

MINUTES OF TOWN BOARD MEETING
HELD ON MAY 3, 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 Conte
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore

ABSENT: Councilman Cifone

*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 made to open public hearing # 1: J. Baisley/ J. Conte CARRIED: 6-0

Historian John Pinna speaks for a few minutes and states that this is already on the National and State Historic Registry and he recommends that it be added to the Local Registry. The Historic Commission also greatly appreciates the support they are receiving from the Superintendent of the Hyde Park School District, who is in total favor of the local designation. John also mentions some points about the history and architecture of the building and would appreciate the Boards support in getting this on the local registry.

No other speakers from the public came forward on this Public Hearing

Motion made to close public hearing # 1: J. Baisley/ J. Conte CARRIED: 6-0

RESOLUTION

5:3 - # 1 OF 2017

PUBLIC HEARING
HISTORIC DESIGNATION
VIOLET AVENUE SCHOOL

WHEREAS, the Historic Preservation Commission of the Town of Poughkeepsie has made a recommendation to the Town Board of the Town of Poughkeepsie for the designation as a landmark of property known as the Violet Avenue School located at 191 Violet Avenue, Poughkeepsie, New York, Grid No.: 6162-02-501940; and

WHEREAS, pursuant to Chapter 126 of the Code of the Town of Poughkeepsie, a public hearing was held on May 3, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One

Overocker Road, Poughkeepsie, New York concerning such designation, public notice being given for said hearing and all interested parties having an opportunity to be heard; and

WHEREAS, that the Legal Notice of Public Hearing was posted on April 11, 2017 and published in the Poughkeepsie Journal on April 17, 2017 and

WHEREAS, said action is a Type II Action pursuant to the NYS Environmental Quality Review Act such that no further environmental review is necessary; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie hereby designates Violet Avenue School, a school building closely associated with Franklin Delano Roosevelt, located at 191 Violet Avenue, to be a Historic Landmark subject to all the applicable rules and regulations found in Chapter 126 of the Code of the Town of Poughkeepsie; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to give the appropriate notification as required by the Town Code.

So Moved: J. Renihan/ W. Carlos

Supervisor Baisley thanks John Pinna for reaching out and moving forward with this designation for Violet Avenue School

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

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6-0

Motion made to open public hearing # 2: J. Baisley/ A. Shershin

CARRIED: 6-0

RESOLUTION

5:3 - # 2 OF 2017

PUBLIC HEARING
SOLAR/ WIND/ FARM

Representing LAM Development was Joel (Last name couldn't understand) who gave the Town Board a hand out with various different scenarios and tax breaks for developers and he spoke for several minutes on the different options of pricing.

Doreen Tignanelli mentioned that as a taxpayer she would like the Board to think about this and to tax solar farms, as this is a business. She feels that PILOTS (Payments in lieu of taxes) are now too much of a common thing with developers.

Joe Armstrong has made this comment before about PILOTS and he also is against this exemption.

Bill Carlos asked Joe what he thinks about the residential part of it, and they discuss for a moment or two.

Jay mentions that Mike Cifone is absent and has some strong feelings about this so the board decides to adjourn the public hearing.

Motion To Adjourn Public Hearing: W. Carlos/J. Conte

ADJOURNED TO MAY 17, 2017

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Lepore,

Councilwoman Shershin

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6-0

Motion made to open public hearing # 3: J. Baisley/ J. Conte

CARRIED: 6-0

Doreen Tignanelli mentions that she will be submitting written comments before the end of the comment period. She also noted that she looked at several responses to her comments she posted from last year and there is still a problem at various construction sites with the silt fencing. She has pictures to show that certain ones have not been replaced as stated to have happened. She mentioned that fencing should be kept up till area is vegetated and be properly maintained. She will be addressing again in her upcoming formal written comments.

No other speakers from the public came forward on this Public Hearing

Motion made to close public hearing #3: J. Baisley/ A. Shershin

CARRIED: 6-0

RESOLUTION

5:3 - # 3 OF 2017

PUBLIC HEARING

STORM WATER ANNUAL REPORT

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the draft Storm Water Annual Report prepared by the Town of Poughkeepsie Director of Municipal Development; and

BE IT FURTHER RESOLVED, that said report has been filed in the Town Clerk's Office for review and comment by any interested party, and has been posted on the Town's website and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on April 20, 2017 and published in the Poughkeepsie Journal on April 24, 2017; and

BE IT FURTHER RESOLVED, that on May 3, 2017 a public hearing was held at a regularly scheduled meeting of the Town Board; and

BE IT FURTHER RESOLVED, that the public review and comment period ends at 4:00 p.m. on May 12, 2017 when all written or oral comments are to be submitted; and

BE IT FURTHER RESOLVED, that the Town Board does direct the Director of Municipal Development to review the comments and prepare for filing the final report which is due May 26, 2017.

