

MINUTES OF TOWN BOARD MEETING
HELD ON JUNE 7, 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 at 7:08 PM
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
Attorney Strauch
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

*Attachment below is the verbatim transcript of the proclamation to Arlington High School and the transcript from the first three public hearings in regard to Bottini/New Hamburg via REV

Jon Baisley: Please rise for the pledge.

Meeting members: I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Jon Baisley: Roll call.

Jeff Renihan: Jeff Renihan. First Ward.

Bill Carlos: Bill Carlos. Second Ward.

Joseph Lepore: Joseph Lepore. Fifth Ward.

Ann Shershin: Ann Shershin. Sixth Ward.

Felicia S.: Felicia Salvatore. Town Clerk.

Jim Nelson: Jim Nelson and Danielle Strauch attorneys for the town.

Jon Baisley:

Jon Baisley. Town Supervisor. Tonight's agenda, before we start the agenda we have a proclamation that we'd like to present to Arlington Student Government. The last couple of years the Arlington Student Government has been holding a senior prom for our seniors at our senior center located on South Road. They do a phenomenal job every year. If you go there it's truly an enjoyable experience to watch the interaction. These kids are doing this because they enjoy it. The care, you can tell that nobody is forced to be there. The teachers may say they're forced, but they really enjoy it and every year the seniors have nothing but good things to say about them. I thought it was time that we should get up and actually recognize these students for taking time out of their schedule. They put the whole prom together.

They arrange the prom, they arrange the music for the prom, they come in and they serve to the seniors. They actually arrange to even have the food donated for the prom, so holding this prom for seniors at no cost through the Student Government in Arlington, so tonight we have a proclamation. Can we have the Student Government and Mrs. Wagner and Mrs. Bellino come up so we can present this to them? Joe, and Jeff, you want to come up because you're members of the recreation committee.

Whereas, the Town Board, Town of Poughkeepsie on behalf of the Town of Poughkeepsie and all residents of the Town of Poughkeepsie does hereby salute the Arlington High School Student Government and recognizing their outstanding performance for organizing and running the Town of Poughkeepsie senior center senior prom this year on April 21st, 2017. Whereas the Town of Poughkeepsie recognizes them as role models and is proud to honor the Arlington High School Student Government, which they have showed positive attitude in service, and for demonstrating generations working together. Now therefore it will be resolved the Town Board Town of Poughkeepsie does hereby enthusiastically proclaim this commendation extends as congratulations on the accomplishment of this honor. Be it further resolved an original signed proclamation be forwarded under the great seal under Town of Poughkeepsie, Dutchess County, State of New York to Arlington High School Student Government. Congratulations.

Jon Baisley:

This is on behalf of town for you guys. This is the third year, I think, you've been there. You have done a phenomenal job. I don't know if you've been charge all three years, but you guys have done a great job. Really congratulations.

Jon Baisley:

Going forth with tonight's meeting we have five public hearings. Public hearing number one; There's a town code amendment in chapter 195, truck weight and lengths in New Hamburg. Public hearing number two; Town code amendments chapter 139, noise. Public hearing number three; town code amendment chapter 195 no left turn in New Hamburg. Public hearing number four; Unsafe building 31 Durocher Terrace. Public hearing number five;

Unsafe building 59 Oakdale Avenue. That being said I'd like to have a motion to open public hearing number one.

Jeff Renihan: Second.

Jon Baisley: Second. All those in favor.

Council members: Aye. CARRIED 6-0

Jon Baisley: Public hearing number one is weight and length amendments to New Hamburg. Is there anybody to speak in reference to truck length and weights in New Hamburg? We ask that everybody with multiple public hearings to please try to keep it to three minutes. Pam, or Susan whoever'd like to come up first.

Pam Kingsley: Actually I'll do my best to keep it short. It has to do with the ... it's related to truck weight and length. Basically what I've done is go back and looked at the resolution that you guys had before that you want to vote on. I went back to the original court stipulations. There are a number of questions that came up between looking at the stipulation, looking at the resolution and I think I'd like to put those questions, those issues, before you. I think it's something that most likely fellow New Hamburg residence would want to have answered prior to you guys voting on these resolutions. Just to put my side, I live at 9 Conklin Street in New Hamburg. I've lived there for over 20 years. A few things the first one from page six of the court stipulation. It actually says in the stipulation towns propose local laws shall also amend the no standing regulations currently in effect, such as the hours during which standing is prohibited coordinates with the schedule of operation in order to ensure pedestrian safety. Now in this resolution that you guys have put forward I see nothing in there about no standing.

That is a big issue within New Hamburg. As we all remember two, three years ago prior to you guys voting this in we had 15 tractor trailers waiting in line with their engines running, waiting to get into the terminal. This needs to be addressed. Also, a big concern of mine, which is in the resolution, concerns that town supervisor can override the schedule if it's determined that it's an emergency. A couple things there; One what determines an emergency? Basically it literally says in the stipulation, it also says in the resolution literally some representative from Bottini, or New Hamburg Terminal, whatever you want to call it, can directly call the town supervisor at any time of the day or night and If town supervisor's not available he needs to leave a designated person who can be called. What constitutes an emergency? What is the backup for determining what an emergency is? Is it just somebody on the phone saying, "I got to get in there? Give me the okay. Great, thanks." Is there going to be a paper trail on that? Whatever is associated with this, I think, needs to be foitable.

This is public discourse and if a year from now, after this is done, people in New Hamburg want to go and see what all those emergencies were, there better be something to look at rather than, "Well, it was all on the telephone." That will be highly suspicious. I can do this all right now or I can be back up here about noise. You tell me whether you want to do it in order. If you-

Jon Baisley: *Do it in order Pam.*

Pam: *Okay. That's fine. Okay, I'll keep it at that for now and I'll be back.*

Jon Baisley: *Thank you.*

Pam: *Thank you, and again if you want to answer these questions now or by the end of this, if you can get back to us about when you will be able to answer them, but it think they need to be answered before you guys vote on this resolution.*

Jon Baisley: *Our position is, and I think we're probably the only one, but we're also taking all the information that you give us, everything that you've addressed. We will address it and we will get back to you.*

Pam: *Prior to voting?*

Jon Baisley: *Absolutely.*

Pam: *Okay.*

Jon Baisley: *Barbara.*

Jim Nelson: *Before you begin, Mr. Supervisor people are speaking to each of the public hearings, so there'll be three separate hearings. Is it the board's intention to consider the comments at each of the public hearings, as to each of the local laws to the extent that there's perhaps an overlap?*

Jon Baisley: *I think we'll look at the whole thing. We want to keep them so we can keep them in check to their questions to the actual local law. I think we should keep them as close as possible. She can come back up so we can put it back in there so we don't miss anything.*

Jim Nelson: *Okay, thank you.*

Susan Barbarisi: *I'm Susan Barbarisi. I live on the corner of Point and Division in New Hamburg and have for 29 years. I am trying to understand from the information that we've gotten, and I'm not sure that I have all of it. In fact, I'm very sure I don't have all of it. In looking at when the trucks are allowed to go through the hamlet I am looking at something that looks like a 50 foot truck weighing five tons, which I'm assuming is an 18 wheeler, I hope I'm correct*

with that. It talks about going from Reed Road to Stone Street, so crossing what we call the White Bridge, or the Northern Bridge, over the tracks and is here referred to the Reed Street Bridge. My concern there is my understanding from several years ago is that bridge is badly in need of repair and is on a list somewhere.

Jon Baisley: You are correct.

Susan Barbarisi: I'm sorry.

Jon Baisley: You are correct. There's a misunderstanding Susan. Where the line is [inaudible 00:10:37] allow to go over that line, so they can't use that bridge.

Susan Barbarisi: Okay, so that is wonderful. That was my particular concern. I'm sorry, so when you say the line, may I ask what that means?

Jon Baisley: Yeah, I'd say it was confusing. Where it says terminus to the side it's everything between Stone Street and the two bridges. That locks in the timeframe that they can't go across that line. That's why we didn't have to list all the streets in New Hamburg. They're not allowed to cross that line during the hours that they're not allowed there. Instead of naming every street they couldn't drive on that name ... it says the terminus, it sounds a little confusing, but it's between Stone Street and the bridge itself. They can't cross that line to go into their ... don't get me wrong. It's not the easiest thing to read. I read it a few times over.

Susan Barbarisi: Okay.

Jon Baisley: That's what it's in reference to.

Susan Barbarisi: Oh, okay.

Jon Baisley: I'm not going to answer most of them, but that's a very confusing question.

Susan Barbarisi: My concern is about the use of that bridge. This isn't any chance of knowing when that bridge repairs might be done?

Jon Baisley: No, no.

Susan Barbarisi: Okay, thank you.

Jim Nelson: Miss Barbarisi, and anybody else, there are copies there on the desk of a map showing where the proposed signage-

Susan Barbarisi: May we take copies?

Jim Nelson: Sure. Of course that's what they're there for.

