

MINUTES OF TOWN BOARD MEETING
HELD ON APRIL 5, 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 Carlos
Councilman Cifone-Arrived 7:15
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore

ABSENT: Councilman Conte

*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

MOTION TO OPEN PUBLIC HEARING # 1: J. Baisley/A. Shershin CARRIED 5-0

Rebecca Valk Attorney, from Mackey, Butts and Wise, speaks for a few moments on where the project is at currently.

Elizabeth Armstrong, resident from the 5th Ward has some concerns about what is happening with the building and if he is changing the use of the building along with concerns about all of the traffic already on Route 9. She also asks if he plans on building on the Golf Course property at all in the future.

Jay mentions that there are no changes to the building, he is just changing the use of the building.

Ann Shershin mentions that it's just the building, which will house his own two medical monitoring businesses.

Joe Lepore mentions that the traffic will actual be less than now with the Golf Course.

Jay mentions that the building will house the two medical companies and the land behind will not be a golf course but more like grounds of an office park. It will be kept mowed and will not be developed. If it were, it would have to go through similar type process.

Elizabeth is still sore about losing the old IBM Country Club to a school, so it is now off the tax rolls and also she mentions the Golden Corral and how it now sits empty. Does anyone know what will become of that? No one knows at this time-right now it is in litigation.

Elizabeth talks for a few more minutes on the traffic on Route 9 and all the development.

No other speakers came forward

MOTION TO CLOSE PUBLIC HEARING #1: J. Baisley/A. Shershin

CARRIED 5-0

RESOLUTION

4:5 - # 1 OF 2017

**PUBLIC HEARING
2628 SOUTH ROAD**

WHEREAS, the Town Board of the Town of Poughkeepsie, held a duly noticed public hearing on March 1, 2017 and on April 5, 2017 at 7:00 p.m. at Town of Poughkeepsie Town Hall, One Overocker Road, Poughkeepsie, New York to amend the Town Code, Chapter 210, Article III, specifically Section 210-11, to change the zoning designation of 2628 South Road, tax parcel number 6160-01-235760 as set forth in the attached local law from Residence Single Family 2 Acre (R-2A) District to the Highway Business (B-H) District, for a project known as Dutchess Golf Club Rezoning and Site Plan; and

WHEREAS, the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

WHEREAS, the Legal Notice of Public Hearing was posted on February 6, 2017 and published in the Poughkeepsie Journal on February 10, 2017; and

WHEREAS, the Town Board closed the public hearing on April 5, 2017; and

WHEREAS, the Town Planning Board, as the Lead Agency, issued a Negative Declaration – Determination of No Significance on March 16, 2017; and

WHEREAS, the Planning Board recommended approval of the proposed zoning amendment by resolution dated March 16, 2017; and

WHEREAS, the Dutchess County Department of Planning and Economic Development by memorandum received February 28, 2017 determined that the proposed zoning amendment is a matter of local concern ; and

THEREFORE BE IT ENACTED, the Town Board hereby adopts the said Zoning Map amendment as set forth in the attached Local Law; and

BE IT FURTHER ENACTED, said local law shall take effect immediately upon filing with the Secretary of State.

So Moved: J. Renihan/ W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: Councilman Cifone, Conte

CARRIED: 5-0

MOTION TO OPEN PUBLIC HEARING # 2: J. Baisley/A. Shershin

CARRIED 5-0

Wayne Cichon speaks and gives a presentation to the Town Board on 2 Meadow View Drive. Tim Sickles was called out to the property last October and this property is in really bad shape. He has had a couple of calls from neighbors to say people are coming in and out. There are open windows

and doors, kids can get into with no restriction. There are wires hanging everywhere, heating is down and the electric has been cut off. The water department has also shut off water as pipes have burst. Dangerous conditions exist for anyone going into this building, many notices have been posted but never answered. It is currently unfit for human occupancy and is an unsafe building.

Joe Lepore asks if it is our job to surround this property with a fence.

