

**TOWN OF POUGHKEEPSIE
SPECIAL MEETING/COMMITTEE OF THE WHOLE MEETING
JUNE 14, 2017
SUMMARY**

PRESENT:	Supervisor Baisley Councilman Renihan Councilman Carlos Councilman Conte Councilwoman Shershin Attorney Nelson Town Clerk Salvatore	ABSENT:	Councilman Cifone Councilman Lepore
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**SPECIAL TOWN BOARD
MEETING AGENDA ITEMS**

06:14-01	APPOINT (SUPERVISOR BAISLEY)	County Legislature District 1 AMENDED TO ADD NAME OF MARGARET KAKISH, 22 CORINE DRIVE, POUGHKEEPSIE CARRIED	4- 1
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**AYE: Councilmen Renihan, Carlos, Conte, Supervisor Baisley
NAY: Councilwoman Shershin
ABSTAIN: -0-
ABSENT: -1-**

**RESOLUTION AS AMENDED
CARRIED** **4- 1**

**AYE: Councilmen Renihan, Carlos, Conte, Supervisor Baisley
NAY: Councilwoman Shershin
ABSTAIN: -0-
ABSENT: -1-**

06:14-02	SET DATE FOR PUBLIC HEARING (SUPERVISOR BAISLEY)	Local Law-Zoning Administrator/Powers /Building Inspector WITHDRAWN	
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06:14-03	ACCEPT (LEGAL)	Easement- Riccobono CARRIED	5- 0
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06:14-04	AUTHORIZE (LEGAL)	Special Consents SC1 CARRIED	5- 0
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PROPOSED ITEMS FOR CONSIDERATION UPON SPECIAL CONSENT

06:14-SC1	APPROVE (TOWN CLERK SALVATORE)	Scleroderma Walk At Vassar College CARRIED WALK WILL TAKE PLACE ON VASSAR COLLEGE GROUNDS THIS SATURDAY, JUNE 17th, 2017 FROM 9:00 A.M. -12:00 P.M.	5- 0
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SPECIAL TOWN BOARD MEETING ADJOURNED AT 7:30 P.M.

COMMITTEE OF THE WHOLE

COW01 DISCUSSION Town Wide Drainage
 (COUNCILMAN CARLOS) **BILL CARLOS PRESENTED THE BOARD WITH A POWER POINT PRESENTATION ON A FEW DIFFERENT PROBLEM AREAS THROUGHOUT THE TOWN IN REGARD TO DRAINAGE. HE TALKED ABOUT THE PIPES AND HOW SOME OF THEM ARE FAILING. IT WOULD BE HIS HOPE THAT THE BOARD WOULD BE OPEN TO UPDATING A STUDY, AS THE FIRST STEP, IN WORKING ON THIS ISSUE AS THE LAST KNOWN ONE WAS COMPLETED IN OR ABOUT 1996. THE TOWN BOARD MEMBERS PRESENT THANKED BILL FOR ALL HIS HARD WORK AND WILL HAVE TO DETERMINE THE NEXT STEP AS TO PERHAPS PUTTING A RESOLUTION BEFORE THE BOARD TO START THE STUDY, BUT ALSO NEED TO DISCUSS WHERE THE FUNDS WILL COME FROM TO ACHIEVE THIS GOAL. SOME OF THE RESIDENTS WHO LIVE NEAR THE PROBLEM AREAS SPOKE ON THIS ISSUE AND THANKED MR. CARLOS FOR HIS WORK ON THE PRESENTATION. ALL HOPE THAT SOMETHING CAN BE ACCOMPLISHED. PLEASE VIEW THE ENTIRE POWER POINT PRESENTATION AND RESIDENT COMMENTS BY VIEWING THE JUNE 14TH 2017 SPECIAL/COMMITTEE OF THE WHOLE MEETING ON OUR YOUTUBE CHANNEL, WITH THE LINK LOCATED ON OUR MEETINGS PAGE AT TOWNOFPOUGHKEEPSIE.COM**

COW02 DISCUSSION Excavation Local Law
 (COUNCILMAN CARLOS) **MR CARLOS TALKED ABOUT A LOCAL LAW HE WOULD LIKE TO BRING BEFORE THE BOARD IN REGARD TO STREET OPENINGS, THE PROCESS AND ENFORCEMENT AS IT RELATES TO THE ISSUE AS WE ARE SPENDING A LARGE AMOUNT OF MONEY TO UPGRADE OUR INFRASTRUCTURE.**