Maureen Brown: *Hello, my name is Maureen Brown. I live at 21 Main Street New Hamburg, New York. My question, I've been teaching CDL instruction for 30 years. In reading some of the material I noticed that the way that it's phrased is local law. CDL's are not local law. It's not a car. It's a CDL truck. I was wondering if you took into consideration that the trucks are CDL vehicles and are also hazardous material that is being transported. I was wondering whether or not that came into your process when this was looked at when the proposals came through? I'd been in Florida for a couple of months so I wasn't here for the last couple of meetings, but have been attending these meetings until I went to Florida.*

Jon Baisley: *Maureen, we'll go through all this, and we'll get all the information we have, and we'll get back to you on answers to all these. It's basically us to take your input, to find out what you have, and then get you all the answers back.*

Maureen Brown: *Okay. Thank you.*

Jon Baisley: *Who else would like to speak on this public hearing? If not I'll make a motion to adjourn this public hearing until first meeting in July?*

William Carlos: *All right and that's at a date or-*

Ann Shershin: *That's-*

Jim Nelson: *Well, it'd be a good idea to have on the record what the date is.*

Ann Shershin: *It's July 5th.*

Jim Nelson: *July 5th.*

Jeff Renihan: *Second.*

Jon Baisley: *We'll use that to get all the information in reference to that, so we can get you any answers if there's any changes, if we make changes on that one. All those in favor.*

Council members: *Aye.* **CARRIED 6-0**

Jon Baisley: *Make a motion to open public hearing number two, chapter 139 on noise.*

Mike Cifone: *Second.*

Jon Baisley: *All those in favor.*

Council members: *Aye.* **CARRIED 6-0**

Jon Baisley: *Is there anybody to discuss public hearing number two on noise? Pam.*

Pam Kingsley:

Okay. Again, looking at the resolution, well actually I don't even think that I saw the resolution that ya'll came up with in regard to noise. Going to the stipulation on page nine in the court stipulation it said, "Any town law may provide that noise emanating from vessels operating on the navigable waters of the state shall be of no greater decibel levels than that permitted to emanate from motor carriers from the adjoining property line. The towns local law shall provide that decibel levels measures from the adjoining property line shall not be measured from a property line under, or adjacent to a navigable water of the state, but shall be measured from the nearest upland property line." The question I have, and I went into the town of Poughkeepsie noise prohibitions, into the laws that are there. I guess what I'm looking for is for you to tell me. Here, under unreasonable noise prohibited in the town of Poughkeepsie laws, "No person shall make, or continue, or cause, or permit to be made, or continued any unreasonable noise."

Then it says, "While decibel readings provide presumptive evidence of unreasonable noise pursuant to paragraph 139 5C," which actually had to do with air conditioning. A decidable reading is not required to prove a violation of this chapter. In the town of Poughkeepsie's laws it's basically saying the things that are needed to prove unreasonable noise are not hinged on decibel levels, yet in the stipulation it particularly ... no greater decibel levels than that permitted to emanate from motor carriers. So am I missing something? Is there something in the town of Poughkeepsie laws that particularly pertains to motor carriers, so that we in New Hamburg, can establish a decibel level? At which point when the carriers, when the barges come in at 2 o'clock in the morning and start off loading and making a ton of noise and waking people up, that we can call the town of Poughkeepsie police and find them in violation?

As far as I'm reading this, the stipulation, we actually do have rights. We still have rights in regard to violation of local noise laws. I would like clarification on this. I would like to know what the decibel level is, or I would like to know do the local laws pertain, which really have more to do with describing the periods in time because noise occurs at night between 10:00 PM and 7:00 AM. That's viewed as unreasonable noise. We have major barges coming in literally all night long and off-loading. Right then and there they're in violation. The noise intrudes into a residential district or an area with sleeping facilities including residents, apartments. Well, that's us. That would make one think that the noise that is coming from the barges, in the middle of the night, would still be illegal and that we could call the police. The duration of the noise is prolonged rather than short.

Again, it's going on all night long for hours at a time. If it's saying local laws are established and local laws are still in place that we will still be able to call the town of Poughkeepsie police and they will come, and they will fine the barges because according to town of Poughkeepsie law the first

violation of this chapter shall be punished by a fine of up to a \$1,000. Second violation within 12 months after first violation will be punished by a fine of not less than \$1,000 and up to \$1,500. Further violations within 12 months will be not less than \$1,500 and up to \$2,500. I would like real clarification visa vi the court stipulation as to what these noise laws are. If they are per the town of Poughkeepsie's laws that are currently on the books then they should be in place, and we should be able to call the town of Poughkeepsie police as we always have, and they should be able to come down, and they should be able to stop it, and they should be able to fine the barges. Thank you.

Jon Baisley: You're welcome.

Michael Joyce: **Michael Joyce, member of New Hamburg Neighborhood Association act 18 indivisible. Recently I wrote to the New York State Department of Transportation Noise Analysis office that's charged with reviewing, "Federal and state laws, and regulations to develop appropriate NYSDOT policies and procedures to implement these regulations." The clerk has a copy of that interchange. I wrote to ask who we can contact to regulate the barge noise, which I think you're being flimflammed into giving over responsibility for since there's a sort of false measure going on here with motor vehicles as opposed to barges. Their environmental specialist wrote back saying, "They were not aware of any state or federal agency that does have jurisdiction over noise generated by boat traffic," saying further, "Local ordinances would most likely be the main source of regulation." The specialist also did suggest that we, "Contact NYS, New York State Department of Environmental Conservation to confirm that any changes to local ordinance followed proper procedure according to SEQR." Something that as I read tonight's agenda, you haven't done to date, as a board. That's all I have to say.**

Jon Baisley: Thank you.

Michael Joyce: Yeah.

Jon Baisley: Is there anybody else who'd like to discuss? Come on up Andrea.

Andrea Sayago: **Hi, Andrea Sayago. I'm a resident in New Hamburg, I'm a member of the New Hamburg neighborhood association. The question that I have about the revisions to the noise ordinance is that it appears that you're granting the pumps that are on the barge that off load the oil, the status of a motor carrier. I'm trying to understand why you're granting a machine the status of a vehicle. When you look at the federal law that defines what constitutes a motor vehicle, the pumps on the barge do not meet that definition. It's very simple, plain English. They don't. They're not motor vehicles. They are machines. They are not motor vehicles.**

What I'm trying to understand, and I would like some clarification provided is to why all of you are granting a machine the statue of a motor vehicle that is entitled to protections under the law that ordinary machines, like lawn mowers, or some pump in a house, or whatever, a pump on a boat they don't get those protections under the law. They don't get that classification. I want to understand why a pump on a boat is being classified as a motor vehicle. It doesn't get that definitional treatment anywhere else that I can see under federal or state law. That's my question related to that.

Jon Baisley: All right, thank you.

Andrea Sayago: Yup.

Jon Baisley: Anybody else would like to discuss this public hearing? If not I make a motion to adjourn this public hearing until July 5th, do I have a 2nd?

Jeff Renihan: 2nd.

Jon Baisley: All those in favor.

Council members: Aye. CARRIED 6-0

Jon Baisley: I would like to make a motion to open a third public hearing town code chapter 195 no left turn on Main Street in New Hamburg.

Jeff Renihan: Second.

Jon Baisley: All those in favor.

Council members: Aye. CARRIED 6-0

Jon Baisley: Would anybody like to discuss this public hearing? Pam.

Pam Kingsley: Okay, two questions. Well, one question, one issue. One is what left hand turn are we discussing? We're all trying to figure out what ya'll are talking about.

Jon Baisley: It's right across from Becker's house, on the triangle.

Pam: Right.

Jon Baisley: If you're coming out of the train station they just don't want people to make a left turn to go back down to go over to Bridge.

Jeff Renihan: It's on that map too if you want to get the map there.

Pam: Oh, so you're talking about people coming up from the train not being able to make a left hand turn?

Jon Baisley: Yup.

Jeff Renihan: Trying to make that left.

Pam: *I guess that's an issue. I don't know. Okay. I have one thing that's related to ... it's a sign related thing. I just want to get it out there. Again, it comes from the court stipulation. I think it's a big concern for all of us. First it's a sign and it may be another sign, which is from page 10 of the court stipulation. It says, "The town will also evaluate the existing street signage and further evaluate whether certain traffic improvement measures should be adopted in the interest of promoting public safety and safe traffic flow. Including whether certain stop intersections, and stop signs, now in existence, should be modified or converted to yield signs so as to facilitate the flow of truck traffic, and reduce noise associated with stopping and starting at certain stop sign locations." I think, although we have not conferred, I think I speak for most New Hamburg residents. There are very few stop signs that are literally in New Hamburg.*

There is one on Bridge Street right after the bridge. A four way stop sign and then there's that stop sign right after the bridge. I would like to start calling it the Louisa Hochberg Memorial Stop sign, because it was Louisa Hochberg who got in touch with the Town of Poughkeepsie because her house was right after that bridge, right after that intersection and she petitioned the Town Board to have that stop sign put in because it was teenagers who were driving too fast over that bridge. She was raising three kids and she wanted to slow them down. You know how this town feels about Louisa Hochberg. Then there is a stop sign at Division and Stone. Then there's two stop signs sort of the other ones at the intersection there. None of those stop signs needs to be a yield sign.

