

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON NOVEMBER 2, 2016 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

PRESENT: Deputy Supervisor Baisley
Councilman Carlos
Councilman Lapore
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore

ABSENT: Councilman Conte
Councilman Cifone

**Motion made to suspend the rules for the first Public Hearing on the Budget:
Deputy Supervisor Baisley/Seconded by Councilwoman Shershin**

CARRIED: 4-0

Deputy Supervisor Baisley asked if there was anyone wishing to speak on the budget.

Doreen Tignanelli: There are some budget lines that seem to be allocated higher than was requested. For example, the part time pay for courts. It said the requested amount for 2017 was \$88,375 but the tentative budget for 2017 is allotting them \$120,800, so ---

Deputy Supervisor Baisley: The change in that is court security was in the police department budget, but seeing the courts were moved over, the court security line for police officers there are into their budget.

Doreen Tignanelli: Ok, so but I guess I don't understand how they say they needed \$88,000 and it was determined that you really need \$120,800?

Deputy Supervisor Baisley: It was our decision that the court security was always covering the Police Department Budget, so we actually know what the court is using, we took it out of the Police Department and put it over to the courts where it belongs. So we just moved a line over. It wasn't their choice asking for money, we just pulled it over. We thought that when Charlie goes to the numbers for the years, that is part of what they spent, so it's theirs.

Doreen Tignanelli: So, is that amount of money being used under the police line item anyway?

Deputy Supervisor Baisley: Before.

Doreen Tignanelli: Ok, so I have another question under judgment and claims Miscellaneous. It's budgeted at \$150,000 for 2017, but the year to date totals are only \$12,612.

Deputy Supervisor Baisley: We still feel that some of those certs still out there could be coming in and so we didn't want to cut that one short because we never know when they are filling them. We've cut it over the years and so we left it at that amount and we figured it's still a pretty safe number to be at.

Councilman Carlos: It was \$200,000 in 2016.

Doreen Tignanelli: I understand that. It's just that this year as of October, it is \$12,612 and so it wasn't clear.

Deputy Supervisor Baisley: It was a couple still floating out there, so we don't want to cut ourselves short.

Doreen Tignanelli: Ok, so the police budget for overtime, if I'm reading this correctly, there is about a 98 thousand dollar increase in overtime, so, do you know why? Are they short on head counts for that increase? The amount is still low, compared to overtime for the Arlington Fire District. Which is 2.5 million. Half a million for the police is still low, comparatively speaking. But, I just wondered why the increase of \$98,000?

Police Chief Spero: I had requested more. We are anticipating several retirements during the year and when that happens, we generally have people work overtime until we can fill those spots. Also, we are going to be doing a significant amount of training when we make this transition over to New World. This is a new records and management system. I would imagine some of that is going to be done on overtime. They won't be able to do that when they are on patrol and so that is two reasons why we made that increase request.

Doreen Tignanelli: The overall budget for the Police Department, I think is relatively low.

Deputy Supervisor Baisley: It is going down.

Doreen Tignanelli: "A" Fund, account # 2770, miscellaneous revenue year to date is \$103,901. For 2017 it is showing \$17 K.

Charlie Emberger: We did an audit on electricity and the company came back and found that we were being overcharged on poles and what not. We had a one time shot of \$140,000 and we netted \$102 and so it's a one shot deal and we don't expect that next year.

Doreen Tignanelli: Also have a question on there was an interfund transfer A Fund 9910 Account 5031 and that was \$400,000 for 2016 and for 2017 it is \$500 K?

Charlie Emberger: Yes, that is money that gets transferred in from the Water Department. It's like a pilot for all their property and what not. We can tax them, but we don't. We just do an interfund transfer and so it's up this year, yes. We did an analysis of how much we were paying and how much allocated to the Water Department and their property and so.

Doreen Tignanelli: Ok, and then another interfund transfer for water and sewer. That's almost a million dollar difference? The "S" fund, 19901 Account 5031. For 2016 it was \$4.2 million and now for 2017 it is \$3.2 million.

