and they have an ongoing obligation to do the work. The Town is under no obligation to take this property until it is shown to the Town's satisfaction.

**THIS DISCUSSION CONTINUED FOR 18 MINUTES.
SEE YOUTUBE CHANNEL FOR BALANCE OF DISCUSSION**

Motion made to resume the rules: Supervisor Tancredi/A. Shershin

CARRIED: 7-0

05:04-04 ACCEPT

Retirement of Sergeant Todd Jicha

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Todd Jicha from the Town of Poughkeepsie Police Department, effective end of business day May 27, 2016.

SO MOVED: M. Cifone/J. Baisley

Councilwoman Shershin stated her regret to see Sgt. Jicha leave. The Board wished him well and thanked him for his years of dedicated service.

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

CARRIED: 7-0

05:04-05 AUTHORIZE

**Agreement with City/O'Neill
Dutton Project**

**SEE BELOW (AMENDED) RESOLUTION FOR VOTES ON
ADJOURNING AND AMENDING.**

**RESOLUTION (AS AMENDED FROM ORIGINAL WHICH WAS READ
AT MEETING) SEE YOUTUBE VIDEO TO VIEW ENTIRE PROCESS**

RESOLUTION 5:4 - #5 OF 2016

**WHEREAS, The O'Neill Group-Dutton, LLC is proposing to develop 10.82
riverfront acres located in the City of Poughkeepsie ("City"), and**

**WHEREAS, the development of this property includes a proposed 2.45 +/-
acre, 1,400 foot linear walkway on the Hudson River that is located both in the City
(1.83+/- acres) and the Town (0.63+/- acres), and**

**WHEREAS, the City has proposed that the Town, the City and the property
owners enter into the annexed Agreement relating to the transfer of good title to
0.63+/- of the 2.45 acre walkway located in the Town by the owners or the State of
New York to the Town for use as a walkway following the owners remediation and
development of those lands according to the Site Design annexed at Exhibit C to the
Agreement, after which transfer the City will maintain the 0.63+/- acres located in
the Town pursuant to the Agreement, and**

WHEREAS, it having been moved to adjourn the consideration of the Agreement to the May 18, 2016 Town Board meeting, which motion did not carry, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, having reviewed the Environmental Assessment Form prepared by the Department of Planning, and after due consideration, determines that the execution of the Agreement and the fulfillment of the terms of the Agreement would not result in any potentially significant adverse environmental impacts, hereby issues a Negative Declaration, and

BE IT FURTHER RESOLVED, that given the fact that the walkway lands will be Town owned property, and subject to control and management by the Town Board, the Town Board approves the Site Design annexed at Exhibit C to the Agreement pursuant to the authority vested in it by Town of Poughkeepsie Town Code §210-13L, and

WHEREAS, it was moved and carried by vote of 5 to 2 that the Agreement as presented be clarified to confirm that the Town is not obligated to accept title when tendered, and that all post conveyance monitoring and remediation will be the Owners' responsibility, with satisfactory security therefore having been provided to the Town by the Owner within the time limits provided in paragraph 1 of the Agreement; now therefore

BE IT RESOLVED, that, subject to the foregoing the Town Board hereby authorizes the Supervisor or his designee to execute the Agreement in substantially the form annexed

(VOTES ON ABOVE AMENDED RESOLUTION ARE BELOW AS FOLLOWS)

Motion #1 (Adjourn to May 18th 2016 Town Board):

**Moved: Councilman Carlos
Seconded: Councilman Cifone
Ayes 2 Nays 5**

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

MOTION FAILED: 2-5

Town Attorney Nelson: If someone wants to make a motion to amend this to add true provisions, one of which is, "Further provided that an additional condition be added to the agreement providing that post transfer monitoring and additional remediation expenses will be the owners responsibility with security for the performance of those obligations satisfactory to the Town being provided within the

time limits provided above.” Also, a further clarification of the language to make it clearer that the Town “MAY” but is not required to accept title.

Motion #2 (Amend):

Moved: Councilwoman Shershin

Seconded: Councilman Conte

Ayes 5 Nays 2

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

Nays: Councilmen Carlos, Cifone

MOTION PASSED: 5-2

Motion #3 (Org. Resolution as amended)

Moved: Councilman Lepore

Seconded: Councilman Baisley

Ayes 5 Nays 2

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

Nays: Councilmen Carlos, Cifone

MOTION PASSED: 5-2

05:04-06 BID AWARD

**Bid-Arlington Waste Water
Treatment Plant**

**AMENDED
RESOLUTION**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the “ARLINGTON WASTEWATER TREATMENT PLANT UPGRADE” to the lowest bidders, pursuant to the attached recommendation of the Town Engineer, as follows:

- 1. General Construction contract: Blue Heron Construction Co. at the Combined bid price of \$7,789,549;**

2. **Electrical Construction contract: J& J Sass Electric at the base bid price of \$1,510,850; and**
3. **HVAC Construction contract: S & O Construction Services, Inc. at the base bid price of \$66,157.**

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute contract agreements with said contractors upon receipt by the Town of all required insurances, bonds and other submissions.