There is not a single stop sign that is in New Hamburg that needs to be a yield sign. I just want to go on record, and I think everyone from New Hamburg would support me, is that Louisa Hochberg stop sign has to stay in place. As it is already when those Bottini trucks start from a standing start at the intersection and they are accelerating and that bridge is at a bit of an incline, and they're gunning it to get up, to get speed, and they come over it. As it is a lot of them do the running ... what do they call it?

Jon Baisley: Rolling.

Pam: *Thank you. Basically go through it. The fact is that area, that's the center of town, and that's where a lot of kids are. That's where the bus stops were, everything. They're coming up and over that and they're coming right into the heart of town. As it is even with that stop sign in place they're going too fast. If that sign turns into a yield, or God forbid they get rid of it, it's going to be a matter of time. It is simply going to be a matter of time before somebody ends up in the hospital or somebody ends up dead. There is no*

reason ever to remove or change any single stop sign that is in New Hamburg to a yield, or to get rid of it. That's it. (Clapping)

Jon Baisley: *Is there anybody else that would like to address this public hearing?*

Joanna Aggliare: *My name is Joanna Aggliare and I live at 21 Main Street, New Hamburg. I just want to say that I've been living there for about 30 years now. I need those stop signs. As everybody knows in New Hamburg I am constantly walking dogs and that stop sign is very important to me. My dog comes down Stone Street, and he's a little fast. He likes to go down those stairs that are over there. Even with the stop signs a lot of times cars, or trucks they roll through it and I have to be very careful with them. I need a stop sign, not a yield sign. It's just for public safety. I do not want to get hit by a car. That's all I have to say. (Clapping)*

Jon Baisley: *Thank you. Is there anybody else who would like to address this public hearing? Thank you.*

Andrea Sayago: *Hi, I just want to echo the sentiments of my neighbors that the stop signs that are in existence really can't be changed. All of them. The ones that are in the intersection of Bridge and Stone Street, the ones that are at the intersection of Point and Main. Personally the reason why I want them I have two little boys. I have a nine year old and a six year old. I don't know about you guys, but my little boys like to get out there and play. They like to run around and I really need those stop signs to be there. As it is right now cars roll through. If it's a yield and not a stop they're not going to roll they're going to run. It's too dangerous.*

Really, I implore all of you please do not change any of those stop signs. They really need to stay the way that they are. Its necessary not only for my kids safety, but for my neighbors safety, all of our safety, and that's it. Then I have a question. I don't know whether this is the right instance to ask the question about [inaudible 00:30:04] is not part of the three that are at issue today. It's the no standing rule that was put into effect back in 2015, and whether or not that no standing law is going to remain on the books, and put up signs and enforce.

Jon Baisley: *That's not [inaudible 00:30:19] shouldn't answer [inaudible 00:30:21] not even in the discussion.*

Andrea Sayago: *The reason why I ask is because the stipulation-*

Jon Baisley: *Yeah, it's not.*

Andrea Sayago: *Okay, it's not. I just want to make sure we have assurances that the no standing is going to remain in effect.*

Jon Baisley: *Yeah, that's not in the discussion at this time at all.*

Andrea Sayago: *Okay.*

Jon Baisley: *You can't say-*

Andrea Sayago: *Well, no but I-*

Jon Baisley: *It's not-*

Andrea Sayago: *Are the signs going to go up and that going to be part of the enforcement that's going to go into-*

Jon Baisley: *The signs will go up.*

Andrea Sayago: *Okay. Thank you.*

Jon Baisley: *We're just looking a way the word and the right way to put them up, but that's not changing.*

Andrea Sayago: *Okay, thank you.*

Jon Baisley: *Would anybody else here like to discuss this public hearing? If not I make a motion to adjourn this public hearing until July 5th.*

Jeff Renihan: *Second.*

Jon Baisley: *All those in favor.*

Council members: *Aye.* **CARRIED 6-0**

Jim Nelson: *Oh, sorry.*

Jon Baisley: *Mr. Nelson.*

Jim Nelson: *Mr. Supervisor, as we discussed earlier, you and I but not the whole board, the fact is that SEQR is in front of this board. You've been through SEQR several times in several matters. Without meaning to be preaching we obviously know that we have to do SEQR before any substantive discussion, not discussion, but before there can be any substantive determination on these three matters that are in front of you. Before this comes to a closure there does need to be a discussion about the emergency policy, which is part of the stipulation, and the local waterfront review policy. As was also mentioned here the "stip" does call for consideration of standing rules and signage, and other traffic signage.*

The board has copies of the environmental assessment form that was adopted at the last meeting. The part one was adopted at the last meeting and there's an attachment to that, which has a recitation of the history. That brings us to the point where we are tonight. This board took the position that the approval and the execution of that so ordered stipulation was not

something which was subject to SEQR. Your position was that it was a Type II Action, but not withstanding that, people have mentioned it tonight, and it's probably a good idea to take a look at again. Things that are in that stipulation there are benefits and there are burdens. Those things, although they are not the subject of this SEQR, you may find that they bear on the decisions you're going to make about SEQR for this signage and weights. Then the final thing is we certain can discuss SEQR as an attorney with client at any time you'd like. That's it. Thanks.

Jon Baisley:

That's it.

Bill Carlos:

We're adjourning these, Jim to July 5th. Are we going to have enough time to do that?

Jim Nelson:

Well, SEQR has to be completed before a substantive determination is made. My hope is that it could be done by then. I know that this board will make sure that it finishes SEQR before it closes this public hearing.

Jon Baisley:

Bill, we do not have [crosstalk 00:33:50]

Jim Nelson:

Pardon me [crosstalk 00:33:50].

Jon Baisley:

If we're not done we can go out further.

Bill Carlos:

Okay.

Jon Baisley:

We're not setting the date that we have to vote that night. It's the date that we open the public hearing. If we're not ready to finalize anything we don't finalize.

Bill Carlos:

It's another chance for people to come and speak to us?

Jon Baisley:

Yup, and between now and then it's a chance to look at all the issues that were addressed tonight and bring the issues up and address the issues with the residence one on one. If anybody else has any other, as you go by and you think of more, as you read into these more, you can email myself or Jeff, or any board member, or call and we'll have a conversation. The door is open for conversation and there's quite a few things that were brought up tonight. Some of them we've looked at. Some of them we haven't yet. We will look at it. Feel free to call us between now and July and we'll definitely talk to anybody that calls. Anything you get, you want to send it you can either email it to any one of us, come here and drop it. We will look at anything that you are addressing.

Joseph Lepore:

I'd just like to see what's the schedule for the police department patrolling the area because it seems that the stop sign it's an issue. See if there is a schedule. I'm not sure if there is one. If there isn't one then we ask the Chief to implement a-

Jon Baisley: *You can call traffic and have Mel go back down there.*

Joseph Lepore: *It's a concern.*

Jon Baisley: *No, it's a concern and with the commuter traffic, and all the traffic down there it's a legit concern. It's a very legit concern.*

Joseph Lepore: *Maybe we can put a patrol there just to monitor this stuff?*

Jon Baisley: *Yeah. I'll call the traffic division in the morning and they can go back down. They've been going down there [inaudible 00:35:21] they're not always down there late, but they're down there sometimes early in the morning between shifts because it's rush hour. They're not always down there at all times. I will call them in the morning and we'll get them back down there again. He has no problem giving out tickets down there at all.*

Female: *[inaudible 00:35:36]*

Jon Baisley: *All day. Rush hour's part of it, but during the day people running back and forth to the mall not necessarily always on the New Hamburg side, but down by the playground down there it's been an issue. They have no trouble, at all, writing tickets. If you don't see him there sometimes he may be on the other end of Channingville up the other end. A lot of it's the same traffic. They're not necessarily down by the playground. You may see them up by the apartments on the other end. They do hit that area pretty heavy. The state police hit it also besides us. We'll call and tell traffic to get back down there again and make sure they hit them heavy again. It is summertime coming, and little league, and everybody's playing down there.*

Joseph Lepore: *Jay, my second question was about, and I'm not sure the answer for this, but the noise of barges. Is the coast guard in charge of that if there are other barges?*

Jon Baisley: *We'll have to look into that. I don't know that answer Joe.*

Joseph Lepore: *Yeah, okay.*

Jon Baisley: *We're going to look further into that part. Just to give myself [crosstalk 00:36:34].*

Joseph Lepore: *Okay.*

(Public Hearings #1, #2 & #3 were all adjourned to the July 5, 2017 Town Board Meeting)

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

CARRIED 6-0

Wayne Cichon, Building Inspector for the Town gave a presentation on this property at 31 Durocher Terrace. Back in December of 2015 it has a devastating fire, and the owner perished in the fire.

I have attached the Transcription from REV on this item as they did transcribe the entire meeting, not just the Bottini issue. Residents from the street spoke as well as the deceased owners, son. A copy of this portion will also be given to the Building Department for their file:

Please read below:

Wayne Cichon:

My name is Wayne Cichon Deputy Building Inspector for the town of Poughkeepsie. This property, 31 Durocher, back in December right after Christmas 2015 had a devastating fire. Unfortunately the owner perished within the fire. Obviously the immediate family was contacted. The unit was boarded up where it could be and it's basically sat. We received a complaint in the beginning of this year, February, about the property and how unsafe it is. What you're seeing is going to be a pictoretorial over dates of what we found. This is what it looked like when I arrived. Clearly it's not habitable. Nobody's been in there for more than a year. There's access areas open to the public. They did do some boarding as you can see, and some locking up. Gas and the electric terminated. This is where it really begins. It's a total gut of the entire structure. The fact that it's still standing is amazing to me. As you can see there, there were some access points where people tried to get in, did get in. I'm not sure which, but as you can see they had their ladders in place.

