

**MINUTES OF REGULLAR TOWN BOARD MEETING
HELD ON JUNE 1, 2016 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Tancredi
Councilman Baisley
Councilman Carlos
Councilman Conte
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
Deputy Town Clerk Tremper

ABSENT: Councilman Cifone

06:01-01 PUBLIC HEARING

**Town Code Amendment-Chapter
2010-35 Highway Business (B-H)
District**

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

NO ONE SPOKE

**Supervisor Tancredi: We were contemplating making a change in our Highway
Business District, but we feel like the change that we were going to make could
probably be handled through some ordinances that exist in our Code and so at this
time, we don't plan on entertaining or taking action on this.**

Motion made to withdraw Resolution 06:01-01: Supervisor Tancredi/J. Conte

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

Supervisor Tancredi read the Agenda.

**Doreen Tignanelli: I have a question about #10. Can you tell us what that legal
action is?**

**Supervisor Tancredi: That's going to be removed from the agenda. It was one of
our (Police) Officers in a lawsuit with the insurance company.**

Doreen Tignanelli: Ok, another question I have is about agenda item #6. This is \$13,000 a year? (Yes) That's just the Town's portion of the environmental monitoring?

Supervisor Tancredi: No, that's the total. We're the largest-- unfortunately when that landfill closed, we were the largest contributor and so we have the largest share (42%) and this is required monitoring.

Doreen Tignanelli: I just wasn't sure how this works. So the Town is the one that pays and then gets reimbursed by the others?

Councilman Baisley: No, there is a fund through them alone. It's an enterprise type fund that they manage their own money.

Supervisor Tancredi: I talked to Attorney Nelson about this. I didn't remember having this on the agenda's in the past.

Doreen Tignanelli: Right, I know there has been environmental monitoring for years, but I didn't recall seeing this.

Supervisor Tancredi: I don't either, but, I guess to be safe, we left it on. There is no change. It's the same monitoring that's been done for 8 or 10 years. No change. It's a shared cost with the other municipalities. Some of the testing has to be sent out for more specialized agencies.

06:01-02 ACCEPT

**Resignation of Todd Tancredi-
Tri Municipal Sewer Commission**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does accept, with regret, the resignation of Todd N. Tancredi, effective immediately from the Tri-Municipal Sewer Commission.

SO MOVED: J. Baisley/W. Carlos

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

Nays: None

Abstentions: Supervisor Tancredi

CARRIED: 5-0

06:01-03 APPOINT

**Joseph Lepore – Tri Municipal
Commission**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Joseph Lepore to the Tri-Municipal Sewer Commission to fill the unexpired term of Todd N. Tancredi, which term expires on December 31, 2017.

SO MOVED: W. Carlos/J. Conte

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

CARRIED: 5-0

06:01-04 APPOINT

VHB-MacDonnell Heights DEIS

RESOLUTION

WHEREAS, pursuant to an authorization by the Town Board a Request for Qualifications (“RFQ”) was issued on April 7, 2016 seeking responses from qualified firms to prepare an Environmental Impact Statement (“EIS”) for a project known as MacDonnell Heights Town Center; and

WHEREAS, responses were received from VHB of Albany, New York; AKRF, Inc. of White Plains, New York; and Barton and Loguidice, D.P.C. of Albany, New York, each of which was deemed qualified pursuant to the requirements of the RFQ; and

WHEREAS, a committee of the Town consisting of the Supervisor, Deputy Supervisor, Chairman of the Planning Board, Director of Municipal Development, Senior Planner, Junior Planner and representatives of Kirchhoff Companies conducted interviews with representatives of each firm on May 11, 2016; and

WHEREAS, it is the practice of the Town Board to retain consulting and legal services on behalf of the various boards, agencies, and departments of the Town;

WHEREAS, the committee has recommended to the Town Board the selection of the firm VHB to undertake the work as specified in the RFQ: and

WHEREAS, the Town Board has considered the recommendation of the committee; and

WHEREAS, the cost of preparing the EIS and reviewing the application would be borne solely by Kirchhoff Companies pursuant to 6 NYCRR 617.13 of the SEQRA regulations and Chapter 106 of the Town Code, with no expenditure of Town funds;

NOW THEREFORE BE IT RESOLVED, the Supervisor is hereby authorized to execute a contract with VHB for the services as described in the RFQ after review and approval of said contract by the Attorney to the Town and by the Director of Municipal Development.

