

MINUTES OF TOWN BOARD MEETING  
HELD ON SEPTEMBER 20, 2017 AT 7:00 PM  
AT TOWN HALL, ONE OVEROCKER ROAD  
POUGHKEEPSIE, NEW YORK

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

PRESENT: Supervisor Baisley  
Councilman Renihan  
Councilman Carlos  
Councilman Conte  
Councilman Cifone- Arrived at 7:08 PM  
Councilman Lepore  
Councilwoman Shershin  
Town Attorney Nelson  
Attorney Danielle Strauch  
Town Clerk Salvatore

\*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](http://townofpoughkeepsie.com)

*Jay mentions that this public hearing will be opened and closed and we will be looking at this at a later date, when we will re-advertise and start the process again.*

MOTION TO OPEN PUBLIC HEARING # 1: J. Baisley/ J. Renihan 6-0

NO SPEAKERS FROM THE PUBLIC CAME FORWARD

*Neil Wilson; States when we originally opened this public hearing several months ago the recommendation was to opt out of the State's tax exemption for solar facilities although it covers more than solar facilities. Since that time the State has actually provided some additional guidance, and that's actually fairly recent in the last couple of weeks. He has talked with Councilman Carlos several times and probably a pilot arraignment is the way to go but we need some time to figure out the valuation and a formula for that. So that's the reason for the adjournment and we will re-advertise at a later date.*

MOTION TO CLOSE PUBLIC HEARING # 1: J. Baisley/ J. Conte 6-0

*Bill Carlos was a little confused about the closing of this public hearing or adjourning and just to be clear- Jay made the org motion to close and Joe Conte seconded the motion. It will be re-advertised when it comes back before the board. Public Hearing is closed.*

Supervisor Baisley reads through the agenda

**Pamela Kingsley:**

*Actually I would really just like to pretty much make a statement, this is all in regard to the amendment of the traffic rules in New Hamburg:*

*I've been through all the documents, and at this point there is little to say since you all will vote on the items regarding amending the traffic regulations in New Hamburg tonight no matter what.*

*That being said, it's still important to go on the record. First off, the fact that you are voting on this without a final open hearing to allow us to comment on the Emergency Policy, which is entirely new, is unfair. But, so be it.*

*Second, New Hamburg is in complete disagreement with your conclusion that no SEQR is in order. The very fact that the Associate Town Engineer, Sean Crimmins, could say that the nearest "Critical Environmental Area" is 1 1/2 miles from New Hamburg, upstream on the Wappingers Creek, is just astonishing. The hamlet New Hamburg sits along the edge of the Hudson River. The oil tanks of the New Hamburg Terminal sit right at the river's edge. So we ask, the Hudson River does not qualify as a Critical Environmental Area?*

*There are more specifics that could be commented on but I won't because, honestly, what is the point, with one exception. The amendments to the Noise regulations. The wording on this has not changed one bit since its initial proposal in June, and it basically hands off jurisdiction on noise level regarding the docked off-loading barges to some nebulous, undefined federal entity.*

*That means that, despite your having been informed that according to the Coast Guard's own rules, once a vessel—and it doesn't matter what kind of vessel it is, or whether it is engaged in intrastate or interstate or international commerce—once it docks, the laws of that locality have jurisdiction. In New Hamburg, that would be Town of Poughkeepsie. What this resolution does the amendment to this resolution does is deny us protection under Town of Poughkeepsie laws in regard to noise coming from the barges and provides us with no legal recourse, except to sue on behalf of ourselves.*

*If this resolution carries, you will have put New Hamburg in a black hole of nonjurisdiction in regard to unacceptable (and illegal, according to Town of Poughkeepsie regulations) noise levels coming from the docked barges, which operate at all hours of the day and night. That is an absolute dereliction of the protections residents ought to be able to count on from their local government.*

*Thank you.*

**NO OTHER SPEAKERS FROM THE PUBLIC CAME FORWARD**

**MOTION TO RESUME THE RULES: J. Baisley/ J. Conte**

**6-0**

**RESOLUTION**

**9:20 - # 2 OF 2017**

**RESOLUTION REGARDING SEQR**



**RESOLUTION**

9:20 - # 3 OF 2017

**COASTAL ASSESSMENT, LOCAL LAWS**

WHEREAS, the Town Board of the Town of Poughkeepsie is party to a March 31, 2017 So Ordered Stipulation of Settlement and Discontinuance in the *Matter of New Hamburg Terminal Corporation, et an v. Town of Poughkeepsie, et an* (“The Stipulation”) as filed in the United States District Court of the Southern District of New York, in Case 7:15-CV-8182 VB; and