As you can tell just from the angle ... let's go back one. You see the condition of the floor level we're definitely dipping and it's only a matter of time before this is on the ground. I can't tell you it should have been on the ground long before now. There are locations even there in the back that you can't see from the street that are open and accessible. Front side of the house it's the same. They took some effort to close it off, but it just hasn't gotten any better. We continue to monitor and move forward in this. We've sent orders on the property, posted it where it needed to be posted. Closing in this year just to follow up in May of where we stood with this. By then all the orders that we had on site were expired at that point without any resulting compliance.

Google Earth, ariel view. Even though it's distorted in terms of the picture you can see where the roofs are starting to fail just from up on top as well. Literally a very short amount of time before this whole thing's on the ground. Can't be used for its lawful purposes. Open at the windows and doors, it's unfit for human occupancy, attractive nuisance, which is the one that really gets us. It's clearly a hazard just to remain there. Questions?

William Carlos:

Those two cars in the driveway with the covers over, do they belong to the owner?

Wayne Cichon:

Yes. I sat with the daughter about a week and a half ago. She came to town. Actually we got her address straightened out and all those kinds of things. Her tone to me was basically that she didn't have any money to be able to do

anything with it to include take it down. She's inquired, and I know that there were at least two phone calls that came to my office about contractors and what they were submitting to her to take the building down. All of them exceeded the \$29,000 to \$30,000 range to drop the building and take it away.

Joseph Lepore: *Has it got an insurance policy on the house?*

Jon Baisley: *Joe, before we discuss we'll let the public talk first. Then we can ask. Would anybody in the public like to discuss this public hearing first? Come right up-Then we'll ask our questions after the public. Then maybe Wayne can answer their questions.*

Gale Greco: *Gale Greco, 54 Durocher Terrace. I am living 18 years, we're waiting two and a half years for this to be torn down. Nothing's been done. We have lots of kids that run around. We walk the street, we see this every day, when is this going to happen? What are we waiting for? Until someone gets hurt, a kid running around? What are we just going to let it collapse? What's the town going to do? What are we waiting for?*

Jon Baisley: *We're going to take it down. There's a process. Yes, he has to notify first of all.*

Gale Greco: *This is enough' s enough.*

Jon Baisley: *I absolutely agree.*

Gale Greco: *Two and a half years.*

Jon Baisley: *That's why he's here. It was December 2015.*

Gale Greco: *Someone had to come up beginning of this year to complain. This should have been done by the town without somebody complaining. It should have come down. Instead of having to go to the board. I don't really get it. Are we going to wait until people are hurt?*

Jon Baisley: *No. We're not waiting.*

Gale Greco: *Then who do we go after?*

Jon Baisley: *Ma'am, we're not waiting. This is why we're doing it. It's been a year and a half. It was December 2015.*

Gale Greco: *Okay, well I'd like to hear an attempted date tonight.*

Jon Baisley: *Yes, and we're-*

Gale Greco: *Tonight.*

Jon Baisley: *He has to set a date. We had to contact the owner who did not live in this end of the country. We can't just go take someone's house.*

Gale Greco: *Okay, soon as possible.*

Jon Baisley: *We are going to work on it. That's why-*

Gale Greco: *Do all the neighbors back here ... we've all been waiting, all of us.*

Jon Baisley: *I agree. I got a call from-*

Gale Greco: *Not just me.*

Jon Baisley: *I got a call from one of your neighbors and I called Wayne a month or so ago. She used to work for the town and she asked us to do it. Wayne went back over and said, "We can't wait any longer. Tell the homeowner we're going to take it down."*

Gale Greco: *Yes, thank you.*

Jon Baisley: *We're not waiting because-*

Gale Greco: *Thank you very much.*

Jon Baisley: *There's another family member somewhere in the neighborhood there-*

Gale Greco: *Yes, two.*

Jon Baisley: *-has no interest.*

Gale Greco: *An uncle and a son sitting right there where all his cars parked in the driveway.*

Jon Baisley: *-that has no interest in it. He had to contact whoever the executor happens to be.*

Gale Greco: *The sister.*

Jon Baisley: *The sister.*

Gale Greco: *Yes, we all know the story.*

Jon Baisley: *He had an issue, so we are going to-*

Gale Greco: *We've heard the story. We know the story.*

Jon Baisley: *-go forward. I agree with you 100%. It doesn't need to be sitting there any longer. The process is to get it moving. Obviously she's not going to take it down.*

Gale Greco: *The neighbors are sitting very close to the property line. I don't even know how they can even deal with it, how they've dealt with this. I would have been here a long time ago. I'm at the other end of the block. I'm speaking from the other end of the block. I would have been up here daily to see this taken down.*

Jon Baisley: *Hopefully this is the process and we will get it down.*

Gale Greco: *Thank you.*

Jon Baisley: *Is there anybody else that would like to discuss this public hearing?*

Jon Baisley: *No. Anybody from the board want to discuss? Oh, come right on up.*

William Carlos: *A couple of questions was-*

Jon Baisley: *Wait, hold on.*

William Carlos: *Oh.*

Jon Baisley: *Come on up. Come on up.*

Zbigniew Soltysiak: *Good evening everybody.*

Male: *Good evening.*

Jon Baisley:

Good evening

Zbigniew:

Sign my name? Do you have one ... thank you. Thank you. Yes, good evening. I'm actually here as the son of the person that perished in the fire. I am not the legal owner of the property, but I am here to clearly make some comments to the board that the board will hopefully take into consideration. First of all I'd like to thank the town of Poughkeepsie fire department for trying to save my fire ... uh trying to save my father from a fire. I live actually at 31 Durocher Terrace. I live actually on the street. I see this thing every single day. I'm the first person that would like to have this house taken down, without a doubt. This is something I have to deal with on a daily basis along with my family. I'd like to thank the police department, town building department for working with us. Within 48 hours we had it boarded up after the fire. As the board would know the town building department asked us and we had a company come right up and do that as soon as possible.

My father was unable to basically walk in terms of dealing with the fire. We had to deal with not only a house that he lived in, but I grew up in that house as a teenager, and in college. Now again I live across the street from this property. Again, neither is it mine, yet I see it on a daily basis. Those vehicles are actually my vehicles. I park them because actually they've been vehicles that I've had for a bit and I use that space. My sister allowed me to do that. Now, in terms of any claims regarding insurance I can tell you right now that we'd like to have the Town of Poughkeepsie know that due to circumstances with the insurance company, without naming the insurance company, losing three people during the process of actual funding for contents, and demolition, and value of the home that was something that was beyond our control. I came back last summer.

Again, it was not two and a half years. It's been about a year and a half. I came back last summer, after taking care of personal business for family regarding the estate and myself, in Poland where I'm from. I found out about this. I went right with the insurance company and they were right on it, and they took care of. Unfortunately winter hit and after that subsequently with a certain reaction from the insurance company my sister, unfortunately being that it was winter, we couldn't proceed. It wasn't resolved at that point. Again, like I stated earlier I literally live across the home in question. I, above all residents on the street, have daily solemn issues related to this property. There is a demolition company on record with a contract pending now to do just that, demolish this tragic site. I've cut the grass, shoveled the snow, and nurtured the flowers my mom worked on. The neighbors that had insurance issues have all been compensated. There's not one person that has not been compensated.

I know that neighbors have stated not appropriate comments. I would never repeat them in front of my young son. Some even making inappropriate comments about me praying on the property on a daily basis, which I do, based on my Roman Catholic Christian background. I hope the town understands that all plans do not happen as people want them to happen. I

did not want my father, an immigrant as myself, looking for the American dream wanting to end this way as he did. I understand the safety issues. With the demolition on board I would like to ask that the Town Board takes all this into consideration and extends a brief, and I do mean brief, period of time to resolve this tragic event, which I will never be able to resolve. As compared to neighbors that actually have no connection to it, beyond the fact that it's a physical building. That was my father and I ran over at 5:45 in the morning trying to rescue him, along with my wife, and my sister, my niece, and nephew, and my son and we couldn't.

I appreciate all the services that the town has done to try to save him. Why it's still standing? I think it has a lot to do actually with the fact that my father and I actually built that extension that he passed away in. The town was very amicable about making sure that whenever we needed permits we took care of the permits, they were done in time, they were done exactly when they should have been done, and this will also be done. I also share the concern of the neighbors. The fact is that it's been maintained the best that it can be at this point. I would just like that the town takes everything into consideration in terms of a brief, and I mean brief, extension having things taken care of, and it will be. It's not because necessarily lack of funds. It's the fact that somebody lives on the other side of this country and that's not something I have control over. That person has been notified and they've notified the town as the gentleman had just presented to us.