Wayne mentions it is our job to secure the property.

Joe asks a few more questions on what is our role as a Town and why has it taken so long-3 months.

Wayne says there are processes that we have to follow, to notify the owner.

Brooke Gifford, 1 Meadow View Drive: She has lived across the street for over 20 years and she wants to put her house on the market in the next few months, and she is worried about showing her house when people see what is next door. She said there has been a long history with the folks that live in the home and she believes that they will do nothing to remedy this problem. She asks that any wood used to board up be painted white, and what is the time table on this. She has witnessed people going in and has seen the female owner there with a u haul truck taking things out. She has questions about what will happen.

Brooke and the Board go back and forth with some questions about how long this will take once the resolution is passed. She wants whatever could be done, be done quickly as it really has been years not just months.

Joe C., 3 Slate Hill: What other remediation can be done, boarding up doesn't seem enough. Do we have to wait thirty days to board it up? And once its boarded up, do we just call it a day?

Joe and Wayne explain that yes, its thirty days-If the bank owned the property it would be different, but on private property there is a process.

Kathy, 4 Slate Hill Road: I just want to say that the side of my house faces the back of this property and we have lived there 21 years. Everything said so far, I agree with and up till about a month ago there were animals left in the home so I am not surprised hearing about animal feces in the home as they were not properly cared for. The dogs were tethered outside and maybe fed on occasion. She also doesn't understand how this is not an eminent danger right now with all the broken glass and hanging wires. She is afraid for children and what might happen to them.

Joe Armstrong: Are the authorities, such as the Police and Fire Companies, notified of the condition of these properties if they have to go in?

Wayne: On this particular property, yes, they have been notified.

Joe: So you send out a return receipt notice, what happens if you don't get it back, do you still have to wait the thirty days?

Wayne: Yes, we still have to wait the thirty days, it just serves as proof the the Town did their due diligence.

Joe: Do we know were these people live now? How do we know where to send the notice?

Wayne: I have not been able to locate them. We send to the last known address of the occupant.

Jane Pensiero, 7 Slate Hill: Only on Monday, she was on her computer and she saw the family taking out anything they could grab out of the house. Why is this allowed to go on for so long, I know that complaints have been made and the appropriate agencies have been called and there were many visits? She is glad the children are out and hopes they live in a better place. Anything you can do as quickly as possible would be appreciated. Sometimes they would sit outside and have a fire for months and months. Please help us

MOTION TO CLOSE PUBLIC HEARING # 2: J. Baisley/M. Cifone

CARRIED 6-0

RESOLUTION

4:5 - # 2 OF 2017

**PUBLIC HEARING-UNSAFE BUILDING
2 MEADOW VIEW DRIVE**

WHEREAS, by Resolution 3:1 - #3 of 2017 adopted on March 1, 2017, the Town Board of the Town of Poughkeepsie has determined that the Premises and the buildings located at 2 Meadow View Drive, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6160-04-701204 (the "Premises"), the owner of record being James J. Burns, Jr., are dangerous, unsafe and dilapidated, and an imminent threat to the general public; and

WHEREAS, the Town Board has adopted the Building Department's Unsafe Building Investigation Report regarding the Premises and directed the issuance of an Order and Notice requiring the demolition or repair of the Premises and the setting of a Public Hearing regarding the Order and Notice; and

WHEREAS, said Order and Notice of a Public Hearing has been served and posted, which Order included a direction that the required work begin immediately and must be commenced not later than thirty (30) days from service of the Order and Notice and be completed no later than sixty (60) days thereafter, and gave further notice that on failure to timely comply, the Town Board is authorized to repair or demolish and remove the Building, or to seek an injunction to compel the owner to do so and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and

WHEREAS, the Town of Poughkeepsie has in the Order and Notice reserved its right to proceed more rapidly with the remediation of this site if it is required pursuant to Town Code §71-12, and

WHEREAS, the Legal Notice of Public Hearing was posted on March 13, 2017 and published in the Poughkeepsie Journal on March 17, 2017; and

WHEREAS, said Public Hearing has been held this day, now therefore

BE IT RESOLVED, that in the event that the owner has not timely commenced or completed the repair or demolition, the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Building by Town employees or by the responsible contractor making the lowest price proposal to the Town consistent with Town Code § 71-10, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy, and

BE IT FURTHER RESOLVED, that this work is an enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).

