

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON OCTOBER 5, 2016 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

PRESENT: Deputy Supervisor Baisley
Councilman Conte
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore

ABSENT: Councilman Carlos
Councilman Cifone

Motion made to open Public Hearing #1: Deputy Supervisor Baisley/ Seconded by Councilman Conte. CARRIED: 4-0

No one came forward to address this item

Motion made to close Public Hearing #1: Deputy Supervisor Baisley/Councilwoman Shershin CARRIED: 4-0

10:05-01 PUBLIC HEARING

Property Maintenance – 58 Timberline Drive

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 5, 2016 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 58 Timberline Drive, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6160-04-940125, owned by Young Hee Choi is in violation of Chapter 159; and

BE IT FURTHER RESOLVED, that the Legal Notice of Public Hearing was posted on September 15, 2016 and published in the Poughkeepsie Journal on September 19, 2016; 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 58 Timberline 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 remove all solid waste, debris and litter 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. Conte/J. Lepore

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

Nays: None

CARRIED: 4-0

**Motion made to suspend the rules for Public Speaking on Public Hearing #2:
Deputy Town Supervisor/A. Shershin**

CARRIED: 4-0

Close Neighbor spoke: The house habited right now by Raccoons. Is someone going to address that along with the outside of it?

Deputy Supervisor Baisley: They should be able to secure the house as far as that goes.

The Neighbor: The soffits are falling off and have been for a couple of years now. I've notified the assessment department about it and I have a picture on my cell phone right now of two raccoons up on the roof playing. The person they had for the owner, which was a bank, I believe, or loan company, was over to look at it and he went into the house and he said the odor in there is just awful. It is probably a danger there and I would like someone to address that along with the grass.

Deputy Supervisor Baisley: I will have the Building Department Inspector go out and address that along with the grass.

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

CARRIED: 4-0

10:05-02 PUBLIC HEARING

Property Maintenance – 30 Wildwood Drive

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 5, 2016 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 30 Wildwood Drive, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6159-02-645530, owned by Michele and Nicholas DePietro, is in violation of Chapter 159; and

BE IT FURTHER RESOLVED, that the Legal Notice of Public Hearing was posted on September 15, 2016 and published in the Poughkeepsie Journal on September 19, 2016; 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 30 Wildwood 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 remove all solid waste, debris and litter 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. Conte

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

Nays: None

CARRIED: 4-0

Motion made to open Public Hearing #3: Seconded by Councilwoman Shershin

CARRIED: 4-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 4-0

10:05-03 PUBLIC HEARING

**Town Code Amendment – Chapter 195
Stop Signs/Crosswalks – Collegeview/
Fairmont**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 5th day of October, 2016 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Town Code, Chapter 195, entitled “Vehicle and Traffic”, specifically Section 195-44, Schedule IX. “Stop Intersections”, and Section 195-47, Schedule XII. “Crosswalks”, which amendments are as follows:

ADD: Section 195-44, Schedule IX: Stop Intersections”

Stop Sign on	Direction of Travel	at Intersection of
Collegeview Avenue	West	Fairmont Avenue
Collegeview Avenue	East	Fairmont Avenue

ADD: Section 195-47 Schedule XII: “Crosswalks”

Name of Street	Location
Fairmont Avenue	at Intersection with Collegeview Avenue

AND BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on September 23, 2016 and published in the Poughkeepsie Journal on September 27, 2016 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: A. Shershin/J. Conte

Councilwoman Shershin: This was one of the things that came out of the Pedestrian Survey done by the County and Arlington. This intersection had a problem with people going too fast because there was nothing to stop them on Collegeview. Pedestrians were running into cars, bicycles were running into cars and also when Vassar College lets out, there were a long stream of cars there that caused backups on Fairmont. This is hoping it will slow down traffic and even out traffic and be safer for everyone.

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

Nays: None

CARRIED: 4-0

Motion made to suspend the rules for Public Speaking on Public Hearing #4: Deputy Supervisor Baisley/Councilwoman Shershin

CARRIED: 4-0

The woman who spoke didn't give her name. She states that she is confused about the legal notice that she received and the word Assessment, what does that mean.

Town Assessor: The law is actually a Legal Notice that is mailed to you. I have to mail it out. It is telling you that the Special Districts, which is your drainage and Sewer is available for you to look at and complain or to see what the rates are going to be this coming January. So, on your Tax Bill in January, it's a flat rate for a residential home. So, for town wide water, it's a flat rate. If you are in a sewer district, it's a flat rate. So, actually the book is out there and I can go over it if you would like, after the meeting. Or if there is anyone else that would like to know about it, I can go over it with them also.

Lady speaker: So, this doesn't mean that there is going to be ----When I see here in the letter, "Special Assessment" I hear money and so ---

Town Assessor: You always will and everyone always has been paying on these. It's on your January Land Tax Bill and if you look on your bill when you get it, it will say "along with the Town rate, and fire it will also say Water/Sewer/Drainage. It's every year a onetime flat rate. It's nothing new and on your bill each year.

Deputy Supervisor Baisley: This notice has to be given every year, everyone has to be notified, change or no change.