WHEREAS, paragraph 5 of The Stipulation requires the Town to introduce certain local law amendments; and

WHEREAS, consistent with The Stipulation the Town Board is considering local law amendments to Town Code Chapter 195, Vehicles and Traffic, relating to truck weights and lengths and emergency exceptions thereto, Town Code Chapter 139, Noise, relating to interstate motor carriers and barge and vessel noise, and Chapter 195, Vehicles and Traffic, relating to prohibiting left turns at Main Street (New Hamburg) to the northeast fork of Bridge Street; and

WHEREAS, pursuant to Town Code Chapter 205 a waterfront consistency review is required for actions undertaken within the Coastal Area of the Town; and

WHEREAS, a Coastal Assessment Form, previously presented to this Board for consideration on July 5, 2017 is annexed; and

WHEREAS, the Town Board has considered the twenty four consistency standards contained in the annexed Town Code Section 205-6 as well as the questions presented in the Coastal Assessment Form; and

WHEREAS, the Town Board has this day previously adopted a negative declaration under the New York State Environmental Quality Review Act relating to the three local law amendments which are described above; now therefore

BE IT RESOLVED, that the Supervisor, on behalf of the Town Board is authorized to answer each of the questions on the Coastal Assessment Form as “No” and to file a copy of the Coastal Assessment Form as required.

So Moved: W. Carlos/ J. Conte

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

NAY: -0-

ABSTAIN: -0-

ABSENT: -0-

CARRIED

7-0

**RESOLUTION**

9:20 - # 4 OF 2017

**ADOPT TOWN CODE AMENDMENT TRUCK WEIGHT/ LENGTH**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, following a public hearing held on the 7<sup>th</sup> day of June and the 5<sup>th</sup> day of July, 2017, and having previously by Resolution 5:10 - #1 of 2017 declared this action to be an unlisted action pursuant to the New York State environmental (SEQRA) regulations, and having determined that there are no other involved agencies for SEQRA purposes, and having this day by Resolution 9:20 - #2 of 2017 , after

considering the actions described in this Resolution (truck weights and lengths), Resolution 9:20 - #5 of 2017 (noise), and Resolution 9:20 - #6 of 2017 (no left turn), concluded that none of the actions described in those three proposed Local Law Resolutions will result in any significant adverse environmental impact; adopted Part 3 of the EAF (Determination of Significance); authorized the Supervisor to complete Part 2 of the Environmental Assessment Form (Impact Assessment); and authorized the execution of the Negative Declaration attached to the EAF, now

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie does hereby amend by Local Law the Town of Poughkeepsie Code, Chapter 195, entitled Vehicles and Traffic, which amendments relate to the weekly schedule of allowed truck and tractor trailer weight and length limitations in the New Hamburg area in Code Section 195-46(B) and (C), Trucks Over Certain Weights Excluded, and adds a new Code Section 195-46(D), with the underscoring language to be added and the ~~stricken~~ language to be deleted as shown on Exhibit A hereto. (ATTACHED TO BOOK COPY)

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

So Moved: J. Conte/ M. Cifone

Roll Call:	AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin		
	NAY: -0-		
	ABSTAIN: -0-		
	ABSENT: -0-	CARRIED	7-0

RESOLUTION

9:20 - # 5 OF 2017

ADOPT TOWN CODE AMENDMENT  
NOISE

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, following a public hearing held on the 7<sup>th</sup> day of June and the 5<sup>th</sup> day of July, 2017, and having previously by Resolution 5:10 - #1 of 2017 declared this action to be an unlisted action pursuant to the New York State environmental (SEQRA) regulations, and having determined that there are no other involved agencies for SEQRA purposes, and having this day by Resolution 9:20 - #2 of 2017, after considering the actions described in this Resolution (Noise), Resolution 9:20 - #4 of 2017 (truck weight and lengths), and Resolution 9:20 - #6 of 2017 (no left turn), concluded that none of the actions described in those three proposed Local Law Resolutions will result in any significant adverse environmental impact; adopted Part 3 of the EAF (Determination of Significance); authorized the Supervisor to complete Part 2 of the Environmental Assessment Form (Impact Assessment); and authorized the execution of the Negative Declaration attached to the EAF, now

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie does hereby amend by Local Law the Town of Poughkeepsie Code, Chapter 139-7 through 10, Noise, which amendments add provisions relating to Motor Carriers Engaged in Interstate Commerce, Barge and Vessel Noise Emissions, and renumber the Enforcement and Penalty provisions, with the underscoring language to be added and the ~~stricken~~ language to be deleted as shown on Exhibit A hereto.