So Moved: W. Carlos/M. Cifone

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

MOTION TO OPEN PUBLIC HEARING # 3: J. Baisley/M. Cifone

CARRIED 6-0

Wayne gives presentation on 245 Wilbur Blvd. and explains to the Board that these problems began in 2013 and orders were issued. It only recently started to really escalate at the property and now people are actively dumping on this property. The Board asked questions of Wayne for several minutes and no members of the public came forward to speak on this public hearing.

NO SPEAKERS CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING # 3: J. Baisley/A. Shershin

CARRIED 6-0

RESOLUTION

4:5 - # 3 OF 2017

PUBLIC HEARING-UNSAFE BUILDING
245 WILBUR BLVD.

WHEREAS, by Resolution 3:1 - #SC1 of 2017 adopted on March 1, 2017, the Town Board of the Town of Poughkeepsie has determined that the Premises and the buildings located at 245 Wilbur Blvd., Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6160-01-295538 (the "Premises"), the owner of record being Stanley C. Millspaugh or his Successors, as Trustee of the Stanley C. Millspaugh Living Trust dated 4/20/1994 and Bernice B. Millspaugh, or her Successors, as Trustee of the Bernice B. Millspaugh Living Trust dated 4/20/1994, each as to an undivided one-half interest as tenants in common, are dangerous, unsafe and dilapidated, and an imminent threat to the general public; and

WHEREAS, the Town Board has adopted the Building Department's Unsafe Building Investigation Report regarding the Premises and directed the issuance of an Order and Notice

requiring the demolition or repair of the Premises and the setting of a Public Hearing regarding the Order and Notice; and

WHEREAS, said Order and Notice of a Public Hearing has been served and posted, which Order included a direction that the required work begin immediately and must be commenced not later than thirty (30) days from service of the Order and Notice and be completed no later than sixty (60) days thereafter, and gave further notice that on failure to timely comply, the Town Board is authorized to repair or demolish and remove the Building, or to seek an injunction to compel the owner to do so and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and

WHEREAS, the Town of Poughkeepsie has in the Order and Notice reserved its right to proceed more rapidly with the remediation of this site if it is required pursuant to Town Code §71-12, and

WHEREAS, the Legal Notice of Public Hearing was posted on March 13, 2017 and published in the Poughkeepsie Journal on March 17, 2017; and

WHEREAS, said Public Hearing has been held this day, now therefore

BE IT RESOLVED, that in the event that the owner has not timely commenced or completed the repair or demolition, the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Building by Town employees or by the responsible contractor making the lowest price proposal to the Town consistent with Town Code § 71-10, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy, and

BE IT FURTHER RESOLVED, that this work is an enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).

So Moved: M. Cifone/ W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

MOTION TO OPEN PUBLIC HEARING # 4: J. Baisley/M. Cifone

CARRIED 6-0

NO SPEAKERS CAME FORWARD

MOTION TO CLOSE PUBLIC HEARING # 4: J. Baisley/M. Cifone

CARRIED 6-0

RESOLUTION

4:5 - # 4 OF 2017

PUBLIC HEARING AMENDMENT
TOWN CODE CHAPTER 195

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 5th day of April, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Town Code, Chapter 195, entitled "Vehicles and Traffic", specifically §§195-44. Schedule IX: "Stop Intersections", with [brackets] language to be removed and underscored language to be added, as follows:

REPEAL: §195-44. Schedule IX: "Stop Intersections":