Charlie Emberger: Ok, that's the Special Districts. They get taxed and then it gets transferred in from special districts on money taxed for operation maintenance. Some of it also was a debt service that is being paid down so they don't have as much which really helped with the Budget this year. We paid off several bonds this year that we were carrying a like a 7% interest rate. They are all paid off now. So, the debt service dropped so the transfer is not as much.

Doreen Tignanelli: Ok, so on the B Fund, the sales tax distribution, it's about \$50,000 more than 2016. It's two million seventy five thousand. But, year to date, the number is only about 1.2 million. So, I was wondering how the two million seventy five thousand was projected.

Deputy Councilman Baisley: They (The County) are behind as far as the other billing processes goes. We are locked into a certain amount and every year if we go over that amount, we get a check in March or April, and the one year we had energy tax and it was over \$200,000 and we thought next year it would go down, but it went up and so we felt, very conservatively, given that gaining that \$200,000 check the last two years in a row, we felt confident to put \$50,000 of that in there knowing that we will be getting it. So, we felt a low profile number for the first two years.

Doreen Tignanelli: Then the Comptrollers overtime for year to date 2016 is only \$900 so far and \$5,000 was budgeted for overtime in 2017. I was wondering why that amount was budgeted?

Charlie Emberger: To be honest, it was budgeted \$30,000, but again, from what I understand, that was transferred over to the Courts. I just kept the \$5,000 in there to see what happens this year. If we don't use it, obviously, I'll drop it. But, I didn't know if something would be coming down the pike or something I may have missed, so it is just a place holder for this year.

Councilman Carlos: What is going on with this is we are trying to get a better picture of exactly what the costs are in the Town Court. So the transfers went in, whereas before, those sections of that Department were paid for out of ----

Doreen Tignanelli: Oh for years I've been seeing that there was overtime for the Comptrollers office, which was not being used and that Zero was budgeted for the Court System and yet the Court system always had overtime. So, even though it's only \$900.00 for this year, you just, to be on the safe side, did \$5000 for the first year to see what happens?

Charlie Emberger: Yes.

Doreen Tignanelli: I think the last thing I have was the Highway Longevity. The amount requested for 2017 was \$2850, but you actually budgeted \$7150, and so again, that is almost three times as much as requested.

Charlie Emberger: Next year several employees will hit their longevity amounts and so I was looking to see who was going to be moving up to their third year, this is the actual number. We doubled checked the numbers to be sure.

Doreen Tignanelli: Actually I do have one more, Snow Removal. \$100,000 is under contracted services for 2017, so exactly who does that get paid to?

Deputy Supervisor Baisley: All contractors who use small pickup trucks at the intersections and cul-de-sacs. There are four or five contractors he uses to come out for that.

Doreen Tignanelli: Ok, so year to date so far, it's \$13,000 and I'm guessing that's because there was no snow in January through March this year and you want to be sure?

Deputy Supervisor Baisley: Yes, we are keeping our fingers crossed.

Motion made to close Public Hearing #1: Deputy Councilman Baisley/J. Lepore

CARRIED: 4-0

Deputy Supervisor: At this time we will turn this over to Mr. Lepore who took over the Finance Committee and working with Mr. Carlos on this and we thought we had pretty good numbers and the other day health care numbers came in a little higher than we thought and so had to go back and make some readjustments of another \$60,000 to cover the increase in medical (8% to 10.4%.) So, Joe and Charlie sat down the other day with some Department heads and went back through the budget and found some more money.

Councilman Lepore went over some of the changes made to the budget and these changes are attached to the book copy of minutes. Please listen to full explanation of changes on YouTube video of the meeting.

Motion made to accept the budget line readings:

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

11:02-01 PUBLIC HEARING

Budget – 2017

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie adopted its Preliminary Budget for the year 2017 on October 19, 2016; and

WHEREAS, that the Legal Notice of Public Hearing was posted on October 21, 2016 and published in the Poughkeepsie Journal on October 25, 2016, and

WHEREAS, a public hearing was held on November 2, 2016 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby close the public hearing in regard to the adoption of the Preliminary Budget, as amended, adopts the budget modifications to the Preliminary Budget as amended, adopts the budget modifications to the Preliminary Budget presented by the Comptroller and does adopt the Preliminary Budget as so modified as the Town's 2017 Budget.