We are looking at a contract that was given to the town in terms of having this taken care of. If you think I want this thing up more than anybody else that's behind me or lives on my street, I know you don't. I just feel that unfortunately, like I said, things that you plan don't necessarily come out the way that they do. This will be done in a timely fashion, appropriate to the Town Board, and the town building inspector. That will be done. Again, just a brief time period. That's all. That's all I'm asking for.

Ann Shershin: *Yeah, I'm terribly sorry for your loss, but how much time are you talking in this brief time period? Are we talking a couple of months? Do you have a contract? Do you know what date they're going to get started to take it down?*

Zbigniew: *Okay, actually my sister has a contract. We're looking at maximum maybe 45, 60 days. We're not asking for something-*

Ann Shershin: *You're not asking for another six months, half a year?*

Zbigniew: *Oh, no, no. No way.*

Ann Shershin: *Okay.*

Zbigniew: *No way, not at all. It actually goes in accordance, roughly with the piece of paper that was put on the front of the door, except we just want to make sure that there isn't necessarily a particular timeframe in terms of exactly this, but that's it. 45, 60 in terms of starting. They said within three days it would all be taken down. Again, I've maintained the property the best that I could, and I don't have to. I really don't. I'm not doing it for her quite frankly. I'm doing it*

for the sake of being a good son I guess. Again, it's not mine, but nobody's ever complained about the grass being too high or the hedges not being cut, or debris going onto their land, or not shoveling the driveway, or not shoveling the walkway, even though nobody's walking there. In front of the property, making sure it's safe for anybody that walks by. I've done that.

Mike Cifone:

Sir, I don't know where we're going to go with this yet, but if you are given the allowance to move forward and wait up to 60 days I would request that some fencing be put around the property so nobody can get into it. Some construction fencing, temporary. Its metal fencing that goes around a property. They always put it up at a construction site. That would be something I have to have put up there because this building is very unsafe.

Joseph Lepore:

Yeah. I was going to add to that. In addition, what I recommend to do is put some no trespassing signs on the property. If I was you I would remove those two cars because people sometimes see a burned down house. They think those homes belong to the house and there's no ownership to the house. They might damage or do something. I would echo Mr. Cifone to put some construction fence and put no trespassing. My question to Wayne is that total loss of the house?

Wayne Cichon:

Yes.

Joseph Lepore:

Yeah. I understand, and I'm sorry for your loss sir, and we understand the resident concerns, but something should have been done since four months ago to put some kind of fence or something that people would not go on the property. I understand all the logistic and knowing people, and phone calls like that. The way that house looks very unsafe. Anybody could go and maybe start another fire. Personally, you understand where you're coming from, but there still should have been something done to remedy some of the issue the way the house looks, and not to park two cars there. That seems to me uncalled for, but again, sorry for your loss. Hopefully this can be resolved soon.

Zbigniew:

Mr. Lepore, I'd like to respond to you regarding the vehicles.

Joseph Lepore:

Yeah.

Zbigniew:

The vehicles are actually insured and registered. They are being covered number one. Number two I understand the concern about fencing that Mr. Cifone had just mentioned to me regarding that if that's an issue. Even though again legally I'm not liable, but that's not really the issue here that I think I'm bringing. I'd be more than willing to make sure that if that's what the town requests, to have at least some type of structure up to prevent people from walking over there, to give us that window of opportunity to go ahead with the company that's contracted. Now correct me if I'm wrong sir, you did receive a copy of that contract?

Wayne Cichon:

No, we didn't receive a copy of the contract, no.

Zbigniew:

Okay, there's a copy and I'll make sure that you get it tomorrow.

Wayne Cichon: *That's fine.*

Speaker 19: *I thought it was actually emailed. I ended up getting it via email.*

Jon Baisley: *My comment to this is-*

Speaker 19: *Yes, sir.*

Jon Baisley: *This must be commenced no later than 30 days. To me it's commenced if you have a signed contract, with a signed contractor, to take it down. This must be commenced. Do you have a signed contract where a guy's going to take it down? That's 30 days. If that's not here we're going to have to go forward and do something. It's been almost 18 months and I understand your loss. I feel sorry for your loss, but it says commenced within 30 days. To me commenced doesn't mean the bulldozer has to be there. We need to have in our hand a contract from a signed contractor that he has the okay, whatever he needs to get started, so he can still get done within that timeframe. You said 45 to 60 days?*

Zbigniew: *Yes, sir.*

Jon Baisley: *This gives you to be complete no later than 60 days. What you're saying to me is you're agreeing to what we have in this paper is basically what your sister would be agreeing to? It says must be commenced no later than 30 days from the services and completed no later than 60. It sounds to me what you're telling me should fall in that time frame. It's my opinion that we still pass this resolution and make sure Wayne gets the proper paperwork so we don't have to come back and start this all over, so the neighbors know if you don't complete it, we will complete it. We know that we are working with you and we're willing to work with you to get it done, but it's my opinion we pass this resolution to let you know, and let your sister know that we are going to do it one way or another. You guys say you have a contract. If that's the case Wayne should have a contract in his hands from that contractor in the next couple of days so we know this house is coming down.*

Zbigniew: *Okay Mr. Baisley, regarding the 30 day period that you're referring to what I was asking for was a 45, 60 period. Then that would just follow with a simple three, four day according to the contractor. I could forward the information regarding the contract tomorrow. That's what I'm asking for. I'm simply asking for a brief extension.*

Joseph Lepore: *If you have a signed contract already-*

Zbigniew: *No, no what I stated was that we have a contract and I say we, my sister having a contract, that there's a bid that they've agreed upon. Now it's just in the form of signing off when she's going to be here, which should be here shortly. She's going to be overseeing this. I'm not going to be overseeing*

this. This is not my property. I'm just making sure that it happens. That's one of the reasons why I'm here.

Jon Baisley: *Yeah, I'm still in favor of passing this till we make sure the ball is in our court so we can move forward. If it [inaudible 01:03:21] turns out she's a week behind I think the residence will also understand that, but they want to see something done. I agree. The house is in horrible condition. Kids are off for the summer. Again, it's not a good spot and for us to take this and go back, and rebid it, and come back out another 30 days that gives you 90 to 100 days. I'm more in favor-*

Zbigniew: *90 to 100 days?*

Jon Baisley: *If we have to go back. If we don't approve this tonight we have to start this process all over again so we won't be back here until sometime in July. Now we're talking September, October timeframe. It's my opinion that we should pass this tonight.*

Zbigniew: *Basically what you're stating on the letter that was put on the front of the home the commencement is actually just the 30 day state of somebody saying we're going to go ahead and do this, but there's a 60 day window of having it taken down including the 30 days?*

Jon Baisley: *Correctly.*

Bill Carlos: *You have to start work 30 days from today.*

Zbigniew: *Mm-hmm (affirmative), May 27th.*

Bill Carlos: *It has to be done 60 days from today.*

Speaker 19: *Okay.*

Ann Shershin: *No, no it doesn't say you have to start work. You just have to have a contract.*

Bill Carlos: *Commence.*

Ann Shershin: *Commence.*

Bill Carlos: *You don't have to start tearing the [inaudible 01:04:31] down. [crosstalk 01:04:33]*

Ann Shershin: *You just have to have a contract in place.*

Bill Carlos: *It has to be done at 60 days. You asked for 45 to 60, you have 60.*

Jon Baisley: *You're in that window.*

Zbigniew: *Okay, so it's 60 altogether, correct?*

Ann Shershin: *Yes.*

Bill Carlos: *Total.*

Joseph Lepore: *Total, but the contract that you say that ... Wayne, that's no good with no signature, right? That contract is irrelevant.*

Wayne Cichon: *The contract means nothing until we have a demo permit to associate with it. I just want to reiterate one point on that. In your law, the way your law is structured for this when that 30 day window begins ticking the building department has the ability to extend the time if there's real evidence and proof that this is truly moving forward.*

Joseph Lepore: *Right.*

Ann Shershin: *Right.*

Jon Baisley: *Along what I stated.*

Wayne Cichon: *We'll know. We're going to know the contract, the demo permit in place, insurances having talking to the demo contractor myself. Those are the kinds of things that will prove out that maybe they've begun the process and just because it's not down on the 30th day or the 31st day, if it looks like it's going down on the 37th, 38th, to 40th day that's when they're going to be onsite to make the arrangements. As long as we have that progression moving forward-*

Joseph Lepore: *I agree.*

Wayne Cichon: *-we will be inside the guidelines of the law.*

Jon Baisley: *That's what we're looking for. We want it to move forward and make sure it gets done, and we're not sitting on this six months from now. I don't think anybody wants that. I don't think you want that?*

Zbigniew: *No. I don't want it, sir. If some type of structure needs to be put up in terms of just the fencing for the area that you had mentioned earlier sir, I'd be more than willing to have that done. I have no problem with that [crosstalk 01:06:25].*

Joseph Lepore: *If you agree on the bid, or the price, the contract will do that for you.*

Zbigniew: *I'll make sure I do that within 48 hours. I live across the street.*

Joseph Lepore: *I'm sorry, I have a question for you. What's the future for the property now? Are you going to rebuild a new house?*