So Moved: W. Carlos/ J. Conte

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

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6-0

Motion made to open public hearing # 4: J. Baisley/ J. Conte

CARRIED: 6-0

**BE IT FURTHER RESOLVED, and the Town Board further finds that it would not be in the best interest of the Town to solicit alternative proposals or quotations for such service; and
BE IT FURTHER RESOLVED, that the Town Board finds that this is a Type II Action requiring no environmental review.**

So Moved: J. Lepore/ J. Conte

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

RESOLUTION

5:3 - # 6 OF 2017

**AUTHORIZE SUPERVISOR TO SIGN
2017 DIAL A RIDE AGREEMENT**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the 2017 Dial-A-Ride Agreement with the County of Dutchess, which agreement provides for a joint service transportation system for the general public with payments made by the Town not to exceed \$68,540.00.

So Moved: A. Shershin/ J. Renihan

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

RESOLUTION

5:3 - # 7 OF 2017

**UTHORIZE SUPERVISOR TO SIGN
CLARKE SEWER TENANCY**

WHEREAS, the Town of Poughkeepsie has received a request from Town residents Joseph and Marianne Clarke, residing at 2 Jordan Street, Wappingers Falls, NY for permission to become a tenant of the First Ward Sewer District and Tri-Municipal Sewer District due to a septic failure at their home; and

WHEREAS, said Joseph and Marianne Clarke will have to execute a sewer tenancy agreement and pay a connection fee of \$3,000 to the Town of Poughkeepsie; and

WHEREAS, the Engineering Department and the Sewer Department have advised that there is sufficient capacity for this particular hookup; and

WHEREAS, the Clarkes, upon approval by the Town Board, will have the same benefits and responsibilities as if they in fact were located within the districts; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, having reviewed the application and the circumstances surrounding the application, does hereby declare that this is a Type II Action under the New York State Environmental Quality Review Act; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor and all Town Board members to execute said agreement, in substantially the form attached, on behalf of the Town of Poughkeepsie and the Districts to file a copy with the Town Clerk, the County Clerk, the Engineering Department and the Sewer Department of the Town of Poughkeepsie.

So Moved: J. Baisley/ J. Conte

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

RESOLUTION

5:3 - # 8 OF 2017

ACCEPT- CERTIFICATE OF ATTENDANCE-PETER FANELLI

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Peter Fanelli from Dutchess County Planning Federation, for the course entitled "Planning and Zoning – An Introduction", a copy of which is attached.

So Moved: J. Renihan/ W. Carlos

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

RESOLUTION

5:3 - # 9 OF 2017

APPROVE- FIREWORKS MARIST COLLEGE

WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Marist College to include a fireworks display at its "Youth Group" Riverfest event to be held on Sunday, May 28, 2017, with a rain date to be determined; and

WHEREAS, the applicant has notified the Fairview Fire District; and

WHEREAS, a Certificate of Liability Insurance has been filed with the Town Clerk naming the Town of Poughkeepsie as an additional insured; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application as submitted for a fireworks display to be held on Sunday, May 28, 2017 at 9:00 p.m. on Marist College's riverfront property, 3399 North Road, Poughkeepsie, New York.

So Moved: W. Carlos/ J. Conte

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

RESOLUTION

5:3 - # 10 OF 2017

APPROVE-SPRING CARNIVAL
POWERS GREAT AMERICA
MIDWAY AT THE GALLERIA

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application heretofore received from Powers Great American Midways to hold a Spring Carnival at the Poughkeepsie Galleria Mall, 2001 South Road, Poughkeepsie, NY from June 15, 2017 through June 24, 2017; and

BE IT FURTHER RESOLVED, that a Certificate of Liability Insurance has been filed in the Town Clerk's Office naming the Town of Poughkeepsie as an additional insured.

So Moved: J. Conte/ J. Renihan

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

Jay asks if there will be fireworks, and I let him know, no. Joe Conte asks if there is a time limit, as there could be some neighbors nearby who could be effected. Jay mentions that he will call them and alert them to the noise ordinance.