SO MOVED: W. Carlos/J. Lepore

Town Attorney Nelson: Councilman Carlos and Mr. Chairman, do you want to add in the reference there on the third to last line that on motion of J. Lepore and seconded by W. Carlos was amended.

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

Motion made to suspend the rules for Public Hearing #2: Deputy Councilman Baisley/W. Carlos

CARRIED: 4-0

NO SPEAKERS CAME FORWARD

Motion made to close Public Hearing #2: J. Lepore/W. Carlos

CARRIED: 4-0

11:02 PUBLIC HEARING

**Town Code Amendment – Chapter
195 Stop Sign – Schoolhouse/Croft**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 2nd day of November, 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”, which amendment would be as follows:

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

| Stop Sign on | Direction of Travel | At Intersection of |
|-------------------------|----------------------------|---------------------------|
| Schoolhouse Lane | East | Croft Road |

AND BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on October 21, 2016 and published in the Poughkeepsie Journal on October 28, 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: J. Lepore/A. Shershin

Councilman Lepore: This was another good thing about students at Spackenkill and I want to thank the Chief and Sgt. Hulbert.

Deputy Supervisor Baisley: And the PTA and staff at Spackenkill, I think it works good and so far to make it safer for the students walking between Spackenkill High School and the Jr. High there.

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

Jay Baisley reads through the agenda items-

Motion made to suspend the rules for Public Speaking on Agenda Items: Deputy Town Supervisor/Councilwoman Shershin

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

Doreen Tignanelli: I have a question and comment on Special Consent Item #1. I've mentioned this before, but, I don't know if the Board could consider having a cut off date so that things are not added to the agenda at the last minute and the Public doesn't they are going to be on there. There is really no visibility like, right before I came to the meeting I checked on line and I did not see, as of then, the Special Consent item listed and so if you are interested in that one, The Fairview Fire District vs. the Town and Dalia/et. el. you wouldn't even know that that was going to be discussed tonight. On the other hand, if you knew enough to look at the information packet that was posted, down at the bottom, there was something pertaining to this Special Consent item. But, again, I don't know why there can't be, if everything isn't in by Friday, then ---

Deputy Supervisor Baisley: We have a cut off for most things, we have also actually held back quite a few, unless it is something like a finalization of the sewer having to be repaired or something like that. But, we are trying to keep most of them out.

Doreen Tignanelli: Also, in the information packet, while there was the resolution for the Special Consent Item #1, the actual stipulation of settlement wasn't in there and so, can you give us a brief.

Town Attorney: The suggestion that this be brought before the Town Board was called in to me this morning and this lawsuit has been going on, along with other law suits relating to the Fire District for some time. What Ron Blass, who was one of my partners who defended the Town, abstracted what I believe to be the most important part of that stipulation and incorporated it right in the resolution. You are certainly welcome to look at the stipulation, but, what that language says is essentially that the Town is party to settling this lawsuit on the condition and understanding that all of the agreements, especially as they relate to money, are between the developer and the Fire District and the Town is not going to change any of its proceedings. The Town is not going to change any of its processes. The Town isn't going to be paying any money.

Doreen Tignanelli: Ok, then the other thing which I talked to Mr. Baisley about today is that as of like noon time, agenda Item #9, the memorandum with Vassar College, that's where the Town is going to be using soil that's on the Vassar Farm right now from the Vassar College Site, there were, I have concerns because some of the soil samples, at least one, looked like it contained mercury, DDT and DDE contaminates and while there were references to test results and sampling locations, that information was referenced, but it wasn't posted on the website and so, again, if

you wanted to look at the test results, they were referenced, but not contained in there as of noon today, but Mr. Baisley did see that it got posted this afternoon, but again, it really doesn't give a lot of time for people to review the results. So, if things could be posted earlier, that would be better.

Deputy Town Supervisor: We will work on that.