Stop Sign on	Direction of Travel	At Intersection of
[Main Street, New Hamburg]	[Both]	[Reed Road]

ADD: §195-44. Schedule IX: "Stop Intersections":

Stop Sign on	Direction of Travel	At Intersection of
<u>Main Street, New Hamburg</u>	<u>North</u>	<u>Reed Road</u>
<u>Reed Road</u>	<u>East</u>	<u>Main Street, New Hamburg</u>
<u>Channingville Road</u>	<u>South</u>	<u>Reed Road</u>

AND BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on March 24, 2017 and published in the Poughkeepsie Journal on March 28, 2017; 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/ M. Cifone

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore, Councilwoman Shershin

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

Jay reads through the agenda

SUSPEND THE RULES FOR PUBLIC COMMENT ON AGENDA ITEMS: J. Baisley/ A. Shershin

Joe Armstrong: Item # 19 Liquor License waiver, how many time does the college get calls for inebriated students, are places checked for underage drinkers? Not really geared toward Tomato Café, just stating his opinion on how often the Fire Company gets called to Vassar College

Harold: If anyone has any questions on the ERUV he would be happy to answer. No questions.

**4:5- # 5 of 2017 Budget Summary- Presentation Given by Comptroller Emberger/Jay Baisley
PLEASE VIEW ON OUR YOU TUBE CHANNEL FOR FULL PRESENTATION**

RESOLUTION

4:5 - # 6 OF 2017

**CONSENT-LEAD AGENCY
MARIST STEEL PLANT**

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 Marist Steel Plant Studio Site Plant, 1 & 2 Beck Place, Beck Place & 63 North Road, Poughkeepsie, New York, Tax Parcel No. 6062-02-996750, 969745, 982720, 982744, 974742.

So Moved: A. Shershin/ M. Cifone

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin**

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

4:5 - # 7 OF 2017

**CONSENT-LEAD AGENCY
MARIST COLLEGE 51 FULTON**

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 Marist College 51 Fulton Redevelopment Site Plan, 51, 57 & 40 Fulton Street, Poughkeepsie, New York, Tax Parcel No.6162-05-062838, 083848 & 064792 .

So Moved: J. Baisley/ M. Cifone

Bill asks if this will include the parcel behind it, No

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin**

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

WHEREAS, the Town Board has received an application from Forsons Realty Corp. requesting a change of zoning for tax parcel number 6159-01-283578, located on Sheafe Road in the Town of Poughkeepsie, consisting of approximately 4.0 acres of land, from Highway Business (B-H) District to Residence, Multi-Family (R-M) District; and

WHEREAS, the proposed amendment is attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendment and does direct that said amendment be spread across the record as if it, in fact, had been read verbatim; and

WHEREAS, this action to amend the Zoning Map is an Unlisted Action under the New York State Environmental Quality Review Act; and

WHEREAS, the Town Board has determined that the proposed amendment must be referred to the Dutchess County Department of Planning and Economic Development and to the Town Planning Board for review and recommendation; and

WHEREAS, the Town Board has examined 6 NYCRR 617.2(u) and 617.6(b)(5)(v) of the State Environmental Quality Review Act (SEQRA) regulations and has determined that the Town of Poughkeepsie Planning Board, through its site plan and subdivision plat review and approval authority under Chapter 210 and Chapter 177 of the Town of Poughkeepsie Code, has extremely broad governmental powers to investigate the potential environmental effects associated with the Application, and has the experience and the capability necessary to conduct a thorough environmental assessment of the action; and

WHEREAS, amending the Zoning Map requires a public hearing.