SO MOVED: J. Conte/J. Baisley

Neil Wilson: We had a very good series of interviews. We conducted them all in one day and all the firms sent some really qualified persons to talk to us. The selection of the VHB was actually unanimous on the part of the committee. This will be, once the contract has been negotiated, at this point we don't have a budget for it because VHB needs to actually give us an estimate. In order to have an estimate we need to have a scoping document for the DEIS and that is actually something we have been working on in the past week or so. So, the contract going forward will be something that will have a little bit of a time delay, but should start fairly quickly and this is also a matter that instead of involving this Board, with the exception of the contract and the authorization tonight, is really just in front of the Planning Board and so it's all site plan review and I'm very excited because this is an opportunity to open up the Environmental Review in a way that previously we have not been able to. We have a relationship with a local developer who is willing to allow the Town to obtain the consultant to prepare the DEIS. Usually they want to keep everything very close to the vest and then give it to us and we go back and forth. My hope and expectation is that this will open up that review process and there will be a free flow of information during the preparation of the DEIS.

Supervisor Tancredi: And the fees paid to this company are still handled through escrow, right?

Neil Wilson: Yes, We will also have an escrow agreement with Kirkoff something like we have with the DRA on the Hudson Heritage project that requires them to replenish it when it falls below a certain level. They pay into the fund, the payments come from the Town using their funds.

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

06:01-05 ACCEPT Resignation of Thomas Waldvogel

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does accept, with regret, the resignation of Thomas Waldvogel, effective June 3, 2016, from the Town of Poughkeepsie Sewer Department.

SO MOVED: J. Lepore/J. Baisley

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

06:01-06 RETAIN Morris Associates – DC Airport Landfill

(AMENDED) RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Morris Associates to do environmental monitoring in regard to the post-closure responsibilities of the Dutchess County Airport Landfill, for a sum not to exceed 42% of the \$13,000 per the annexed proposal.

SO MOVED: A. Shershin/J. Baisley

Supervisor Tancredi: I have a question. Jim, this fee is shared among the four municipalities? (Yes) Should that be referenced in this resolution?

Town Attorney Nelson: Yes, if somebody wanted to make a voice motion that it be amended to reflect the allocation among the members. I can then change the resolution afterwards.

Motion made to Amend this motion to include the 42% as our share of this cost as part of a group of municipalities involved. – W. Carlos/J. Conte

Supervisor Tancredi: All in favor of the amendment :

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

Supervisor Tancredi: All in favor of the Resolution:

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

06:01-07 AUTHORIZE Block Party – Hillis Terrace

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Tamas Makai to hold a block party on Hillis Terrace (22 Hillis Terrace to 48 Hillis Terrace) on July 2, 2016, with a rain date of July 3, 2016 from 9:00 a.m. to 11:00 p.m. and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the “Open Container Law” in the event alcoholic beverages are to be served.

SO MOVED: A. Shershin/J. Conte

Councilman Carlos: Last year when we had this, we had a rain date. Somehow, we did not remove the road closed signs for the rain date and so the residents on the upper section of Hillis Terrace and the adjoining streets expressed their dissatisfaction with that. So this year we will make very sure that if there is a rain date, the signs will disappear and only come back when the rain date is on.

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

06:01-08 CONSENT Lead Agency-Sherwin Williams Site Plan

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 Sherwin Williams Site Plan, 684 Dutchess Turnpike, Poughkeepsie, New York, Tax Parcel No. 6261-01-258884.

SO MOVED: Supervisor Tancredi/J. Conte

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

06:01-09 SET DATE FOR PUBLIC HEARING Property Maintenance – 3 Benton Rd.

RESOLUTION

WHEREAS, Orders to Remedy, copies of which are attached hereto, have been issued for property located at 3 Benton Road, 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 6th day of July, 2016 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: J. Baisley/W. Carlos

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

06:01-10 REMOVED FROM THE AGENDA

Motion made to accept public comments on Town issues: Supervisor Tancredi/J. Conte

CARRIED: 6-0

Doreen Tignanelli spoke regarding a typo on the Stormwater Report and Property Maintenance issues.

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

CARRIED: 6-0

Meeting was adjourned at 7:22 PM