Doreen Tignanelli: Thank you. I know the Highway Department is going to be using that soil, and the fact that there are some contamination ---

Deputy Town Supervisor: It's the Sewer Department that's going to use it...

Doreen Tignanelli: So, one of the samples contained DDT and DDE, it's solely going to be used there?

Deputy Town Supervisor: Around Fallkill, they have to build a road to those sewer lines.

(This subject was continued and Mr. Wilson spoke on the issue as well –Please consult You-Tube to review further)

Motion made to resume the rules: Deputy Supervisor Baisley/W. Carlos

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

11:02-03 SET DATE
FOR PUBLIC HEARING

Hudson Heritage

RESOLUTION

A RESOLUTION OF THE TOWN BOARD: (1) DETERMINING THAT THE DRAFT ENVIRONMENTAL IMPACT STATEMENT (“DEIS”) FOR THE HUDSON HERITAGE PROJECT IS COMPLETE FOR THE PURPOSE OF COMMENCING PUBLIC REVIEW; (II) SCHEDULING A PUBLIC HEARING CONCERNING THE DEIS, DEVELOPMENT MASTER PLAN APPLICATION AND ZONING PETITION FOR DECEMBER 7, 2016; AND (111) INSTRUCTING TOWN STAFF TO CIRCULATE NOTICES OF COMPLETION AND PUBLIC HEARING, AS WELL AS FILE COPIES OF THE DEIS IN ACCORDANCE WITH 6 N.Y.C.R.R. SECTION 617.12

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

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

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

WHEREAS, on June 5, 2015, EFG/DRA provided the Town Board with a Development Master Plan Application (“Application”), Petition for a Zoning Amendment (“Petition) and a Long Environmental Assessment Form (“EAF”) Part 1, setting forth technical details pertaining to the potential environmental impacts of the Project; and

WHEREAS, by Resolution adopted on June 17, 2015, the Town Board referred the Application and Petition to the Town Planning Board for review and comment pursuant to New York State and Town law requirements; and

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

WHEREAS, on August 19, 2015, the Town Board held a public scoping session to identify potentially significant adverse environmental impacts related to the Project that are to be addressed in the EIS, and thereafter accepted written comments through August 31, 2015; and

WHEREAS, the Town adopted a Final Scope in accordance with 6 N.Y.C.R.R. Section 617.8 on September 16, 2015; and

WHEREAS, EFG/DRA submitted a “Draft Environmental Impact Statement for the Hudson Heritage Project” (the “DEIS”) to the Town Board on October 25, 2016; and

WHEREAS, the Town Board, its independent consultants, and special counsel reviewed the DEIS to determine whether to accept it as “adequate with respect to its scope and content for the purpose of commencing public review” pursuant to 6 N.Y.C.R.R. Section 617.9(a)(2); and

WHEREAS, having received a complete Development Master Plan Application and Zoning Petition, the Town Board must conduct a public hearing on both items pursuant to Sections 210-66 and 210-153 of the Town Zoning Code;

NOW THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby determines that the information submitted in the DEIS is complete and adequate with respect to its scope and content for the purpose of commencing public review pursuant to 6 N.Y.C.R.R. Section 617.9(a)(2);**
- 2. The Town Board shall conduct a Public Hearing on the DEIS, the Application and the Petition on December 7, 2016 at Town Hall, 1 Overocker Road, Poughkeepsie, NY 12603 at 7:00 PM, where public comment will be heard regarding said items;**
- 3. The Town Board directs that the DEIS, and the attached Notice of Completion and Notice of Public Hearing for the DEIS relative to the Project, shall be filed, published and circulated in accordance with the requirements of 6 N.Y.C.R.R. Section 617.9 and 617.12, notifying the public, among other things, that (i) the Town Board shall hold a Public Hearing on the DEIS on December 7, 2016 at Town Hall, 1 Overocker Road, Poughkeepsie, New York 12603 at 7:00 PM, where public comment will be heard regarding the DEIS, and (ii) written comments on the DEIS are requested as of November 3, 2016, and will be accepted by the Town Board for at least ten (10) days following the close of the Public Hearing.**
- 4. The Town Board hereby directs the appropriate Town Staff to arrange to: (i) publish the Notice of Completion and Notice of Public Hearing at least fourteen (14) calendar days in advance of the hearing date in a newspaper of general circulation, as well as publish such Notices as required in the Environmental Notice Bulletin (ENB); (ii) have copies of the DEIS filed with the New York State Department of Environmental Conservation, and the Office of the Town Clerk for public review; (iii) have a copy of the DEIS, Notice of Completion and Notice of Public Hearing circulated to all involved and interested agencies; and (iv) have the DEIS posted on the Town's website at: <http://www.townofpoughkeepsie.com>; and**
- 5. The Town Board hereby directs the appropriate Town Staff, in conjunction with EFG/DRA, to arrange, pursuant to New York State and Town law, that the proper notification be distributed to the public and all required municipal and governmental agencies indicating that the Town Board will be conducting a Public Hearing on December 7, 2016 concerning the Application and Petition.**