Motion made to close public hearing # 4: Deputy Town Supervisor/A. Shershin

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

Nays: None

CARRIED: 4-0

10:05-04 PUBLIC HEARING

Special District Assessment Roll

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 5th day of October, 2016 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt the Special District Assessment Roll which concerns the water districts, sewer districts and drainage districts of the Town of Poughkeepsie; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on September 23, 2016 and published in the Poughkeepsie Journal on September 27, 2016.

SO MOVED: A. Shershin/J. Conte

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

Nays: None

CARRIED: 4-0

10:05-05 APPOINT

Joseph M. Stenta – Police Officer

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Joseph M. Stenta to the position of full time Police Officer under the provisions of Civil Service Law dealing with a resignation/reinstatement, at the yearly salary of \$57,156.60, effective October 17, 2016, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Deputy Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

SO MOVED: J. Baisley/J. Conte

Deputy Town Supervisor Baisley welcomed him aboard.

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

Nays: None

CARRIED: 4-0

10:05-06 APPOINT

Christopher Donahue – Police Officer

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Christopher Donahue to the position of full time Police Officer under the provisions of Civil Service Law dealing with a resignation/ reinstatement, at the yearly salary of \$57,156.60, effective October 17, 2016, which appointment is subject to a probationary period of not less then 26 nor more than 52 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Deputy Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

SO MOVED: J. Conte/A. Shershin

Deputy Town Supervisor Baisley welcomed him aboard.

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

Nays: None

CARRIED: 4-0

Deputy Supervisor Baisley: Motion made to suspend the rules for public speaking on Agenda items.

CARRIED: 4-0

10:05-07 AUTHORIZE

P.O. Shepard – Differential Military Pay

RESOLUTION

WHEREAS, Police Officer Terick Shephard has been ordered to active duty by the United States Department of the Air Force National Guard Bureau; and

WHEREAS, the Town of Poughkeepsie, as the employer, wishes to pay Police Officer Terick Shephard the difference between his Town pay and his military pay, as well as allow his personal benefit time to continue to accrue, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the payment to Police Officer Terick Shephard of the difference

10:05-09 APPOINT

**Lindsey VanNorstrand – Part Time Clerk
Justice Court**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the appointment of Lindsey VanNorstrand to the position of Permanent Part Time Clerk at a salary of \$17.62 per hour effective immediately, which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks, and

BE IT FURTHER RESOLVED, that the Deputy Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

SO MOVED: J. Baisley/J. Conte

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

Nays: None

CARRIED: 4-0

**10:05-10 AUTHORIZE DEPUTY
SUPERVISOR TO SIGN**

**Lime Energy Contract – Building
Lamp Retrofit**

RESOLUTION

WHEREAS, the Building Department has received a proposal from Central Hudson Gas & Electric to have its exclusive efficiency contractor, Lime Energy Co., perform a lighting retrofit at Town Hall; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Deputy Supervisor or his designee to execute a contract with Lime Energy Co. to perform a lighting retrofit at Town Hall, at a cost not to exceed its proposal price of \$28,614.81, said contract to be in substantially the form annexed, together with the same modifications to the arbitration, contractor damages and liability, and indemnification clauses as were provided in the earlier contract between the Town and Lime Energy; and

BE IT FURTHER RESOLVED, that this action which involves the replacement of equipment is a Type II Action requiring no environmental review.

SO MOVED: J. Conte/A. Shershin

**Councilman Conte: You had said that there are substantial savings for doing this too, so yes, we are spending money up front, but we should
Deputy Supervisor: (get this money back in a year and a half.)**

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

Nays: None

CARRIED: 4-0

10:05-11 AUTHORIZE

**Block Party – 47-57 Colburn
Drive To Be Held October 15, 2016
12:00 NOON – 8:00 PM**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Dave Coxen to hold a block party on 47-57 Colburn Drive on October 15, 2016 from 12:00 PM to 8:00 PM, and does hereby authorize the Town of Poughkeepsie Police Department Traffic Division to close said street, but allowing access for emergency vehicles, from 12:00 PM to 8:00 PM; 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: J. Lepore/J. Conte

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

Nays: None

CARRIED: 4-0

10:05-12 AUTHORIZE

Special Consents SC 1

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

1. Authorize Vassar College Fireworks

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: A. Shershin/J. Conte

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

Nays: None

CARRIED: 4-0

10:05-SC1 AUTHORIZE

**Fireworks At Vassar College
To Be Held October 15, 2016 At
8:00 PM For “The Light The Night
Event” Sponsored By The
Leukemia And Lymphoma Society**

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 15, 2016; 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 15, 2016 at 8:00 PM on Vassar College property, Sunset Lake Hill, Poughkeepsie, New York.

SO MOVED: J. Baisley/J. Conte

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

Nays: None

CARRIED: 4-0

Deputy Town Supervisor: We are now at the end of our agenda and we are now going to have a Budget presentation by Mr. Emberger, Town Comptroller.

The Town Clerk presented the Town Board with the 2017 Tentative Budget, which was received in her office on Friday, September 30th, 2016 and stamped in at 3:58 PM.

Charles Emberger, Town Comptroller, had a Power Point Presentation to share, to go over the budget with the board but after some technical difficulties, Jon Jay Baisley, read over the handout. Those in attendance had a photo copy to follow along with. You may view on our you tube channel for any comments made.

Both a copy of the presentation and the Tentative Budget for 2017 are available online under “Latest News” @TownofPoughkeepsie.com

Town Board Meeting Adjourned at 8:01 PM.