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

So Moved: M. Cifone/ J. Conte

*William Carlos asks Jim Nelson a few questions about citing violations and decibel levels. They also discuss what is meant by upland, which Jim states is meant upland, not from the water, for several minutes.*

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

RESOLUTION

9:20 - # 6 OF 2017

ADOPT TOWN CODE AMENDMENT  
NO LEFT TURN

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, following a public hearing held on the 7<sup>th</sup> day of June and the 5<sup>th</sup> day of July, 2017, and having previously by Resolution 5:10 - #1 of 2017 declared this action to be an unlisted action pursuant to the New York State environmental (SEQRA) regulations, and having determined that there are no other involved agencies for SEQRA purposes, and having this day by Resolution 9:20 - #2 of 2017 , after considering the actions described in this Resolution (no left turn), Resolution 9:20 - #4 of 2017 (truck weights and lengths), and Resolution 9:20 - #5 of 2017 (noise), concluded that none of the actions described in those three proposed Local Law Resolutions will result in any significant adverse environmental impact; adopted Part 3 of the EAF (Determination of Significance); authorized the Supervisor to complete Part 2 of the Environmental Assessment Form (Impact Assessment); and authorized the execution of the Negative Declaration attached to the EAF, now

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie does hereby amend by Local Law the Town of Poughkeepsie Code, Chapter 195, entitled Vehicles and Traffic, specifically §195-41 Schedule VI, "Prohibited Turns at Intersections", to add the following underlined language to §195-41, Schedule VI, as follows:

Name of Street Travel	Direction of Prohibited Turn	Hours	At Intersection of
<u>Main Street</u> <u>(New Hamburg)</u>	<u>Northeast</u> <u>Left</u>	<u>All</u>	<u>Bridge Street,</u> <u>northeast fork</u>

BE IT FURTHER RESOLVED, that said Local Law, if adopted, shall take effect immediately upon filing with the Secretary of State, and

So Moved: J. Lepore/ W. Carlos

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
NAY: -0-

ABSTAIN: -0-  
ABSENT: -0-

CARRIED

7-0

RESOLUTION

9:20 - # 7 OF 2017

ADOPT EMERGENCY POLICY

WHEREAS, the Town of Poughkeepsie is party to a So Ordered Stipulation of Settlement and Discontinuance in the Matter of New Hamburg Terminal Corp., et an against the Town of Poughkeepsie, et an, and

WHEREAS, paragraphs 3 and 4 of that Stipulation require the Town to adopt a procedure for the emergency suspension of the limitations on truck and tractor trailer lengths and weights in Town Code §195-46(B) and (C); now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adopt the annexed Emergency Policy and Procedures. See POLICY ATTACHED and also in the Town Clerk's Office

ADOPTED SEPTEMBER 20, 2017 BY RESOLUTION 9:20-#7 OF 2017

TOWN OF POUGHKEEPSIE

Emergency Policy and Procedures-truck lengths and weights

Emergency Policy:

The weight and length restrictions in Town Code §195-46(B) and (C), Schedule XI: Trucks Over Certain Weights Excluded (hereinafter "§195-46(B) and (C)") may be suspended per §195-46(D) during State, County or Town emergencies as set forth herein below.

The Town Supervisor may authorize the operation of trucks and tractor-trailers during hours otherwise prohibited by §195-46(B) and (C) where there are matters of an emergency nature and/or the delivery of petroleum products is required to protect the public health, safety and welfare.