SO MOVED: A. Shershin/ W. Carlos

Neil Wilson explains for a few minutes about this item and the next steps in the process.

(THIS ITEM IS ON THE WEBSITE FOR YOU TO FOLLOW AS WELL AS HERE IN THE TOWN CLERKS OFFICE TO VIEW)

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

11:02-04 AUTHORIZE DEPUTY SUPERVISOR TO SIGN

Dutchess County Grant – Police Computer-Aided Dispatch Upgrade

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Deputy Supervisor to execute a Dutchess County 2016 Municipal Consolidation & Shared Services Grant Application and any future documents to effectuate a grant award for a project entitled Law Enforcement Computer-Aided Dispatch Upgrade and Consolidation, in the amount of \$280,000.00.

SO MOVED: J. Baisley/W. Carlos

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

11:02-05 AUTHORIZE DEPUTY SUPERVISOR TO SIGN

Documents To Effectuate A Grant Award – 2014 Byrne JAG Grant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Deputy Supervisor or his designee to execute all papers necessary and proper to effectuate a grant award known as FFY 2014 Byrne JAG Grant from the State of New York Division of Criminal Justice Services, in the amount of \$9,744.00, which funds will be used by the Police Department to purchase equipment used for the video recording of statements and must be used by September 30, 2017.

SO MOVED: W. Carlos/J. Lepore

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

11:02-06 AUTHORIZE DEPUTY SUPERVISOR TO SIGN

Documents To Effectuate A Grant Police Traffic Service Program Award

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Deputy Supervisor or his designee to execute all papers necessary and proper to effectuate a grant award known as Police Traffic Service Program Grant from the Governor’s Traffic Safety Committee, in the amount of \$14,690.00, which funds will be used by the Police Department for the enhanced enforcement of seat belt usage and reduction of dangerous driving behaviors and must be used by September 30, 2017.

SO MOVED: J. Lepore/A. Shershin

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

11:02-07 ACCEPT

Certificate of Attendance – Carl Whitehead

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Carl H. Whitehead from Dutchess County Planning Federation for the course entitled “Supporting Agriculture with Community Planning”, held on October 4, 2016, a copy of which is attached.

SO MOVED: A. Shershin/W. Carlos

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

CERTIFICATE ATTACHED TO FINAL BOOK COPY

11:02-08 CONSENT

**Lead Agency – 33 Arlington
Avenue (Built Parcel 5)**

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 33 Arlington Avenue (Built Parcel Five) Amended Site Plan, 33 Arlington Avenue and Van Wagner Road, Poughkeepsie, New York, Tax Parcel Nos. 6161-08-868920 and 864945.

SO MOVED: J. Lepore/W. Carlos

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

**11:02-09 AUTHORIZE DEPUTY
SUPERVISOR TO SIGN**

**Memorandum Of Understanding
With Vassar College**

RESOLUTION

BE T RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Deputy Supervisor or his designee to execute a Memorandum of Understanding on behalf of the Town of Poughkeepsie with Vassar College, 124 Raymond Avenue, Poughkeepsie, New York for the Town’s removal and disposition of soil from Vassar Farm, in substantially the form presented.