Jon Baisley: *It's not his house Joe.*

Joseph Lepore: *I know. You probably don't know the answer for this, but-*

Zbigniew: *I do. I do. I want nothing to do with it based on how the tragic ending happened. I don't know what my sister plans on doing.*

Joseph Lepore: *The reason I'm saying this is because if the property's empty you have to make sure that you take care of the property as cut the grass, and maintain the property, and make sure you have a construction fence again, around the property.*

Zbigniew: *On an empty lot according to what I believe town of Poughkeepsie law is I don't need a fence up. Just the lawn needs to be cut and maintained as any other neighbor.*

Jon Baisley: *[crosstalk 01:07:26]*

Wayne Cichon: *The site has to be safe to off [crosstalk 01:07:28].*

Joseph Lepore: *Right, that's what I mean.*

Wayne Cichon: *Typically, when they drop a building of this nature and everything gets carted away there will be some filling and regrading to have a level field kind of thing. Then that could be grass seeded and like that to be able to be able to be maintained.*

Ann Shershin: *Yeah, you don't need a fence.*

Joseph Lepore: *Okay.*

Bill Carlos: *Wayne, that still comes under your control?*

Wayne Cichon: *Yes.*

Bill Carlos: *The 60 day thing, you have the ability to ... we have a flood or a hurricane or something, you have the ability to temper justice with a little common sense here.*

Wayne Cichon: *Correct.*

Bill Carlos: *There has to be a firm date.*

Wayne Cichon: *There's two things that go on. I don't know where you're going Jim.*

Male: *Either do I.*

Wayne Cichon: *With the counsel person, if we run into some kind of emergency that's clearly happening with the town supervisor and the town ward person, and a*

building inspector you have the legal authority to be able to take it down now.

Bill Carlos: *That's fine. If something really bad happens we can take it down the next day?*

Wayne Cichon: *Correct.*

Bill Carlos: *Right now, when we pass this law the end limit day is 60 days from this [inaudible 01:08:39].*

Wayne Cichon: *From May 26th. Well-*

Jim Nelson: *27th.*

Wayne Cichon: *You can do what you will, but the notice was posted on the 26th, right [crosstalk 01:08:47]?*

Male: *Correct.*

Bill Carlos: *June 26th, July 26th. Okay, I just want to make sure we're clear with the dates.*

Zbigniew: *Absolutely, absolutely. I'll make sure that Wayne ends up getting a copy of a signed contract with a form of commencement, which is what we all want. Me especially. Then we'll proceed as the contractor goes. I'll make sure of course, being I really don't have a choice I literally live across the street from it, I'll still be doing what I have to be doing. Probably for a little bit after that. Maintaining after it's leveled, as you said Wayne. In terms of making sure that things are actually leveled out and that somebody's cutting the grass. Wayne will know about that.*

Jon Baisley: *Okay, thank you.*

Zbigniew: *Fair enough?*

Male: *Thank you.*

Jon Baisley: *Fair enough.*

Zbigniew: *Thank you very much for your time.*

Male: *All the best to you.*

Jon Baisley: *Thank you. Would anybody else like to discuss this public hearing?*

Diane Harris: *Diane Harris, Durocher Terrace. Now this is 60 days down, final. If the town takes over and has to circulate for bids we're looking at the end of the year.*

Jon Baisley: *Diane, if it doesn't move forward prior to 60 days we're not going to wait till the 60th day.*

Diane Harris: *I mean I do feel-*

Jon Baisley: *Wayne needs to see progress.*

Diane Harris: *I got a feeling there is no contract.*

Jon Baisley: *We'll find out.*

Diane Harris: *We'll find out.*

Jon Baisley: *That's the whole reason my recommendation was to pass this resolution to move forward.*

Diane Harris: *Okay, the 60 days so we're looking at middle August.*

Jon Baisley: *If it's not down in 60 days he should be pretty close to a process, Wayne should have his permit. Wayne says he wants to see a demolition permit. He wants to see a contract. If it's 65 days because we're getting close, and the contract [inaudible 01:10:39] we know it's getting done.*

Diane Harris: *Like I said, if the town has to circulate for bids we're going for October then.*

Jon Baisley: *No, we'll be faster than that.*

Diane Harris: *Not that long.*

Jon Baisley: *No*

Diane Harris: *Yeah. Okay, because it's ... like you said it's a wonder it hasn't come down. Okay, thank you.*

Jon Baisley: *Anybody else? No. Can I have a motion to close this public hearing?*

Jeff Renihan: *Second.*

Jon Baisley: *All those in favor.*

Council members: *Aye.*

(MOTION WAS MADE TO CLOSE THE PUBLIC HEARING)

CARRIED 6-0

RESOLUTION

6:7 - # 4 OF 2017

**PUBLIC HEARING UNSAFE BUILDING
31 DUROCHER TERRACE**

WHEREAS, by Resolution 5:17 - #10 of 2017 adopted on May 17, 2017, the Town Board of the Town of Poughkeepsie has determined that the Premises and the buildings located at 31 Durocher Terrace, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6262-03-315003 (the "Premises"), the owner of record being Krystyna Soltysiak, 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 May 22, 2017 and published in the Poughkeepsie Journal on May 25, 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: J. Renihan/ W. Carlos

Bill Carlos: *It says twice about certain circumstances we can expedite.*

Wayne Cichon: *Correct.*

Bill Carlos: *Other than an emergency like a hurricane or a storm or something what would be the factor that could have us take it down [crosstalk 01:14:19].*

Wayne Cichon: *Further collapse.*

Bill Carlos: *If it starts to collapse ...*

Wayne Cichon: *This is one of those ones that you do a regular stop at. If it appears to be moving anymore I would absolutely come directly to the supervisor.*

Bill Carlos: *Okay. I think it's a big safety [crosstalk 01:14:41] and I want to make sure that if that happens we do it as quickly as possible. Thank you.*

Joseph Lepore: *Wayne, I noticed there as a ramp there. I'm sure why. Was any violation on the house before prior to the fire?*

Wayne Cichon: *We didn't look at it penalty wise that way as enforcement proceedings. I believe there was a permit in there originally. I know there was for the back deck that burned off. I believe there was a permit. I don't believe it got CO'd at the end of the day.*

Joseph Lepore: *It's done.*

Wayne Cichon: *Yeah, it was done. You can't tell somebody how long it's going to take them to build something sometimes.*

Joseph Lepore: *Unfortunately a life was taken from there. Thank you.*

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 #5

CARRIED 6-0

Jon Baisley: *Is there anybody here to discuss 59 Oakdale Avenue? Wayne, you're going to discuss 59 Oakdale Avenue.*

Wayne Cichon: *Before we begin Jim, I have a question for you. We received some documents from the owner of 59 Oakdale. In what she gave me she asked me to read it into the hearing. Is that allowed?*

Jim Nelson: *They certainly can be included in the record. I'm not sure whether you want to read the advertisements that are attached to it, but she does have a letter. I would ask that the ... yeah, [inaudible 01:16:40] and will include it in the record. You might want to review it with the board if they don't have it in their packet.*

Jon Baisley: *No, we all-*

Male: *No, we all have a copy.*

Jim Nelson: *Oh, great. Just ask that it be put in the record, that's all. Pardon, not that's all. That's what you should do, yes.*

Jon Baisley: *Okay.*

Wayne Cichon: *Okay, so you have it.*

Jon Baisley: *Yes.*

Wayne Cichon: *You have it. Do you have any questions on the letter itself?*

Mike Cifone: *I do. In the letter, I know we've been dealing with this for a quite a number of years now. How long have the Bishop's actually owned this house?*

Wayne Cichon: *We'd have to go to the assessor records to actually know the proper date.*

Mike Cifone: *Well, in general.*

Wayne Cichon: *Clearly when I got on site they were the owners. It's been more than three years now.*

Mike Cifone: *We've been trying to get them, I know we've sent you out there numerous times, they've posted notes on the door, they don't get back to you, and we've mailed them letters. Now they're finally coming to us. They want an extension basically. This wall's been falling down, it is dangerous. I see from their letter they're saying they have to move neighbors' sheds in order to get access to it. In your opinion is that something that has to be done? Somebody encroaching on their property.*

Wayne Cichon: *I can say that it would make it easier. I spoke to the owner at 57 and addressed it with him that I wouldn't be surprised if the owner at 59 had asked you to move your sheds to facilitate getting the wall taken down. Can it be done from their property? Yes it can be done from their property. Meaning the owners at 59 Oakdale.*

Mike Cifone: *Does 57 want to move their sheds?*

Wayne Cichon: *His first indication was he was reluctant to go ahead with doing that, but he didn't rule it out.*

Mike Cifone: *They could go through all this, get the 57, "I'm not going to do it today," and the cost goes up. Then we get another letter saying we can't do it today. That's my fear and I'm not in favor of ... this is the first time they've notified the town that they wanted to work and get this done. I'm not in favor of going through this timeline that they have. I'm not. I don't think they've worked with us in good faith.*

