

MINUTES OF COMMITTEE WHOLE/TOWN BOARD MEETING
HELD ON FEBRUARY 15, 2017 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK

CALL TO ORDER
SALUTE TO THE FLAG
ROLL CALL OF TOWN BOARD:

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

ABSENT: Councilman Carlos

*Please note all attachments to the Resolutions, along with a copy of the original Resolutions are attached to the full Summary copy available by clicking on the red underlined meeting date located in the Board Agenda section on our meetings page at townofpoughkeepsie.com

JAY READS THROUGH THE AGENDA

SUSPENSION OF THE RULES TO ALLOW PUBLIC COMMENT ON AGENDA ITEMS

NO SPEAKERS CAME FORWARD

COMMITTEE OF THE WHOLE AGENDA ITEMS

02:15COW-01 PRESENTATION WALKWAY MARATHON

This year the Walkway Marathon will be held on Sunday June 11, 2017 and will consist of a Marathon, Half Marathon and a College to College 5K. Susanne O'Neil and Kathy Smith both spoke about the different races and changes from last year. If you would like more info on how to sign up for the races or to volunteer please go to walkwaymarathon.org

02:15COW-02 DISCUSSION Rezone Of Property –Forsons Realty

Patrick Moore, Esq. and William Povall, Engineer spoke about this property which is located off Sheafe Road in the Town of Poughkeepsie, and is roughly 4.00 Acres. The applicant, Forsons Realty Corp., is looking to rezone this from Highway Business (B-H) to Multi Family (R-M) and presented the Town Board with an overview of what they would like to do with this property. Please view the live video for the complete discussion.

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on February 15, 2017 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 5 Mahar Drive, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6163-03-384046, owned by George and Susan Cimorelli is in violation of Chapter 159; and

BE IT FURTHER RESOLVED, that the Legal Notice of Public Hearing was posted on January 24, 2017 and published in the Poughkeepsie Journal on January 27, 2017; 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 5 Mahar 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. Renihan/ J. Conte

JAY MADE A MOTION TO RESUME THE RULES / OPEN THE PUBLIC HEARING CARRIED: 6-0

Sarah Davis, Zoning Administrator, speaks with the Board about all the problems with this property

NO OTHER SPEAKERS CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING CARRIED: 6-0

Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: None

Absent: Councilman Carlos

CARRIED: 6-0

RESOLUTION

2:15 - # 2 OF 2017

**AUTHORIZE SUPERVISOR TO SIGN
GRANT AWARD NYS DCJS**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee to execute all papers necessary and proper to effectuate the acceptance of a New York State DCJS Police Protective Equipment Program Grant Award in the amount of \$75,360 which funds will be used by the Town of Poughkeepsie Police Department to purchase ballistic helmets, a Level III or Level IV ballistic insert, outer carrier for each member of the police department and purchase several patrol rifles.

So Moved: J. Conte/ M. Cifone

Jay thanks the Police Department for all their work with this grant.

**Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin**

Nays: None

Absent: Councilman Carlos

CARRIED: 6-0

RESOLUTION

2:15 - # 3 OF 2017

**AUTHORIZE SUPERVISOR TO SIGN
EMPLOYEE ASSISTANCE PROGRAM**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the Employee Assistance Program Agreement by and between the Town of Poughkeepsie and the Work Place at Mid-Hudson Regional Hospital of Westchester Medical Center for 2017, a copy of which is attached, on the terms acceptable to the Attorney to the Town.

So Moved: M. Cifone/ J. Conte

**Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin**

Nays: None

Absent: Councilman Carlos

CARRIED: 6-0

RESOLUTION

2:15 - # 4 OF 2017

**REAPPOINT HISTORIC COMMISSION
DAVID DENGEL**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reappoint David Dengel to the Historic Preservation Commission for a 5 year term, which term commences immediately with a termination date of April 19, 2021, pursuant to the recommendation of the Town Historian.

So Moved: J. Lepore/ M.Cifone

**Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin
Nays: None
Absent: Councilman Carlos** **CARRIED: 6-0**

RESOLUTION

2:15 - # 5 OF 2017 **AUTHORIZE SUPERVISOR TO SIGN
STOP DWI AGREEMENT**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor's execution of the 2017 STOP-DWI Program Drug Recognition Expert Agreement with the County of Dutchess, a copy of which is attached.

So Moved: A. Shershin/ M. Cifone

**Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin
Nays: None
Absent: Councilman Carlos** **CARRIED: 6-0**

RESOLUTION

2:15 - # 6 OF 2017 **RESIGNATION DAVID HAGSTROM
BOARD OF ASSESSMENT REVIEW**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of David Hagstrom from the Town of Poughkeepsie Board of Assessment Review, effective immediately.

So Moved: J. Baisley/ J. Renihan

Jay thanks David for his years of service to the Town of Poughkeepsie

**Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin
Nays: None
Absent: Councilman Carlos** **CARRIED: 6-0**

RESOLUTION

2:15 - # 7 OF 2017 **SET DATE FOR PUBLIC HEARING
STOP SIGNS OVEROCKER**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 15th day of March, 2017 at 7:00 p.m. 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 an amendment to the Town Code, Chapter 195 entitled "Vehicles and Traffic", specifically § 195-44 Schedule IX, entitled "Stop Intersections", which would delete the following underscored language to § 195-44. Schedule IX: Stop Intersections, specifically as follows:

Stop Sign on	Direction of Travel	At Intersection of
Overocker Road*	Both*	Dutchess Rail Trail *

* Effective until receipt of Dutchess County D.P.W. confirmation that DeGarmo Road Bridge construction has been completed.