Emergency Procedure:

1. During a State, County or Town emergency, an application may be made to the Town Supervisor between the hours of 8:00 a.m. and 4:00 p.m., Mondays through Fridays, and otherwise to the Town Police Department. All applications to the Supervisor shall be delivered to the Town Supervisor's Office (845-485-3607), shall be in written or electronic form, and shall detail the nature of, the facts supporting and the requested duration of the claimed emergency exception. All applications made through the Town Police Department shall be initiated by calling (845) 485-3666. Applications received by the Police Department shall be forthwith forwarded to the Town Supervisor.
2. The Town Supervisor and Town Police shall contemporaneously record in writing the date and time of all applications received, the nature of, the facts supporting and the requested duration of the claimed emergency exception, and in the case of applications through the Police Department, the time the Town Supervisor received notice of each application.
3. The Town Supervisor, or designee, shall respond to each application within thirty (30) minutes of his/her receipt if practicable.
4. The Town Supervisor, or designee, shall notify the applicant whether its request was granted or denied and specify the time period for which any emergency exception has been granted. In determining whether to grant or deny an application, the Town

Supervisor, or designee, shall exercise his/her discretion after considering all of the facts and circumstances presented by the applicant and such other information as may be available to the Town Supervisor or designee. Applications shall not be unreasonably denied.

5. The Town Supervisor, or designee, shall contemporaneously record the decision on each application in writing and forward it to the applicant.
6. All applications, decisions and appeals shall be duly filed with the Town Clerk.
7. The Town Supervisor, or designee, shall promptly notify the First (1<sup>st</sup>) Ward Councilperson of the receipt and the determination of all applications.
8. All applicants who receive an emergency suspension shall post notice of the decision at their facility entrance.
9. The Town Supervisor, or designee, shall not grant any application for more than a seventy-two (72) hour period. Applicants may apply to the Town Board in writing for an extension of any application which is granted.
10. Applicants may appeal in writing any application which is denied, the terms of an application which is granted, or for an extension, each by delivering a copy of the appeal to the Town Clerk.

So Moved: A. Shershin/ J. Conte

**AMENDMENT TO ADD PHONE NUMBER**

So Moved: W. Carlos/ M. Cifone

Roll Call:	AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin		
	NAY: -0-		
	ABSTAIN: -0-		
	ABSENT: -0-	CARRIED	7-0

*The Town Board talks together for several minutes over what exactly states an emergency-*

**RESOLUTION**

9:20 - # 8 OF 2017

**SET DATE FOR PUBLIC HEARING  
SPECIAL DISTRICT ASSESSMENTS**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby set the 4<sup>th</sup> day of October, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing in regard to the Special District Assessment Roll, which concerns the water districts, sewer districts and drainage districts of the Town of Poughkeepsie; and

**BE IT FURTHER RESOLVED,** that said proposed Special District Budgets are on file in the Town of Poughkeepsie Clerk’s Office and available for review.

So Moved: J. Baisley/ J. Conte



Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley,  
Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

**RESOLUTION**

9:20 - 9 OF 2017

**AUTHORIZE SALE OF SURPLUS  
VEHICLES**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, having received a communication from Senior Automotive Mechanic Brian Porter of the Auto Center, does declare two (2) Ford Taurus police vehicles to be surplus, and does hereby approve the sale of these vehicles to Ulster County Community College as follows:

1. 2013 Ford Taurus, VIN# 1FAHP2M88DG201884, mileage 148,435, for the price of \$6,500.00; and
2. 2013 Ford Taurus, VIN# 1FAHP2M84DG143157, mileage 130,926, for the price of \$6,500.00;

BE IT FURTHER RESOLVED, that the Town Board does authorize the sale of said vehicles for the total sum of \$13,000.00; and

BE IT FURTHER RESOLVED, that this is a Type II Action under the New York State Environmental Quality Review Act, and it requires no environmental review.

So Moved: J. Renihan/ W. Carlos

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley,  
Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

**RESOLUTION (AMENDED)**

9:20 - # 10 of 2017

**AUTHORIZE AUCTION FOR SURPLUS  
EQUIPMENT**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, does hereby declare the Town to have equipment to be surplus, and does hereby authorize the sale of those surplus items, and such other items as maybe specifically designated as surplus and authorized to be sold by the Supervisor, at an online web auction conducted by Absolute Auction Center, 45 South Avenue, Pleasant Valley, New York, at their standard rates, provided that a complete record of the equipment and the results of the auction be maintained

So Moved: W. Carlos/ J. Conte

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

NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0-

CARRIED 7-0

RESOLUTION

9:20- # 11 OF 2017

AUTHORIZE HUDSON VALLEY  
HISTORICAL MINIATURE MODEL  
SHOW & COMPETITION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize William T. Donohue, on behalf of the Hudson Valley Historical Miniatures Guild Scale Modelers Society, to post ten (10) temporary signs fourteen (14) days prior to the event on October 21, 2017 at the Poughkeepsie Elks Club, and to set up five (5) directional signs on the day of the event, provided they are not sandwich board signs, with all signs to be retrieved within 1 (1) week following the event.