SO MOVED: A. Shershin/J. Conte

Councilman Baisley: I'm glad to see this is finally moving forward and we have good prices and good bonding rates and so this is the prime time to do this.

Supervisor Tancredi: Yes, I agree, we had a good number of bidders, which is always the desire. I agree with Jay, the prices were within what we had projected for this project and the upgrade of this plant is long overdue. Not only is it going to upgrade a 30 to 40 year old plant, but is going to give us a million gallons more flow which is a positive. I've said this before, there are few municipalities that are putting attention to infrastructure. Just because with Tax caps and all, it is hard to do. I think the Town and the Town Board should be complemented on the fact that we are putting a lot of resources towards our infrastructure. This is a key infrastructure investment and so I'm pleased to this point.

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

CARRIED: 7-0

05:04-07 Ratify

Online Auction Contract-Highway

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town of Poughkeepsie Highway Department to dispose of surplus equipment by participating in a website auction, and does hereby ratify the Highway Superintendents execution of an Online Auction Contract, all provided that a complete record of the equipment and the results of the auction be maintained, and

BE IT FURTHER RESOLVED, that this is a type II action requiring no SEQR review.

SO MOVED: Supervisor Tancredi/J. Conte

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

CARRIED: 7-0

05:04-08 RATIFY

Stop DWI Agreement with County

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Supervisor's execution of the 2016 STOP-DWI Program Agreement (DWI OT Patrols) with the County of Dutchess, a copy of which is attached.

SO MOVED: J. Baisley/W. Carlos

AGREEMENT ATTACHED TO FINAL BOOK COPY

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

CARRIED: 7-0

05:04-09 RATIFY

**DWI-Drug Recognition Officers
Agreement with County**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Supervisor's execution of the 2016 STOP-DWI Program Drug Recognition Expert Amendment and Extension Agreement with the County of Dutchess, a copy of which is attached.

SO MOVED: W. Carlos/J. Conte

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

CARRIED: 7-0

05:04-10 WAIVE

**30-day Liquor License –Bluestone
Bistro**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request on behalf of Bluestone Bistro, 10 IBM Road, Unit A & B, Poughkeepsie, NY, for a waiver of the 30 day review period for a liquor license application; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the Town Clerk's forwarding of a waiver and consent, pursuant to the attached request.

SO MOVED: J. Conte/W. Carlos

REQUEST ATTACHED TO FINAL BOOK COPY

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

CARRIED: 7-0

05:04-11 CONSENT

Planning Board As Lead Agency

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 (Notice of Intent paper work can be found in the Town Clerk's Office) for the projects known as:

- 1. Children's Home Addition Site Plan, 36 Children's Way, Poughkeepsie, New York, Tax Parcel No. 6162-05-192927**
- 2. Dutchess Golf and Country Club Amended Site Plan, 2628 South Road, Poughkeepsie, New York, Tax Parcel No. 6160-01-235760.**
- 3. Shady Brook Trailer Park Site Plan, 67 Old Manchester Road, Poughkeepsie, New York, Tax Parcel No. 6261-04-671364.**

SO MOVED: J. Lepore/M. Cifone

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

CARRIED: 7-0

**05:04-12 AUTHORIZE
SUPERVISOR TO SIGN**

Suez/United Water Contract

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby find that the proposed extension of the Operation, Maintenance and Management Agreement (“Agreement”) between SUEZ Water Environmental Services, Inc. f/k/a United Water Environmental Services, Inc. and the Town is a Type II Action under the New York State Environmental Quality Review Act relating to the provision of professional services and the maintenance, rehabilitation and reconstruction of equipment and the Arlington Wastewater Treatment Plan, and now therefore,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a Letter Agreement in substantially in the form attached with SUEZ Water Environmental Services, Inc. to effect a five year term extension of the Agreement to supervise, operate and maintain the Arlington Wastewater Treatment Plant and the Country Club Treatment Plant, which extension term shall commence on July 5, 2016, and end on July 4, 2021, with the Agreement terms to remain in full force and effect except to the extent specifically modified by the Letter Agreement.

SO MOVED: M. Cifone/J. Conte

Brief discussion followed with Jason O’Brien from Suez.