NOW, THEREFORE BE IT RESOLVED:

- 1. The Town Board hereby requests that the Planning Board act as the Lead Agency to coordinate the environmental review of this project; and**
- 2. The Town Board hereby consents to the Planning Board acting as the Lead; and**
- 3. The Town Board hereby requests that the Planning Board immediately seek the consent of the other involved agencies for the Planning Board to act as the Lead Agency; and**
- 4. The Town Board hereby defers setting a public hearing on the proposed Zoning Map amendment until it has received a recommendation and a determination of significance from the Lead Agency; and**
- 5. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and**
- 6. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.**

So Moved: J. Renihan/ B. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte CARRIED: 6- 0

RESOLUTION

4:5 - # 9 OF 2017

SET DATE PUBLIC HEARING
TAX EXEMPTION FOR SOLAR/WIND
(TABLED)

RESOLUTION

4:5 # 10 OF 2017

CONSENT-CONSTRUCTION OF ERUV

WHEREAS, an Eruv is a “symbolic perimeter around a Jewish community”, within the boundaries of which the members of the Jewish community may “carry” on the Sabbath, which includes the use of wheelchairs, strollers and other assistive devices, thereby increasing the ability of the members of the community to take part in and enjoy the Sabbath and enhancing the quality of life in the Jewish community; and

WHEREAS, Congregation Schomre Israel is creating an Eruv, which the Town Board consented to by Resolution 8:20 #10 of 2014; and

WHEREAS, the Congregation has requested that the Town of Poughkeepsie proclaim a lease to the congregation of the Eruv area described on Exhibit A hereto, which lease would convey no real property or other property rights to the congregation, would not establish or endorse any religion, would create no duties or obligations on the part of the Town of Poughkeepsie and would not impair the rights of others; now, therefore,

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby proclaim a lease of the rights requested to the congregation at a rental of One United States Dollar for a term of twenty years, renewable by the parties as they may in the future agree, in order to facilitate the ability to carry on the Sabbath within the bounds of the Eruv in accordance with Jewish religious law which proclamation may be confirmed by the Supervisor; and

BE IT FURTHER RESOLVED, that Resolution 8:20 #10 of 2014, by which the Town Board of the Town of Poughkeepsie consented to the creation of an Eruv, be and the same is amended to replace the sketch of the Eruv perimeter attached to it with Exhibit A hereto.

So Moved: W. Carlos/ M. Cifone

Ann: Most of this is in the City of Poughkeepsie, only a small area in the Town on Park Ave

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte CARRIED: 6- 0

RESOLUTION

4:5- # 11 OF 2017

ACCEPT-RETIREMENT POLICE

MATTHEW DADDONA

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Matthew J. Daddona from the Town of Poughkeepsie Police Department, effective end of the business day April 21, 2017.

So Moved: M. Cifone/ W. Carlos

Mike and Jay speak of Matt and wish him well in his retirement

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte** **CARRIED: 6- 0**

RESOLUTION

4:5- # 12 OF 2017

**ACCEPT-RETIREMENT POLICE
DOUGLAS HAUSEMEN**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of Douglas T. Hauseman from the Town of Poughkeepsie Police Department, effective end of the business day April 30, 2017.

So Moved: J. Lepore/ M. Cifone

Bill speaks of Doug and wishes him well. Jay also wishes him well in his retirement

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte** **CARRIED: 6- 0**

RESOLUTION

4:5 - # 13 OF 2017

**AUTHORIZE SUPERVISOR TO SIGN
MAINTENANCE AGREEMENT WITH
BUSINESS ELECTRONICS**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee to sign a Maintenance Agreement between the Town of Poughkeepsie Police Department and Business Electronics, Inc. for the NICE digital voice recording system for the police radios and telephone lines for the period from April 15, 2017 through April 14, 2018, at the annual fee of \$1,870.00.

So Moved: A. Shershin/ W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte CARRIED: 6- 0

RESOLUTION

4:5 - # 14 OF 2017

APPROVE TOWN CLERK
WALKWAY MARATHON

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Susanne O'Neil, Walkway Over the Hudson, to hold a Marathon on Sunday, June 11, 2017 starting at 5:00 a.m. on Fairview, Fulton, West Cedar, Creek Road; and
BE IT FURTHER RESOLVED, that the Town Clerk is in receipt of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured.