COW04 DISCUSSION Special Permit Amendment
 (DIRECTOR WILSON) **NEIL WILSON SPOKE ON THIS ITEM FIRST AND WOULD LIKE TO SEE ANY SPECIAL PERMIT THAT MIGHT BE RELATED TO SITE PLAN REVIEW GO BEFORE THE PLANNING BOARD, AND NOT THE ZONING BOARD. CERTAIN ISSUES WOULD STAY WITH THE ZONING BOARD SUCH AS HOME OCCUPATION, AND OTHER ZONING RELATED ITEMS. HE STATES THAT YEARS AGO WHEN SPECIAL PERMITS BEGAN THERE WERE PROBABLY NO SUCH THING AS A PLANNING BOARD AND THINKS THIS WOULD HELP TO NOT HAVE THE APPLICANTS GO BEFORE TWO BOARDS SOMETIMES DUPLICATING THE SAME PROCESSES.**

COW03 DISCUSSION Mobile Home Amendment
 (DIRECTOR WILSON) **NEIL SPOKE ON THIS ITEM FOR A FEW MINUTES AND IT PERTAINS MOSTLY TO THE UNIQUE PROBLEM WE ARE HAVING WITH THE SHADY BROOK TRAILOR PARK AND WHAT NEEDS TO HAPPEN TO GET THE PARK UP TO CODE SO THAT IT CAN STAY A VIABLE PARK AND THOSE RESIDENTS WILL HAVE A PLACE TO LIVE THAT IS IN CONFORMITY. THE OPTIONS ARE TO MAKE SOME CODE CHANGES AND ALLOW THE PLANNING BOARD TO WORK WITH THE OWNER OF THE PROPERTY TO REWORK A SITE PLAN OR TAKE NO ACTION AND POSSIBLY REAP THE RESULTS THAT COULD OCCUR SHOULD THE OWNERS WALK AWAY FROM THE SITE. THE BOARD NEEDS TO THINK ABOUT HOW THEY WANT TO PROCEED ON THIS DELICATE ISSUE.**

COMMITTEE REPORTS 6/14/2017

1. **FINANCE** **Lepore, Cifone, Conte**
NOTHING TO REPORT, JAY MENTIONED
THAT THE BUDGET IS ON TARGET
2. **FIRE ADVISORY** **Renihan, Conte, Splain &**
Fire Officials (Arlington, New
Hamburg, Fairview)
NOTHING TO REPORT
3. **GOVERNMENT OPERATIONS** **Shershin, Carlos, Cifone**
NOTHING TO REPORT
4. **LAND USE & PLANNING** **Cifone, Shershin, Renihan**
(Including Cell Tower & Comp. Plan) ***NOTHING TO REPORT***
5. **PERSONNEL** **Cifone, Conte, Renihan**
NOTHING TO REPORT
6. **RECREATION/ SENIOR CITIZENS** **Lepore, Shershin, Renihan**
(Including Town Day) ***CAMPS ARE 70% FULL***
7. **TECHNOLOGY & EQUIPMENT** **Carlos, Cifone, Lepore**
NOTHING TO REPORT
8. **WATER, SEWER, HIGHWAY** **Carlos, Lepore, Shershin**
(INFRASTRUCTURE) ***THE FIRST DICUSSION AT COMMITTEE***
OF THE WHOLE MEETING ON
DRAINAGE TOOK CARE OF THIS ITEM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 9:13 PM

06:14-ES EXECUTIVE SESSION

Be it Resolved, the Town Board of the Town of Poughkeepsie is hereby adjourned to Executive Session to consider the following matters to wit:

1. **Real Estate Matters-to the extent that public disclosure of the discussion would substantially affect the value of the property.**
2. **Confidential Communications between the attorney and his client, the Town Board, based on the attorney/client privilege.**
3. **Matters leading to a potential contract with a particular person, firm or corporation.**

TOWN BOARD RETURNED TO TOWN BOARD MEEETING AT 9:49 PM

NO ACTION TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING ADJOURNED AT 9:50 PM

RESOLUTION 6:14 - # 1 OF 2017

WHEREAS, the Town Board of the Town of Poughkeepsie has been advised that County Legislator Ellen Nesbitt, who represented Legislative District 1, which District lies wholly within the Town of Poughkeepsie, resigned as of June 2, 2017, and