Wayne Cichon: *As a code enforcement officer I can explain to you that, and I'm sure you understand, I've been stymied for two years. We've tried to be more above because it was deteriorating. It may have not gotten to a total collapse yet, but we had to employ an engineer for the town, representing the town to go there and do things with this. We got letter from him about what was happening with the wall and what needed to happen. We forwarded that information to the owners. Things could have been moving long before now in a movement of compliance.*

Mike Cifone: *Okay.*

Wayne Cichon: *The building that you're seeing on the left is 57 Oakdale and this is the wall on the right side. This is what we came upon when we answered the complaint call back in 14. Now, it's already contacting, you can see the lower section of the wall is already starting to rotate and touch their fence on 57 Oakdale. We issued orders. We had no compliance up to this point. This was a compliance inspection. Nothing's been done. Just to checkup to see where things are going. We have no movement. As you can tell that lower section wall is moving out now. Now, clearly these were put in at two different times. It's all for the impounding of a pool that's up on top at 59 Oakdale.*

Jon Baisley: *The pool's still there Wayne?*

Ann Shershin: *Oh yeah.*

Wayne Cichon: *This is what the people on 57 are doing to help keep that wall from dropping on top of somebody in their yard. This is the back corner. It gets a little odd back here. What you're seeing with the board there, that's trying to help impound that dirt that's being eroded away. Slowly but surely and that's what you're seeing. There we go. This whole area up in here is all concrete hanging in the air. The walls are touching the buildings in a couple of places. This is where having access back there could certainly help facilitate getting those pieces down and off of their property, meaning the neighbors at 57. This is the western side. It's just-*

Mike Cifone: *I'm sorry. The problem with this is if they don't get financing, and they said they don't have the funds right now, this may never get done.*

Wayne Cichon: *Correct.*

Ann Shershin: *It appears if it collapse it goes into the neighbor's property. It's not going to collapse on their own property.*

Wayne Cichon: *It's not just their property, meaning the owners at 57. It borders up on that back corner. That corner right there. This western side is another land owner's property. With this impounding a 30 foot in ground pool, with all the water in it-*

Ann Shershin: *That's going to move too.*

Wayne Cichon: *That's going to move too. If that thing really falls and finishes its rotation it can be disastrous for more than just two people.*

Joseph Lepore: *I tell you those residents at 57 have been very understanding. I mean they must be really nice people.*

Wayne Cichon: *They've been very good-*

Mike Cifone: *They've been very patient.*

Wayne Cichon: *-at calling and understanding that it takes time. That's what happens with building codes. Some things are not always immediate. We did bring in Morris Associates, the town representatives, to come and take a look at it. Their engineer looked at it and I excerpt it out of his letter because it was a lot of information in the letter. You guys had seen the letter as part of the file that I presented. You can read for yourself what it is. He's talking about a full failure here if nothing's done. Sooner or later this will fully rotate and that wall will fall. You can't control hydraulic pressure. We know it's one of the most awesome forces in nature.*

Jon Baisley: *Way too close to that house.*

Joseph Lepore: *What is the town involved with this? It's a private property and stuff. What do we do?*

Wayne Cichon: *It's a structure. That's one of those classifications for us as a Building Department. We have to be able to classify a structure for what it is and what its use is. This is a retaining wall structure that is meant to impound earth and water weight.*

Joseph Lepore: *No, my question is do you impound the house? Do you tell them it's not habitable to live at the house? What do we do? The guy's refusing. It's been four years now, right?*

Mike Cifone: *He hasn't worked with us at all. He's avoided us.*

Joseph Lepore: *That's my question.*

Wayne Cichon: *What we do is we would do the same thing that we would do with any other structure. With the passing of this and not getting the compliance we would entertain through our engineer to look at it, give us some parameters so we can go to bid and have the work done, and put it back on the property like we would do with any other property that we had to take an action on. It's growing in 16 as you can tell from that fence. Now the pieces aren't touching anymore and we're gaining a couple inches here.*

Mike Cifone: *Is the runoff from the pool on the higher end that's causing this?*

Wayne Cichon: *It's not from the pool. It's just the average sheet flow that happens on property, but that's what a retaining wall does. In fact if it's installed properly it doesn't allow the erosion to happen. It confines it. Now that's over your head when I stand there at that location. That is over my head by over a foot. This was the survey. We were going to talk about that, but since the letter that the owner had sent she's accepted that it is on her property. That was a point of contention. She had the survey done and then she forwarded us the survey. Clearly we had a number of people look at it and came to the agreement that for the towns purposes it's clearly on their lot, on their property. Except here in the back on that little corner on the west side. It looks like it was just how it was put together at that time. Maybe they didn't have stakes in the ground. We don't know.*

Bill Carlos: *The pool is above this.*

Wayne Cichon: *Correct.*

Bill Carlos: *If this wall does collapse, the structure of the pool is vulnerable.*

Wayne Cichon: *Can collapse as well, yes.*

Bill Carlos: *In addition to the wall collapse we'll have ... it's a 30 foot pool, 25, 26,000 gallons of water.*

Wayne Cichon: *At least in that neighborhood, yes. February following up because we had given some dates to the owner back in October that they needed to move forward with this now. We've wasted enough time and let's get something done. We went back and checkup and this was the checkup in February of this year. Now we're seeing more movement of the upper piece.*

Mike Cifone: *Is there anything they could do right now temporarily in good faith to sure this up a little bit?*

Wayne Cichon: *Not without the owners of 57 allowing to have the sheds moved. It would be easiest to get it from that as a grade level attack. To take that thing down, literally there's got to be some impoundment. It can't just be done at one time. Meaning you can't just come up and go boom, and drop the whole thing. It just can't work like that. As you're taking out you need to be working on stabilizing that earth behind it. It's not that easy. In the letter, as you guys have seen, they did contact an engineering firm to start specking out things. It's not what we would accept to be able to issue a permit on building a retaining wall of that nature, but there would have to be a whole lot more information that was supplied; how it's going to be taken down, how it's going to be replaced.*

Mike Cifone: *I think we should move forward with the town taking over this project. If their contractor comes in and says, "Hey, we can do it and we're willing to work with you," we could always let them.*

Jon Baisley: *[inaudible 01:29:32] I think the same as the other category. We have to move forward. If they want to come forward and start working on it that's fine. If not we're going to have to do something to correct it because looking at the pictures the other house is in jeopardy also of that coming down.*

Bill Carlos: *It's basically the same question I had Wayne, in the last issue. This looks like exigent circumstances. This looks like if we don't act-*

Jon Baisley: *Something's going to happen.*

Bill Carlos: *Our law says start in 30 days, finish in 60 days. This doesn't look like it's going to be up there in two weeks. If that collapse facilitates the collapse of the pool, and it happens at night any number of things could happen. Does this qualify for the exigent circumstances where we can go in now?*

Wayne Cichon: *I would want to consult with the engineer that the town utilized to give the information on it, a second opinion on that right now. There's ways of following this. Meaning movement-wise. Yes, we established in pictures that the wall was moving and the gaps are growing and those kinds of things. There's actually tools that you can use to be able to identify what it's movement rate is, which I think would probably be something that we would want to at least have as part of an engineering evaluation.*

Bill Carlos: *I think I agree with Supervisor and Councilman that we should pass this tonight. I would ask that whatever we do, we do it right now. If that wall is moving like that then I think that's enough.*

Ann Shershin: *Yeah, but the homeowner only has 30 days. They've shown us nothing so far. Another 30 days we're going to take this over anyways. They have to show you something in good faith that they're actually moving ahead and working on this.*

Jon Baisley: *Correct.*

Ann Shershin: *Right.*

Bill Carlos: *The maximum would be 30 days from now?*

Ann Shershin: *Yes.*

Jon Baisley: *If they do nothing we're going to start something.*

Wayne Cichon: *[crosstalk 01:31:32] or posted it. I've already spoken with the owner Miss Bishop on the phone about this whole thing. We need a contract and a demo*

permit to start this action. That's kind of our litmus test for you're going to do something with this.

Ann Shershin: *Yeah, because I don't have confidence in the time table setup before us either that they'll actually follow through and have it done by October. They've got 30 days to show you something.*

Wayne Cichon: *Correct.*

Ann Shershin: *If they don't we take over.*

Jon Baisley: *Anybody else that would like to discuss this public hearing? If not I make a motion to close this public hearing.*

Ann Shershin: *Second.*

Jon Baisley: *All those in favor.*

Council members: *Aye.*

CARRIED 6-0

(MOTION WAS MADE TO CLOSE PUBLIC HEARING)

RESOLUTION

6:7 - # 5 OF 2017

**PUBLIC HEARING UNSAFE BUILDING
59 OAKDALE AVENUE**

WHEREAS, by Resolution 5:17 - #11 of 2017 adopted on May 17, 2017, the Town Board of the Town of Poughkeepsie has determined that the Premises and the buildings located at 59 Oakdale Avenue, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6162-10-373608 (the "Premises"), the owner of record being Avis Bishop, 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 May 22, 2017 and published in the Poughkeepsie Journal on May 25, 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

JAY READS THROUGH THE AGENDA ITEMS

NO SPEAKERS ON AGENDA ITEMS

RESOLUTION

6:7 - # 6 OF 2017

AUTHORIZE CANCELLATION OF
PURCHASE "WHITE" HOUSE TOWN
PROPERTY

BE IT RESOLVED, the Town of Poughkeepsie Town Board does hereby authorize the Supervisor to rescind the contract for the potential sale of the "white house" Town property with Danielle DiCarlo based on an inability to come to final contract terms acceptable to the Town, and to return the purchase's deposit pursuant to the terms of the contract.