BE IT FURTHER RESOLVED, 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 RESOLVED that, if adopted, said local law shall become effective immediately upon filing with the Secretary of State.

So Moved: J. Renihan/ J. Conte

Joe Conte mentions that at first this was a temporary fix with the stop signs during the bridge construction, but realized that it helps to slow traffic there by the rail trail and would make it safer for the residents which Jay also agrees is a good idea

Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore, Councilwoman Shershin

Nays: None

Absent: Councilman Carlos

CARRIED: 6-0

RESOLUTION

2:15 - # 8 OF 2017

SET DATE FOR PUBLIC HEARING
HISTORIC DESIGNATION

WHEREAS, the Town Board of the Town of Poughkeepsie has received an application from Town Historian John Pinna and the Historic Preservation Committee, for the property known as Tangletop located on Channingville Road, Wappingers Falls, NY and being said property with the Grid No. 6058-04-945130, to designate said property as historic property; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize and direct the Town Clerk to publish notice of a public hearing to be held on the 15th day of March, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does direct and authorize the Town Clerk to forward notice by Certified Mail / Return Receipt Requested to the owner or owners of the parcel on which the proposed landmark site or historic district is situated and by regular mail to the owners of all property located within 300 feet of the exterior boundary lines of the subject parcel.

So Moved: J. Conte/ M. Cifone

Ann mentions that this property is located in the first ward and that the property owner approached the Historic Commission to have this designated. Jay thanks John Pinna for hard work and wants to let the surrounding residents know that this designation does not affect their property it just protects the home itself.

Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: None

Absent: Councilman Carlos

CARRIED: 6-0

RESOLUTION

2:15 - # 9 OF 2017

SPECIAL CONSENTS

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

1. Set Date for Public Hearing Town Code Amendment-Chapter 146
(Director Wilson)

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: M. Cifone/ J. Conte

Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: None

Absent: Councilman Carlos

CARRIED: 6-0

RESOLUTION

2:15 - #SC 1 of 2017

SET DATE FOR PUBLIC HEARING
REPEAL CHAPTER 146 OPEN SPACE

WHEREAS, the Town Board has been advised by legal counsel that the manner in which Chapter 146 of the Town Code was adopted on March 21, 2007 as Local Law No. 6-2007 is not authorized by New York State statutory law, and that the funds collected since its adoption cannot be used for the original purpose set forth in the Local Law, namely the acquisition and preservation of land for dedication as open space; and

WHEREAS, the laws of this state do not authorize the collection of an assessment for purposes of open space preservation without specific home rule authorization by the state

legislature, which authorization was not sought or obtained prior to the adoption of Local Law No. 6-2007; and

WHEREAS, the Board has been further advised that it is not possible to amend Chapter 146 so as to cure the flaw in the manner of adoption, and that Chapter 146 should be repealed in its entirety; and

WHEREAS, after consultation with legal counsel and staff the Town Board has determined that Chapter 146 should be repealed and the funds collected thereunder returned to the persons who remitted said funds; and

WHEREAS, repeal of Chapter 146 requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed repeal of Chapter 146 for March 1, 2017, at 7:00 PM or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
2. The action is a Type II Action pursuant to 6 NYCRR 617.5(20), (27) and (31) of the State Environmental Quality Review Act regulations; and
3. The Town Board directs the Town Clerk to notify the clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

So Moved: M. Cifone/ J. Conte

Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: None

Absent: Councilman Carlos

CARRIED: 6-0

COMMITTEE REPORTS

2017

1. FINANCE Lepore, Cifone, Conte
NOTHING TO REPORT
2. FIRE ADVISORY Renihan, Conte, Splain & Fire Officials (Arlington,
New Hamburg, Fairview)
THEY HAD A MEETING ON FEBRUARY 7th AND DISCUSSED SAFETY INSPECTIONS AND SOME THAT ARE BEHIND THAT NEED TO BE DONE AND ALSO DISCUSSED ONGOING PROJECTS AS RELATED TO FIRE DEPARTMENTS
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)

JOE LEPORE IS THE NEW CHAIR AND HE WELCOMED NEW COUNCILMAN JEFF RENIHAN AS WELL AS MENTIONED ANN. THEY ARE GETTING READY FOR SPRING AND SUMMER PROGRAMS AT THE PARKS & SOME IMPROVEMENTS WILL TAKE PLACE. WE ARE ACCEPTING APPLICATIONS FOR SEASONAL HELP AT THE CAMPS AND ARE ALSO MOVING ALONG WITH COMPUTER RECORD KEEPING AT THE SENIOR CENTER. THE SUBSIDIZED LUNCH AND NUTRITION PROGRAM WILL BEGIN AT THE SENIOR CENTER IN MARCH, AND YESTERDAY THEY HAD THE VALENTINE DAY LUNCHEON WHICH CLERK SALVATORE SAID WAS WELL ATTENDED, OVER 100 SENIORS WERE IN ATTENDANCE.

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| 7. | TECHNOLOGY & EQUIPMENT | Carlos, Cifone, Lepore
NOTHING TO REPORT |
| 8. | WATER, SEWER, HIGHWAY
(INFRASTRUCTURE) | Carlos, Lepore, Shershin
NOTHING TO REPORT |

JAY SUSPENDS THE RULES FOR PUBLIC COMMENT ON ANY TOWN ISSUE

NO ONE SPEAKS

TOWN BOARD MEETING ADJOURNED AT 7:39 P.M.