WHEREAS, by RESOLUTION 6:7 - #SC2 of 2017, the Town Board of the Town of Poughkeepsie ratified the Town Supervisor's posting of a request for the submission of resumes from individuals interested in serving as the interim successor to Ms. Nesbitt by close of business on June 9, 2017, and

WHEREAS, the Town Board of the Town of Poughkeepsie has received 4 resumes from individuals wishing to be considered for the position, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to Dutchess County Charter Section 2.13(a), after due consideration and deliberation hereby designates Margaret Kakish, 22 Corino DR. Poughkeepsie NY to serve as interim successor representing Dutchess County Legislative District 1, and directs that a certified copy of this resolution be forthwith transmitted to the Clerk of the Dutchess County Legislature.

Dated: June 14th 2017

Moved: Jeff Renihan

Seconded: Joseph Conte

Ayes 4 Nays 1

JEN/mem
t-6/8/2017
m-6/14/2017
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Motion to Amend: W. Carlos / J. Conte
Resolution to add the
name
Margaret Kakish
Aye 4 Nay 1

	AYE	NAY
Councilman Renihan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Carlos	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Conte	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Cifone <i>absent</i>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Lepore <i>absent</i>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Shershin	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Supervisor Baisley	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#2

Documents to follow

Withdrawn,
deferred to
future meeting

RESOLUTION 6:14 - # 3 OF 2017

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Grant of Permanent Easement for Sanitary Sewer Purposes and Right of Way from Anthony T. Riccobono, Sr. and Susan K. Riccobono, 12 Stuart Drive, Poughkeepsie, NY to the Town of Poughkeepsie, in substantially the form attached; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized to record the Easement and any supporting recording documents in the Dutchess County Clerk's Office.

Dated: June 14th 2017
Moved: William Carlos
Seconded: Joseph Conte
Ayes 5 Nays 0

JEN/mem
t-6/9/2017
m-6/14/2017
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	AYE	NAY
Councilman Renihan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Carlos	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Conte	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Councilman Cifone <i>absent</i>	<input type="checkbox"/>	<input type="checkbox"/>
Councilman Lepore <i>absent</i>	<input type="checkbox"/>	<input type="checkbox"/>
Councilwoman Shershin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Supervisor Baisley	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**GRANT OF PERMANENT EASEMENT FOR
SANITARY SEWER PURPOSES
AND RIGHT OF WAY**

THIS INDENTURE, made the ___ day of _____, 2017, between ANTHONY T. RICCOBONO, SR. and SUSAN K. RICCOBONO, Husband and Wife (hereinafter referred to as “Grantor”), with an address of 12 Stuart Drive, Poughkeepsie, New York 12603 and the TOWN OF POUGHKEEPSIE (hereinafter referred to as “Grantee”), a municipal corporation with its offices located at Town Hall, 1 Overocker Road, Poughkeepsie, New York 12603.

WITNESSETH:

1. The Grantor, in consideration of the sum of One Thousand Five Hundred Dollars (\$1,500.00), lawful money of the United States, and other consideration described below, hereby grants and releases unto the Grantee, its successors and assigns forever, the following:

a perpetual easement and right-of-way (the “Easement”) to enter upon and lay, install, operate, maintain, repair and/or replace a sanitary sewer pump station, including but not limited to pipes, pumps, housing, cover, power connections, lights and other appurtenances thereto (collectively the “Sewer Pump Station”) under, across and through a portion of certain property of Grantor commonly known as 12 Stuart Dr., Poughkeepsie, New York (Parcel Number 134689-6160-02-556530) and being the same premises described in a certain deed dated July 23, 1985 and recorded in the Dutchess County Clerk’s office on July 24, 1985 as Liber 1675, Page 0265 (the “Premises”), said Easement and right-of-way being bounded and described on Schedule A attached hereto (the “Easement Area”), and as more fully depicted on the map attached hereto as Schedule B.

2. Control. The Fee Title to this Easement Area shall at all times remain the property of the Grantor. The right to occupy and use the Easement Area for the purposes provided herein shall at all times be the Grantee’s and under its exclusive control and supervision, and the Grantor shall not interfere with or cause injury or damage to it or to the Sewer Pump Station.

3. Use and Enjoyment. The Grantor reserves the right to use and enjoy the Premises, except for the rights and privileges herein described and granted, provided that such use shall not interfere with or cause injury or damage to the Easement Area or the Sewer Pump Station.