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

CARRIED: 7-0

**CONTRACT ATTACHED TO FINAL
BOOK COPY**

**05:04-13 AUTHORIZE
SUPERVISOR TO SIGN**

Morris Engineering Contract

RESOLUTION

WHEREAS, Morris Associates Engineering Consultants, PLLC (Morris) has and continues to provide ongoing engineering, surveying and technical assistance to the Town, is familiar with the practices and procedures of the Town's boards and departments, and

WHEREAS, Morris has proposed to continue to provide services to the Town for up to five (5) years; and

WHEREAS, by reason of the forgoing it would be in the best interest of the Town to have Morris continue to provide engineering, surveying and technical services to the Town without the solicitation of alternative proposals; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an Agreement for Professional Engineering Services, in substantially the form presented, with Morris Associates Engineering Consultants, PLLC.

SO MOVED: A. Shershin/M. Cifone

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

CARRIED: 7-0

Supervisor Tancredi stated that he felt that continuity with Morris & Suez was important due to the Wastewater Treatment Plant project.

05:04-14 AUTHORIZE

**Chief of Police/Police Captain
Agreements**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Town of Poughkeepsie Chief of Police Ronald J. Spero, Jr. in substantially the form annexed hereto, and also with Captain Kevin Faber and Captain Kenneth Roman in substantially the forms annexed hereto, all for the period January 1, 2016 through December 31, 2018.

SO MOVED: Supervisor Tancredi/W. Carlos

Supervisor Tancredi praised the Chief, the two Captains, and the entire Police Dept. for their professionalism and leadership.

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

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

05:04-15 AUTHORIZE

Special Consents SC 1, SC 2, and SC 3

RESOLUTION

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

- 1. Appoint Susan Htoo-Board of Ethics**
- 2. Authorize Supervisor to Sign Third Party Custodian Agr-Signature Bank**
- 3. Authorize the Supervisor to Sign Consent to Change Attorney Mackey, Butts & Wise, LLP**

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. Baisley/W. Carlos

05:04-SC 1 APPOINT

Susan Htoo-Board of Ethics

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Susan S. Htoo to the Town of Poughkeepsie Board of Ethics, which appointment shall take effect immediately and expire on February 28, 2021.

SO MOVED: W. Carlos/J. Conte

Councilwoman Shershin praised Sue as an all around great person. She is an attorney, is civic minded, and would be a super fit for the Board of Ethics.

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

CARRIED: 7-0

05:04-SC2 AUTHORIZE

SUPERVISOR TO SIGN

**Third Party Custodian Agreement-
Signature Bank**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Supervisor's execution of a Third Party Custodian Agreement among Signature Bank, 1 Quaker Ridge Road, New Rochelle, New York, the Town of Poughkeepsie and the Federal Home Loan Bank of New York, a copy of which is annexed.

SO MOVED: J. Conte/M. Cifone

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

CARRIED: 7-0

05:04-SC 3 AUTHORIZE

Consent To Change Attorney-

SUPERVISOR TO SIGN

Mackey, Butts & Wise, LLP

RESOLUTION

Whereas, that the Town Board of the Town of Poughkeepsie has retained Iseman, Cunningham, Riester & Hyde, LLP to represent the Town Planning Board and the Town's interests in a litigation known as Fairview Fire District, et al. v. Town of Poughkeepsie and Page Park Associates, LLC, et al., and the Town has also retained Iseman, Cunningham, Riester & Hyde, LLP to perform services as Labor Counsel, and

WHEREAS, Joshua Mackey and David Wise, the attorneys from Iseman, Cunningham, Riester & Hyde, LLP, who were primarily involved with that litigation and the labor matters have formed a new firm, now therefore

BE IT RESOLVED, that the Supervisor is authorized to execute a consent to change attorney regarding the Fairview Fire District, et al. v. Town of Poughkeepsie and Page Park Associates, LLC, et al. and to execute such other documents as are necessary to effect the transfer of the representation of the Town labor matters to Mackey, Butts & Wise, LLP.

SO MOVED: M. Cifone/W. Carlos

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

CARRIED: 7-0

Town Clerk Salvatore introduced a Liquor License Amendment she received after 4 PM for Barnes and Noble which was approved by the Board back in December of 2015. They are amending it from two rooms to include the other floor. For Town Board notification only.

Motion made to suspend the rules for public comments.

Sharon Steinvurzel addressed the Board for quite some time regarding problems with neighborhood employees parking on her lawn and near a bus stop (endangering children), and a resident of a group home wandering unattended.

Doreen Tignanelli had a request regarding posting items to the Website.

Supervisor Tancredi: Motion made to resume the rules. Seconded by Councilman Conte

MEETING CLOSED AT 8:20 PM