SO MOVED: A. Shershin/J. Lepore

Councilman Lepore: How much dirt are we talking about? A lot?

Jay Baisley: We are building two roads, so a lot.

Councilwoman Shershin: But Vassar is also paying us \$15,000. So this sounds like it will be beneficial for both.

Councilman Carlos: So this work is all being done in the Vassar Farms area?

Jay Baisley explains about the fact that there is a consent order and we need to build roads to get to areas that have not been looked at in quite some time.

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

MEMORANDUM ATTACHED TO FINAL BOOK COPY

11:02-10 APPROVE

**Arlington Business Improvement District
Holiday Parade**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Bob Legacy, on behalf of the Arlington Business Improvement District, and does hereby grant approval to the Arlington Business Improvement District to hold a Holiday Parade on Saturday, December 3, 2016 between 4:00 PM and 5:00 PM, which parade application requests the closures of Main Street from Fowler Avenue to Raymond Avenue, Raymond Avenue from Main Street to Collegeview and Fulton Avenue; and

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application for said Parade as submitted pending receipt of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured.

SO MOVED: J. Baisley/A. Shershin

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

**11:02-11 AUTHORIZE DEPUTY
SUPERVISOR TO SIGN**

**Foam And Wash Car Wash
Agreement**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Deputy Supervisor to sign a Vehicle Cleaning Agreement with Baright Enterprises, Inc. d/b/a Foam & Wash Car Wash, for the entire Town Police Department fleet as required by the Town of Poughkeepsie Police Department, for the period of January 1, 2017 through December 31, 2017, a copy of Chief Spero's memo along with a proposal is attached; and

BE IT FURTHER RESOLVED, that Baright Enterprises, Inc. d/b/a Foam & Wash Car Wash has proposed to continue to provide services at the rate of \$750.00 per month, and the Town Board of the Town of Poughkeepsie finds that the solicitation of alternative proposals for these services would not be in the best interest of the Town.

SO MOVED: W. Carlos/J. Lepore

AGREEMENT ATTACHED TO FINAL BOOK COPY

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin
Nays: None **CARRIED: 4-0**

MEMO AND PROPOSAL ATTACHED TO FINAL BOOK COPY

11:02-12 AUTHORIZE DEPUTY SUPERVISOR TO SIGN **Documents To Effectuate A Grant/ Acceptance –Shared Services- Crisis Intervention Training**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Deputy Supervisor or his designee to execute all papers necessary and proper to effectuate a grant award known as the 2015 Municipal Consolidation and Shared Services Grant – Crisis Intervention Training, in the amount of \$25,800.00, which funds will be used by the Police Department for 50% of overtime costs associated with officers attending Crisis Intervention Training

SO MOVED: J. Lepore/W. Carlos

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin
Nays: None **CARRIED: 4-0**

11:02-13 AUTHORIZE DEPUTY SUPERVISOR TO SIGN **Change Order For Snow Removal IMA**

RESOLUTION

WHEREAS, by Resolution 12:3 - #8 of 2014, the Town Board of the Town of Poughkeepsie approved the execution of an Intermunicipal Agreement with the County of Dutchess to participate in the Regional County Highway Snow & Ice Control Program (the “Program”) within the boundaries of the Town, and

WHEREAS, participation in the Program, under which the County will supply control materials and reimburse the Town for its labor and equipment use, will result in more prompt inclement weather response times, thereby enhancing the overall safety of Town residents and those who travel through the Town, now therefore

BE IT RESOLVED, the Deputy Supervisor has been forwarded a Change Order extension to said Intermunicipal Agreement from the County for the Town’s

participation in the Program and the Town Board does hereby authorize the Deputy Supervisor to execute said Change Order extension.