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

6:7 - # 7 OF 2017

ADOPT COUNTY AMENDMENTS TO

**THE GUIDE FOR GREENWAY
CONNECTIONS**

Amendments to *Greenway Connections: Greenway Compact Program and Guides for Dutchess County Communities*, adding seven new Greenway Guides

WHEREAS, the Hudson River Valley Greenway Act of 1991 has as a legislative goal the establishment of the Greenway Compact, a process for voluntary cooperation among the communities of the Hudson River region; and

WHEREAS, the Town of Poughkeepsie adopted *Greenway Connections* by Local Law and joined the Greenway Compact on August 2, 2000; and

WHEREAS, the Greenway Act or the adoption of *Greenway Connections* do not supersede or change the powers that the State has granted municipal governments under the New York constitution, the Municipal Home Rule Law, or various municipal enabling acts, and

WHEREAS, the Local Law adopting *Greenway Connections* contained a provision allowing subsequent amendments to the document by resolution of the local legislative body; and

WHEREAS, after multiple local presentations and public comments, the Hudson River Valley Greenway Communities Council has approved seven new Greenway Guides to be included in *Greenway Connections: Centers and Greenspaces, Slower Safer Streets, Rural Roads, Building Bicycle Networks, Convenience Stores with Gas Pumps, Recycling and Waste Collection, and Green Infrastructure*; and

WHEREAS, the Greenway Guides are entirely optional in nature and to be considered only when local officials in discretionary decisions think they may be appropriate; and

WHEREAS, the Town Board of the Town of Poughkeepsie, as lead agency, has reviewed the annexed draft Short Environmental Assessment Form, has determined that these amendments to *Greenway Connections* will not have a significant adverse effect on the environment and, therefore, warrant a "Negative Declaration" under Article 8 of the State Environmental Conservation Law, and

NOW, THEREFORE BE IT RESOLVED,

- 1. That the Town Board of the Town of Poughkeepsie hereby adopts the annexed SEQRA Negative Declaration for the proposed action; and**
- 2. That the Town Board of the Town of Poughkeepsie approves and adopts the amendments to *Greenway Connections* to include seven new Greenway Guides: Centers and Greenspaces, Slower Safer Streets, Rural Roads, Building Bicycle Networks, Convenience Stores with Gas Pumps, Recycling and Waste Collection, and Green Infrastructure.**

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

RESOLUTION

6:7 - # 8 OF 2017

AUTHORIZE COMPTROLLER TO
DESIGNATE MINIMUM 4 HOURS TO
COURT ATTENDANTS

WHEREAS, the Town of Poughkeepsie Justice Court has Court Attendants who maintain order and decorum in the courtroom, and are a necessary part of the proper functioning of the Town of Poughkeepsie Justice Court, now therefore,

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie authorizes the Comptroller to pay a minimum of four (4) hours of compensation per court session.

So Moved: A. Shershin/M. Cifone

Bill Carlos: *I've outlined for this board my concern multiple times over the situation that we have there. I don't think we should be accepting or increasing pay, or anything until some of those basic concerns are addressed. I'd like to make a motion to adjourn this, set it aside. If we need to, since it's personnel matter we can go into an executive session. I could re-outline my concerns. First I make a motion to adjourn this until we can come to a better determination.*

Jon Baisley: *It's my opinion that we should move forward because they're getting five hours now. This is compensated. The other issue you have addressed, you may find one of them further on in this agenda.*

Bill Carlos: *I see one for the addition of a police officer, a second police officer in the court. That doesn't address the concerns that I've outlined with respect to how we're doing that over there, the function of it. I don't think we're going to pay them five. I thought this said four.*

Jon Baisley: *It is four. They're getting five now.*

Mike Cifone: *They're getting five. We're actually taking an hour back.*

Bill Carlos: *Okay, I understand that, but I don't think we should be doing anything with remuneration until such time as we're sure that the way we're dealing with that process over there is correct legally and everything is okay.*

Jon Baisley: *I think this is one of my opinions, this is a start one to start correcting some of the problems over, and this is one of the problems that I think we need to correct. This isn't going to affect the other issues, and we are working on the other issues.*

Mike Cifone: *It's going to be [crosstalk 01:42:57]*

Bill Carlos: *I don't know of any other work on the issue.*

Mike Cifone: *Overcompensating right now by bringing it back and we're also adding an officer for safety right now. We can certainly address those issues you have. I think we have to do this now because we're over paying by the five hours. Now they're getting the four and by adding an officer we're adding safety over there. We can certainly address the manpower issues and what you have. It's certainly worth it.*

Bill Carlos: *It's not a matter of manpower-*

Mike Cifone: *[crosstalk 01:43:21]*

Bill Carlos: *[crosstalk 01:43:21] and how we're doing it. It's got some real problems and I wanted to bring that up and have that repaired before we even thought about this.*

Jon Baisley: *I think this is really not tied into it. This is to straighten up an issue that's a payment issue.*

Bill Carlos: *Okay.*

Mike Cifone: *I think we should move forward with this [inaudible 01:43:42] about your issues Bill, and we can get that worked out.*

Jon Baisley: *You can sit down with me when we discuss that.*

Bill Carlos: *All right then I'll remove my motion to adjourn this.*

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

CARRIED: 5- 1

RESOLUTION

6:7 - # 9 OF 2017

**AUTHORIZE
RECREATION DEPARTMENT
TRUCK PURCHASE**

WHEREAS, the Town of Poughkeepsie Recreation Department wishes to purchase a 2017 Ford F350 Pickup Truck with plow; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee to purchase one 2017 Ford F350 Pickup Truck with plow from Henderson Ford, Webster, New York, under State bid at a total price of \$27,908.81, 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/M. Cifone

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

6:7- # 10 OF 2017

**RATIFY SUPERVISOR'S EXECUTION
OF THE COUNTY'S MAPPING
BOUNDARIES AGREEMENT**

BE IT RESOLVED, that pursuant to the inquiry from the Dutchess County Department of Planning & Development, the Town of Poughkeepsie does hereby ratify the Supervisor's consent to the County requesting that the U.S. Census Bureau conform the mapping boundaries it uses to the local Real Property Tax Service mapping boundaries as set forth in the annexed correspondence and charts received on April 18, 2017.

So Moved: J. Baisley/J. Renihan

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

6:7 - # 11 OF 2017

**RESOLUTION BID AWWTP REPAIRS
TO SUPPORTS FOR PIPES**

WHEREAS, bids for the Arlington Wastewater Treatment Plant Repairs to Pipe Supports were opened on May 12, 2017; and

WHEREAS, the lowest responsible bidder submitting the required security was Blue Heron Construction, at the bid price of \$223,228, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute a contract with Blue Heron for the above work at the above price upon receipt of all required insurances, bonds and other submissions.

OR

***BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie, for the reasons discussed this day, does hereby reject all bids and direct that the work be re-advertised.

*Chosen option

So Moved: J. Renihan/M. Cifone

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

Nays: -0-

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Supervisor's execution of a Letter Agreement, a copy of which is attached, which constitutes an addendum to the Collective Bargaining Agreement with the Town of Poughkeepsie PBA dated January 1, 2013 through December 31, 2018, allowing PBA members to volunteer to work as a second Court Office during any session of the Town of Poughkeepsie Justice Court.

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

RESOLUTION

6:7 - # 15 OF 2017

AUTHORIZE 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. Call Special Meeting
(Supervisor Baisley)**

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: A. Shersin/M. Cifone

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

6:7 - #SC 1 OF 2017

**CALL SPECIAL MEETING
TO BE HELD JUNE 14th, 2017**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby call a special meeting on Wednesday, June 14, 2017 at 7:00 p.m., before the Committee of the Whole, at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY for the following:

- 1. Appoint County Legislature
(Supervisor Baisley)**
- 2. Set Date for Public Hearing Local Law-Zoning Administrator/**

(Supervisor Baisley)

Powers/Building Inspector

3. Any other matters that may legally come before the Board.

So Moved: J. Baisley/J. Renihan

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

RESOLUTION

6:7 - # SC 2 OF 2017

RATIFY

WHEREAS, the Town of Poughkeepsie Supervisor was advised, by letter of June 2, 2017 from the Clerk of the Dutchess County Legislature, that Ellen Nesbitt, County Legislator for District 1, which is entirely within the Town of Poughkeepsie, had that day resigned, and

WHEREAS, the Supervisor published notice that the Town Board would accept resumes from persons interested in being appointed to fill the unexpired term of Ms. Nesbitt, with resumes to be received by Friday, June 9, 2017, now therefore

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby ratify the action of the Town Supervisor in publishing the aforesaid notice and request resumes by June 9, 2017.

So Moved: J. Baisley/M. Cifone

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6- 0

TOWN BOARD MEETING ADJOURNED AT 8:56 P.M.