4. Express Conditions. This grant is made upon the express conditions and reservations which shall continue and run with the land:

a. That the Grantor shall not construct or erect any permanent type structure or building over or within said Easement Area; and

b. That the Grantor shall not plant or place any trees within said Easement Area.

5. Consideration, Landscaping and Maintenance. The grant of this Easement is conditioned on the payment by the Grantee to the Grantor of the \$1,500.00 consideration prior to the recording by the Grantee of this Easement. As additional consideration for the grant of this Easement the Grantee at its own cost and expense shall promptly, subject to weather conditions, after its acceptance of this Easement and the payment of said \$1,500.00 perform the Landscaping Work described on the Map annexed hereto as Schedule B.

By accepting this Easement, Grantee agrees that at its own cost and expense it will, upon the completion of the Landscaping Work, mow and control the growth of brush in the Easement Area for the term of this Easement, and that for a period of five years after installation it will maintain and replace as necessary the Landscaping Work within the Easement Area. Replacement landscaping shall, at Grantee's option consist of either forsythia, burning bush or boxwood.

6. Condition of Easement Area.

a. In addition to the Grantee's obligations of payment and performance described in Paragraph 5 above it shall at its own cost and expense, promptly after completion of the installation, repair, maintenance or replacement of the Sewer Pump Station restore the surface of the Easement Area to substantially the same condition as before such installation, repair, maintenance or replacement.

b. The Grantee shall, as practicable, provide to Grantor prior notification of any anticipated actions that alter the landscape of the Easement Area exclusive of system changes/work, emergencies or ongoing maintenance of the pump station and electrical panel.

c. The Grantee shall not block access to entry or egress of the Grantors driveway at any time.

7. Insurance. Grantee shall during the term of this easement maintain liability insurance coverage and workers' compensation insurance coverage, proof of which coverages will be supplied to the Grantor on execution of this Easement Agreement, and thereafter upon request of the Grantor.

8. Deed Recording. Grantee shall be responsible, at its own expense, for recording this Easement Agreement with the Dutchess County Clerk. Grantee shall provide Grantor with a conformed copy of the recorded easement.

9. Notifications. Any notifications or other correspondence pertaining to this Easement Agreement, shall be in writing and delivered by First Class U.S. Mail, to the following addresses:

Anthony T. and Susan K. Riccobono Sr.
12 Stuart Drive, Poughkeesie, NY 12603
Or the then fee owner of the Easement Area

Town of Poughkeepsie Legal Department
1 Overocker Road, Poughkeepsie, NY 12603

10. Amendment. This Easement Agreement may not be modified, changed, altered, amended or otherwise revised except by way of a duly executed written amendment by both Grantor(s) and Grantee.

11. Waiver. The waiver by either the Grantor(s) or the Grantee, or both, of any of its rights with respect to a breach or any other matter arising under this Easement Agreement shall not constitute or be construed as constituting a waiver with respect to any other breach or matter.

12. Breach. In the event of a breach of this Easement Agreement by either party, the party claiming breach shall deliver a written notice of breach, stating with specificity the nature of the claimed breach.

13. Severability. If any provision of this Easement Agreement shall be determined to be unenforceable or void by a court of competent jurisdiction, all other provisions shall remain in full force and effect.

14. Release by Grantor. Each of the Grantors, by affixing their signatures hereto, releases the Grantee from any claim or cause of action they may have or had relating to the placement, construction, use or operation of the Sewer Pump Station or other Town activities on the Premises, and any other claim or cause of action either Grantor may have against the Grantee, but reserving to themselves the right to seek payment, performance and the consideration referred to herein.

15. Run with the Land. This grant shall run with the land and shall be binding upon the Grantor and the Grantee and their respective successors, heirs and assigns, to have and to hold the rights herein granted forever.

[Signature Page Follows]

IN WITNESS WHEREOF, the Grantor has executed this instrument as of the date first set forth above.

ANTHONY T. RICCOBONO, SR.

SUSAN K. RICCOBONO

STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

On the ____ day of _____ in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared ANTHONY T. RICCOBONO, SR., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) ss.:
COUNTY OF DUTCHESS)

On the ____ day of _____ in the year 2017 before me, the undersigned, a Notary Public in and for said State, personally appeared SUSAN K. RICCOBONO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

Record and return:
Legal Department
Town of Poughkeepsie
1 Overocker Road
Poughkeepsie, NY 12603
(845) 485-3633

Schedule A

Description of Easement Area

[See Attached]

Schedule B

Map of Easement Area

[See Attached]

RESOLUTION 6:14 - #4 OF 2017

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

1. Approve Scleroderma Walk at Vassar College
(Town Clerk Salvatore)

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.