SO MOVED: A. Shershin/J. Lepore

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

11:02-14 AUTHORIZE

Special Consents SC 1

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. Authorize Deputy Supervisor to Sign Stipulation – Fairview Fire v. Town, Dalia, et al**

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/A. Shershin

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

11:02-SC 1 AUTHORIZE DEPUTY SUPERVISOR

Stipulation – Fairview Fire V. Town, Dalia et al

RESOLUTION

WHEREAS, the Poughkeepsie Town Board has received a Stipulation of Settlement of the action named Fairview Fire District v. Town of Poughkeepsie and Dalia; and

WHEREAS, the following clause of the Stipulation sets forth the position of the Town of Poughkeepsie:

- A. The Town Respondents enter into this Stipulation of Settlement for the sole purpose of obtaining a withdrawal of the appeal pending from the dismissal order of Supreme Court, Dutchess County and a stipulation of discontinuance**

with prejudice of the claims asserted against the Town respondents. The Town Respondents assume no obligations to the other parties.

B. By entering into this Stipulation, the Town Respondents:

- (a) assume no obligations to the other parties;
- (b) assume no duty to perform, or to refrain from performance of, any actions under this Stipulation of Settlement, as the terms of performance are established solely and exclusively as between the petitioner Fire District and respondent Dalia;
- (c) Do not vouch for, approve, or disapprove any of the terms or conditions of the Stipulation of Settlement established as between the Fire District and Dalia.

C. The functions and administration of town government are not modified or affected by this Stipulation of Settlement, including but not limited to

- (a) The future legislative authority of the Town Board with respect to Dalia Project,
- (b) the future administrative authority of the Planning Board with respect to Dalia Project,
- (c) the administration of state and local building codes in terms of issuance of building permits and certificates of occupancy for the Dalia Project, and
- (d) the town assessor's assessment of the real property devoted to the Dalia Project, the board of assessment review's determination of grievances, or the defense or settlement of tax review proceedings"

NOW THEREFORE, BE IT RESOLVED that the Town Board of the Town does hereby authorize the Deputy Supervisor to execute the Stipulation of Settlement.

The foregoing resolution was voted upon with all councilmen voting as follows:

SO MOVED: W. Carlos/J. Lepore

ROLL CALL: Ayes: Deputy Supervisor Baisley, Councilmen Carlos, Lepore, and Councilwoman Shershin

Nays: None

CARRIED: 4-0

Motion made to suspend the rules for public speaking on Town issues:

Doreen Tignanelli : The site originally there was a concern and the DEC came and investigated as a result of a complaint that someone turned in and it turned out that the site had exceeding the extent of the work allowed under NYS DEC Permit and another plan was submitted. So, is the Town monitoring the site now to make sure

the work is being done in accordance with the revised plan to meet the permit requirements?

Deputy Town Supervisor: To the best of my knowledge, Doreen, yes. We were told to go out, be careful, it's wet land and on Vassar Campus and be extremely careful and make sure stay in the boundaries of where they are and make this project go as smoothly as possible. It is under consent order to get finished. I don't know how far they have gotten on the project. I am reasonably confident they are following the permits.

Mr. Casement: I want to speak in reference to Vic's Garage on the corner of Overocker Road and Dutchess Turnpike. I see the roof is caving in and it is falling apart and it had two billboards on the roof and one is inside and the other is still on the roof. A good wind may take that down on Overocker Road and cause bodily injury if not just property damage. I was wondering if anything is being done by the Town Board to hasten this being taken down.

Deputy Town Supervisor: No. To my knowledge, they were doing something out there and they stopped them. But, I will check into it in the morning and see where they stand with that to make sure it's secured.

Mr. Casement: It seems like a real hazard.

EXECUTIVE SESSION

**ADJOURN TO
EXECUTIVE SESSION**

**To Enter Executive Session To
Consider Following Matters:**
**A. Litigation Known as Neptune
Capital Investors**
**B. Confidential Communication
Between Attorney And His
Client, The Town Board, Based
On Attorney/Client Privilege**

And Be It Further Resolved, There Will Be No Action Taken Appropriating Money

TOWN BOARD ENTERED EXECUTIVE SESSION AT 8:13 P. M.

TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 9:08 P. M.

NO ACTION TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING ADJOURNED 9:09 P. M.