So Moved: J. Conte/ J. Renihan

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley,  
Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

RESOLUTION

9:20- # 12 OF 2017

ACCEPT RETIREMENT WATER  
JAMES NORMANDIN

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of James R. Normandin, Water Maintenance Mechanic with the Town of Poughkeepsie Water Department, effective end of the business day October 27, 2017.

So Moved: M. Cifone/ J. Conte

*Mike and Jay thank him for all of his years of service!*

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley,  
Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

RESOLUTION

9:20 - # 13 OF 2017

APPOINT POLICE ASSISTANT  
BARBARA DECKER

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby appoint Barbara A. Decker to the position of Part Time Police Assistant with the Town of Poughkeepsie Police Department at the Grade 6, Step 1 salary of \$20.64 per hour, effective September 25, 2017, which appointment is subject to a probationary period of not less than 8 nor more that 26 weeks per Civil Service Law.

So Moved: J. Lepore/ J. Renihan

*Jay says Welcome back!*

Roll Call:     **AYE:** Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
                  **NAY:** -0-  
                  **ABSTAIN:** -0-  
                  **ABSENT:** -0-  

**CARRIED**                     **7-0**

**RESOLUTION**

9:20 - # 14 OF 2017

**AUTHORIZE CAR WASH AGREEMENT  
FOAM AND WASH**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign a Vehicle Cleaning Agreement with Baright Enterprises, Inc., d/b/a Foam & Wash Car Wash, for the entire Town Police Department fleet as required by the Town of Poughkeepsie Police Department, for the period of January 1, 2018 through December 31, 2019, a copy of Chief Spero's memo along with a proposal is attached; and

**BE IT FURTHER RESOLVED**, that Baright Enterprises, Inc., d/b/a Foam & Wash Car Wash has proposed to continue to provide services at the rate of \$750.00 per month, and the Town Board of the Town of Poughkeepsie finds that the solicitation of alternative proposals for these services would not be in the best interest of the Town.

So Moved: A. Shershin/ M. Cifone

Roll Call:     **AYE:** Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
                  **NAY:** -0-  
                  **ABSTAIN:** -0-  
                  **ABSENT:** -0-  

**CARRIED**                     **7-0**

**RESOLUTION**

9:20 - # 15 OF 2017

**APPOINT FULL TIME PAYROLL  
CLERK-TARYN RILEY**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby appoint Taryn Riley to the full time position of Payroll Clerk in the Town of Poughkeepsie Comptroller's Office, at the CSEA Grade 5, Step 3 salary of \$20.64 per hour, effective immediately, which

appointment is subject to a probationary period of not less than 8 nor more than 26 weeks, per Civil Service Law, and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

**So Moved:** J. Baisley/ J. Conte

*Jay: Taryn started a year ago and she took the Civil Service Test and passed at the top and she is doing a phenomenal job*

**Roll Call:** AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- **CARRIED** **7-0**

**RESOLUTION**

9:20 - # 16 of 2017

**SET DATE FOR PUBLIC HEARING  
ZONING MAP AMENDMENT  
84-92 CREEK ROAD**

**WHEREAS**, the Town Board has received a communication from the Director of Municipal Development recommending that it change the zoning designation for the property located at 84-92 Creek Road, tax parcel number 6162-02-735705 from Business Neighborhood (B-N) District to Residence Multifamily (R-M) District); and

**WHEREAS**, the change of zone would involve 5.18 acres, and the action to amend the Zoning Map is an Unlisted Action under the New York State Environmental Quality Review Act; and

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

**WHEREAS**, the Town Planning Board has already adopted a Negative Declaration and has issued a positive recommendation at its meeting of June 15, 2017; and