Dated: June 14th 2017

Moved: Joseph Conte

Seconded: Ann Shershin

Ayes 5 Nays 0

JEN/mem
t-6/14/2017
m-6/14/2017
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	AYE	NAY
Councilperson Renihan	<u>✓</u>	_____
Councilman Carlos	<u>✓</u>	_____
Councilman Conte	<u>✓</u>	_____
Councilman Cifone <i>absent</i>	_____	_____
Councilman Lepore <i>absent</i>	_____	_____
Councilwoman Shershin	<u>✓</u>	_____
Supervisor Baisley	<u>✓</u>	_____

RESOLUTION 6:14 - #SC 1 OF 2017

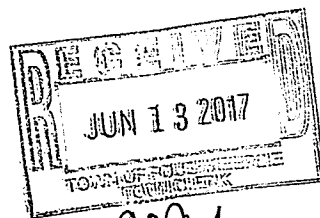
BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Scott Cornell on behalf of the Tri-State Scleroderma Foundation to hold a Poughkeepsie Scleroderma Walk on June 17, 2017 from 9:00 a.m. to 12:00 p.m. on the Vassar College property; and

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

Dated: June 14th 2017
Moved: Ann Shershin
Seconded: William Carlos
Ayes 5 Nays 0

JEN/mem
t-6/13/2017
m-6/14/2017
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	AYE	NAY
Councilman Renihan	<u>✓</u>	_____
Councilman Carlos	<u>✓</u>	_____
Councilman Conte	<u>✓</u>	_____
Councilman Cifone <i>absent</i>	_____	_____
Councilman Lepore <i>absent</i>	_____	_____
Councilwoman Shershin	<u>✓</u>	_____
Supervisor Baisley	<u>✓</u>	_____



2017

TOWN OF POUGHKEEPSIE APPLICATION
LICENSING OF BIKE - A - THONS, WALK - A - THONS, RUNS, CARWASHES

copy legal

NAME: Scott Cornell

ADDRESS: 146 Union St. Apt. 2
Poughkeepsie, NY 12601

PHONE NO: (845) 222-3684

FAX NO. ()

NAME AND TYPE OF EVENT: Poughkeepsie Scleroderma Walk

FOR ORGANIZATION--YES NO FOR PERSONAL PROFIT YES NO

NAME OF ORGANIZATION Tri-State Scleroderma Foundation

DATE(S) OF EVENT 6/17/17 TIME 9:00 am - 12 pm

LOCATION OF EVENT Vassar College

OWNER OF PROPERTY Vassar College

Has property owner granted permission? If so, attach documentation with owner's signature.

PLEASE CHECK YES OR NO IF APPLICABLE:

HAS FIRE INSPECTOR INSPECTED TENT, IF ONE IS USED YES NO

HAVE POLICE DEPARTMENT AND HIGHWAY DEPARTMENT BEEN CONTACTED IF BARRIERS AND POLICE ARE NEEDED? YES NO

HAS COPY OF CERTIFICATE OF LIABILITY INSURANCE BEEN SUPPLIED THAT STATES THE TOWN IS FREE OF LIABILITY IN CASE OF AN ACCIDENT? YES NO

HAS CENTAL HUDSON OR A TELEPHONE COMPANY BEEN CONTACTED IF POLES ARE GOING TO BE USED? YES NO

HAS A DETAILED MAP OF THE ROUTE THAT THE EVENT WILL FOLLOW
BEEN PROVIDED WITH THIS APPLICATION? YES NO starts & ends at

RETURN APPLICATION TO: FELICIA SALVATORE, TOWN CLERK golf course
TOWN OF POUGHKEEPSIE
1 OVERROCKER ROAD
POUGHKEEPSIE, NEW YORK 12603
fsalvatore@townofpoughkeepsie-ny.gov

OR FAX APPLICATION TO: (845) 485 - 8583

6/12/17
DATE


SIGNATURE OF APPLICANT

scottmcorneil@gmail.com

Michelle Benson
Vassar College
Director of Student Activities &
The College Center
845-437-5370