So Moved: J. Baisley/ M. Cifone

Mike talks about this run and states that it happened last year and everything went well !!

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte CARRIED: 6- 0

RESOLUTION

4:5 - # 15 OF 2017

APPROVE/ WAIVE TOWN CLERK
CRAFT SHOW EVENT FOR
MILES OF HOPE

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize Emily Craig, on behalf of Miles of Hope Breast Cancer Foundation, to post lawn signs with pink balloons prior to their craft show event at the Town of Poughkeepsie Senior Center in October, 2017, and said signs will be located along the north side of Southgate Drive, from South Road, leading up to Abe's Way, with all signs to be retrieved at the end of the event; and
BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive all permit fees relating to this event for the use of the Town's Senior Center.

So Moved: J. Renihan/ W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte CARRIED: 6- 0

RESOLUTION

4:5 - # 16 OF 2017

**APPROVE TOWN CLERK
CAL RIPKEN PARADE**

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Vincent D'Amato on behalf of Poughkeepsie Babe Ruth/Cal Ripken Baseball, to hold its Opening Day Parade on April 22, 2017 at 11:00 a.m., which parade route is outlined on the attached documentation; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application for said Opening Day Parade and that the Town Clerk is in receipt of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured.

So Moved: W. Carlos/ J. Renihan

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin**

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

4:5 - # 17 OF 2017

**APPROVE TOWN CLERK
TOP LITTLE LEAGUE PARADE**

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Brian Conte on behalf of the Town of Poughkeepsie Little League to hold its Opening Day Parade on April 29, 2017 at 10:00 a.m., which parade route is outlined on the attached documentation; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application for said Opening Day Parade and that the Town Clerk is in receipt of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured.

So Moved: M. Cifone/ W. Carlos

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin**

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

4:5 - # 18 OF 2017

**SET DATE FOR PUBLIC HEARING
HISTORIC DESIGNATION-VIOLET
AVENUE SCHOOL**

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 Violet Avenue School located at 191 Violet Avenue, Poughkeepsie, NY and being said property with the Grid No. 6162-02-501940, 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 3rd day of May, 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. Lepore/ M. Cifone

Ann speaks on this and mentions that it is already on the State & National Registry and the Hyde Park School District is in favor of this.

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

4:5 - # 19 OF 2017

APPROVE

LIQUOR LICENSE –TOMATO CAFÉ

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge SCSCVT, LLC, d/b/a The Tomato Cafe, 15 Collegeview Avenue, Poughkeepsie, NY, for a waiver of the 30 day review period for a liquor license application; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the Town Clerk's forwarding of a waiver and consent, pursuant to the attached request.

So Moved: A. Shershin/ M. Cifone

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

4:5 - # 20 OF 2017

AUTHORIZE-PARK USE /FEE
KETCHAM BASEBALL CAMP

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Park Facilities & Program Director to issue a permit and waive the park use fee to Pat Mealy, on behalf of the Ketcham Baseball Summer Camp Program, for utilization of Red Oaks Mills Park on June 26-29, 2017, July 5-7, 2017 and July 10-13, 2017 for baseball summer camp use, due to the fact that their own facilities are under renovations, contingent upon receipt by the Town of a Certificate of Liability Insurance, in a form acceptable to the Town, naming the Town as an additional insured.

So Moved: J. Baisley/ W. Carlos

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte** **CARRIED: 6- 0**

4:5 - # 21 OF 2017

NOTIFICATION

The Following Claim Has Been Referred To Legal: 1. Hernandez V. Town

RESOLUTION

4:05 -# 22 OF 2017

SPECIAL CONSENT 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. FOIL Appeal | Stephen T. Kiss- Denial Of FOIL Request |
| 2. Appointment
(Supervisor Baisley) | Appoint Joseph Gemmati To Board Of
Assessment Review |
| 3. Retain
(Legal) | Van DeWater & Van DeWater
O'Neil Dutton |
| 4. Notification | The Following Claims Have Been
Referred To Legal:
1. Dourado v. Town
2. Davis V. Town
3. Gonzalez V. Town |