**WHEREAS**, amending the Zoning Map requires a public hearing.

**NOW THEREFORE BE IT RESOLVED THAT:**

1. The Town Board hereby sets a public hearing on the proposed amendment for October 18, 2017, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
2. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and

3. The Town Board directs the Town Clerk to notify the surrounding towns of the public hearing pursuant to GML 239-nn.

So Moved: J. Renihan/ W. Carlos

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley,  
Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -Joe Conte stepped out for a moment- CARRIED 6-0

## RESOLUTION

9:20 - # 17 OF 2017

**A RESOLUTION OF THE TOWN BOARD: (I) DETERMINING THAT THE FINAL ENVIRONMENTAL IMPACT STATEMENT (“FEIS”) FOR THE HUDSON HERITAGE PROJECT IS COMPLETE FOR THE PURPOSE OF COMMENCING PUBLIC CONSIDERATION OF THE FEIS; AND (II) INSTRUCTING TOWN STAFF TO CIRCULATE NOTICES OF COMPLETION AND FILE COPIES OF THE FEIS IN ACCORDANCE WITH 6 N.Y.C.R.R. SECTION 617.12**

WHEREAS, EFG/DRA Heritage, LLC (“EFG/DRA”) is the owner of the approximately 156-acre site of the former Hudson River State Hospital on Route 9 in the Town of Poughkeepsie (“Site”); and

WHEREAS, the Site is located in the Historic Revitalization Development District (“HRDD”) under the Town Code of the Town of Poughkeepsie (“Town Code”); and

WHEREAS, EFG/DRA is proposing various amendments to the HRDD Regulations in the Town Code, and proposing to redevelop the Site as mixed-use, pedestrian-friendly, residential and commercial development (collectively, the “Project”); and

WHEREAS, on June 5, 2015, EFG/DRA provided the Town Board with a Development Master Plan Application (“Application”), Petition for a Zoning Amendment (“Petition”) and a Long Environmental Assessment Form (“EAF”) Part 1, setting forth technical details pertaining to the potential environmental impacts of the Project; and

WHEREAS, by Resolution adopted on July 22, 2015, the Town Board designated itself Lead Agency for review of the Project under the New York State Environmental Quality Review Act (“SEQRA”) pursuant to 6 N.Y.C.R.R. Section 617.6, and issued a Positive Declaration requiring the preparation of an Environmental Impact Statement (“EIS”) pursuant to 6 N.Y.C.R.R. Section 617.7; and

WHEREAS, on August 19, 2015, the Town Board held a public scoping session to identify potentially significant adverse environmental impacts related to the Project that are to be addressed in the EIS, and thereafter accepted written comments through August 31, 2015; and

WHEREAS, the Town Board adopted a Final Scope in accordance with 6 N.Y.C.R.R. Section 617.8 on September 16, 2015; and

WHEREAS, EFG/DRA submitted a “Draft Environmental Impact Statement for the Hudson Heritage Project” (“DEIS”) to the Town Board on October 25, 2016; and

WHEREAS, the Town Board, after consultation with its Staff, independent consultants, and special counsel, determined on November 2, 2016 by Town Board Resolution #3 of 2016 that the DEIS was “adequate with respect to its scope and content for the purpose of commencing public review” pursuant to 6 N.Y.C.R.R. Section 617.9(a)(2); and

WHEREAS, the Town Board held a duly noticed Public Hearing on the DEIS on December 7, 2016, and formally accepted written comments on the DEIS until 14 days thereafter (although comments were received and accepted from certain interested and involved agencies after the comment period ended in order to accommodate these agencies' continuing review of the Project); and

WHEREAS, EFG/DRA submitted a draft "Final Environmental Impact Statement for the Project" ("FEIS") to Town Staff on or about March 30, 2017; and

WHEREAS, Town's Staff, independent consultants, and special counsel reviewed the draft FEIS to determine whether to accept it as complete for the purpose of distributing it to the public; and

WHEREAS, on or about May 23, 2017, Town Staff provided EFG/DRA with comprehensive comments on the draft FEIS seeking additional information and various clarifications; and

WHEREAS, on or about August 27, 2017, EFG/DRA submitted a revised draft FEIS to the Town, which addressed the aforementioned comments; and