RESOLUTION

5:3 - # 11 OF 2017

SET DATE FOR PUBLIC HEARING
CHAPTER 198-TAXI CABS AND FOR
HIRE VEHICLES

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 17th day of May, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie as and for the time, date and place of a public hearing to amend by Local Law Town Code Chapter 198, entitled "Vehicles for Hire", to "Taxi Cabs and for Hire Vehicles", to amend §§ 198-1 through 198-32 and add a new "Article 2: For Hire Vehicles", and

BE IT FURTHER RESOLVED, that the proposed amendments are attached hereto and incorporated herein, with the language to be added being underscored and the language to be deleted being ~~stricken~~, and the Town Board does hereby waive a verbatim reading of said amendments and does direct that said amendments be spread across the record as if they, in fact, had been read verbatim; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby determine that this is a Type II Action under 6 NYCRR 617.5(c)(20), (24) and (27) involving the ongoing adoption and administration of the Town's licensing, inspection and regulatory

policies with no reordering of priorities that might adversely impact the environment, and it requires no environmental review; and

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

So Moved: J. Lepore/ J. Conte

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

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6-0

RESOLUTION

5:3 - # 12 OF 2017

AUTHORIZE PURCHASE LEAF MACHINE-HIGHWAY

WHEREAS, the Town of Poughkeepsie Highway Department wishes to purchase a new TARCO Leaf Machine; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Highway Superintendent or Supervisor to purchase one TARCO Leaf Machine through Fort Miller FAB3 Corp., under State bid at a total price of \$75,424.50, pursuant to the attached recommendation of the Superintendent of Highways, the cost of which is covered by CHIPS funds, and

BE IT FURTHER RESOLVED, the contract is exempt from the Town's Purchasing Policy because it is a State Bid Contract, and it is an equipment purchase which is a Type II Action requiring no SEQRA review.

So Moved: A. Shershin/ J. Conte

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

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6-0

RESOLUTION

5:3 - # 13 OF 2017

SET DATE FOR PUBLIC HEARING FEES IN REGARD TO TAXI AND FOR HIRE VEHICLES

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 17th day of May, 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 amendments to the Town Code Chapter 105, entitled "Fees", specifically § 105-4 U, entitled "Chapter 198, Vehicles for Hire"; and

BE IT FURTHER RESOLVED, that the proposed amendments are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendments and does direct said proposed amendments be spread across the record as if they, in fact, had been read verbatim; and

BE IT FURTHER RESOLVED, that the aforesaid action is a Type II Action requiring no SEQRA review; and

BE IT FURTHER RESOLVED, that said amendments, if adopted, will take effect immediately upon filing with the Secretary of State.

So Moved: J. Baisley/ J. Renihan

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

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6-0

RESOLUTION

5:3 - # 14 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. Authorize Supervisor to Sign 33 Arlington Avenue-Agreements/Easements (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: J. Renihan/ J. Conte

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

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6-0

RESOLUTION

5:3 – SC # 1 OF 2017

**AUTHORIZE SUPERVISOR TO SIGN
33 ARLINGTON AVE. AGREEMENTS/
EASEMENTS**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Stormwater Maintenance Facility Inspection and Maintenance Easement and the Declaration of Common Parking Easement in regard to 33 Arlington Avenue, Poughkeepsie, NY in substantially the form attached; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign the Sidewalk, Curb and Parking Space Maintenance

Agreement and Easement and any supporting recording documents in regard to 33 Arlington Avenue, Poughkeepsie, NY, in substantially the form attached; and

BE IT FURTHER RESOLVED, that such acceptance and authorization by the Town Board of the Town of Poughkeepsie is subject to the approval of all final documents by the Town Attorney, Planning Board Attorney, Town Engineer and the Director of Municipal Development for the Town of Poughkeepsie.

So Moved: W. Carlos/ J. Conte

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

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6-0

JAY SUSPENDS THE RULES FOR COMMENTS ON ANY TOWN ISSUES

Doreen Tignanelli clarifies with Bill Carlos that a homeowner would not get a break on his/her property taxes if installing solar/ they may be eligible for a tax break but not on their property taxes, she just wanted to make clear.

Joe Armstrong would like to say at a prior meeting he mentioned the large amount of signs on some of the trees and poles near Spring Road and Route 9, and he was pleased it looked as though someone had addressed the issue, and he talked for a few minutes about the trees leaning on Kerr Road. The question at hand is when it is your property or the Town's property and who would be responsible should they fall. Bill Carlos went out and looked at and took some pictures and the 1st answer is if it's on a homeowner's property you cannot force someone to cut down their trees. This will be looked into a bit further.

Before the meeting adjourns, Jay would like to acknowledge the passing of our K-9 Dog, Reagan, and would like to extend his condolences to the officer and his family. He was loved very much and will be greatly missed.

TOWN BOARD MEETING ADJOURNED AT 7:36 PM