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: W. Carlos/ J. Renihan

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte CARRIED: 6- 0

RESOLUTION

4:5- SC #1 OF 2017

FOIL APPEAL-STEPHEN T. KISS

WHEREAS, Stephen T. Kiss has filed a March 21, 2017 Appeal from the Town of Poughkeepsie Police Department's March 9, 2017 denial of his FOIL requests for copies of video surveillance, photos and information relating to his arrest on October 17, 2015; and

WHEREAS, the Town of Poughkeepsie Police Department has located an arrest photograph of Mr. Kiss, which together with his Arrest Report, has been forwarded to him without charge; and now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie denies the foregoing FOIL appeal as moot.

So Moved: M. Cifone/ A. Shershin

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte CARRIED: 6- 0

RESOLUTION

4:5- SC# 2 OF 2017

APPOINTMENT- JOSEPH GEMMATI
BOARD OF ASSESSMENT REVIEW

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby appoint Joseph Gemmati to the Board of Assessment Review to fill the unexpired term of the late Peter Sala which term expires September 30, 2019.

So Moved: J. Lepore/ M. Cifone

Mike would like to say that Peter Sala was a neighbor of mine and Joe will have some big shoes to fill, but he will do well. Jay agrees

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: Councilman Conte CARRIED: 6- 0

RESOLUTION

4:5 - #SC 3 OF 2017

RETAIN- VAN DEWATER
O'NEIL-DUTTON V. TOWN

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Van DeWater & Van DeWater, LLP at the hourly rate of \$185.00 for Partners, \$155.00 for Associates and \$65.00 for Paralegals, to represent the Town's interest in the Article 78 proceeding known as *O'Neil-Dutton v. the Town of Poughkeepsie*.

So Moved: A. Shershin/ M. Cifone

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

4:5 - #SC 34 OF 2017

NOTIFICATION-CLAIMS

Notification

The Following Claims Have Been Referred To Legal:

- 1. Dourado v. Town
- 2. Davis V. Town
- 3. Gonzalez V. Town

ALL CLAIMS REFERRED TO LEGAL

SUSPEND THE RULES FOR PUBLIC COMMENT ON ANY TOWN ISSUES:

Rosemary Horton: Owner resident at Greenbriar Condos for the past 15 years in the Town of Poughkeepsie. I am a member of the Board of Managers. We would like to request an opening to the rear of Priscilla Drive, we have only one opening to enter and exit and we also have a school bus stop there. Joe spoke to the school district and we will meet with them at some time. Joe's concern is the residents on Priscilla and they don't want a lot of traffic on their road.

Rosemary states that there are 96 Homeowners in Greenbriar, and it's the only access to get in and out of our complex, if there is an emergency there is no way in or out.

Joe is working on it. He states that most complexes have only one entrance, maybe which was the way they did it years ago? Jay also agrees that it's not the best entrance and they will work on it.

Fred Bunnell talks about the two homes that are unsafe, and all the risks involved. He would like the board to review these cases and our procedures to see if there is better way that we can do this in a better way. This is very humanly painful and we need to do this quicker. Jay mentions also that the quicker neighbors call these in the quicker we can act on it.

Elizabeth Armstrong asked a question on the FOIL process in regard to Steven Kiss. Jim Nelson explained to her how we had no footage to give him but did eventually find a photo, which filled his request.

MOTION TO RESUME THE RULES

TOWN BOARD ENTERED EXECUTIVE SESSION AT 8:55 PM

04:05-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. Confidential Communication between Attorney and his Client, The Town Board, based on Attorney/Client Privilege

**TOWN BOARD RETURNED TO TOWN BOARD MEETING AT 9:34 PM
NO ACTION TAKEN IN EXECUTIVE SESSION
TOWN BOARD MEETING ADJOURNED AT 9:35 PM**