WHEREAS, the Town Board's Staff and special counsel have reviewed the latest revised version of the FEIS, and are recommending pursuant to 6 N.Y.C.R.R. Section 617.9(a)(6) that the Town Board deem this version of the FEIS as complete, and to direct Staff to publish a Notice of Completion and file copies of the FEIS pursuant to 6 N.Y.C.R.R. Section 617;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby determines that the information submitted in the FEIS, including all responses to public comment, is complete and adequate, and directs Staff to file, publish and circulate the Notice of Completion and the FEIS in accordance with the requirements of 6 N.Y.C.R.R. Sections 617.9 and 617.12; and

2. The Town Board hereby directs Town Staff to arrange to: (i) publish the Notice of Completion as required in the Environmental Notice Bulletin (ENB); and (ii) have copies of the FEIS filed with the New York State Department of Environmental Conservation, and the Office of the Town Clerk for public review; and (iii) have a copy of the FEIS and Notice of Completion circulated to all involved and interested agencies; and (iv) have the FEIS posted on the Town's website at: <http://www.townofpoughkeepsie.com>

So Moved: W. Carlos/ J. Lepore

*Neil Wilson explains that the Town Board is being asked to accept the FEIS as complete. This is an important step to get to the end, but it is not the end. We will then work on our findings statement. Then once you act on the finding statement it moves things further along. The Board makes a few comments discussion goes on for several minutes.*

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

RESOLUTION

9:20- # 18 OF 2017

APPROVE HALLOWEEN PARADE  
CROFT CORNERS

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Gerard Philipp and does hereby grant approval to the Croft Corners Volunteer Fire Company to hold its annual Halloween Parade on Saturday, October 28, 2017 at 12:00 p.m., which parade will start at Spackenkill Todd Middle School parking lot, and proceed South on Croft Road, West onto Schoolhouse Lane and end at the Croft Corners Firehouse at 7 Spackenkill Road; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is in receipt of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured.

**So Moved: J. Conte/ W. Carlos**

**Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin**  
**NAY: -0-**  
**ABSTAIN: -0-**  
**ABSENT: -0- CARRIED 7-0**

**RESOLUTION**

**9:20 - # 19 OF 2017**

**SET DATE FOR PUBLIC HEARING  
COMMUNITY DEVELOPMENT BLOCK  
GRANT**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby set the 4<sup>th</sup> day of October, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider and thereafter vote on applications for monies from the County of Dutchess through the Community Development Block Grant Program for the year 2018, of which the Town of Poughkeepsie is a member.

**So Moved: M. Cifone/ W. Carlos**

**Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin**  
**NAY: -0-**  
**ABSTAIN: -0-**  
**ABSENT: -0- CARRIED 7-0**

**RESOLUTION**

**9:20- # 20 OF 2017**

**AUTHORIZE BID AWARD  
MANHOLE/ STREAM REPLACEMENT**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the "MANCHESTER GARDENS SEWER MANHOLE REPLACEMENT AND STREAM RELOCATION - 2017" to the low bidder, TAM Enterprises, at the bid price of \$97,356.00, pursuant to the recommendation of the Town Engineer; and

**BE IT FURTHER RESOLVED**, that the Supervisor is authorized to execute a contract agreement with TAM Enterprises.

So Moved: J. Lepore/ J. Conte

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley,  
Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

**RESOLUTION**

9:20- # 21 OF 2017

**AUTORIZE BID AWARD  
SANITARY SEWER PIPE CLEANING  
AND CCTV INSPECTIONS**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the "SANITARY SEWER PIPE CLEANING AND CCTV INSPECTIONS-FALL 2017" to the low bidder, AMERICAN UNDERGROUND SERVICES, at the bid price of \$35,310.00, pursuant to the recommendation of the Town Engineer; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute a contract agreement with AMERICAN UNDERGROUND SERVICES.

So Moved: A. Shershin/ W. Carlos

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley,  
Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

**RESOLUTION**

9:20- # 22 OF 2017

**AUTHORIZE CHARITY EVENT  
PAULA'S PUBLIC HOUSE**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application received from Paula Young-Borra to hold a Woodstock Festival Fundraiser to benefit Mt. Haven Animal Rescue at Paula's Public House located at 2186 New Hackensack Road, Poughkeepsie, NY on October 7, 2017 from 12:00 p.m. to 6:00 p.m.; and

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

So Moved: J. Baisley/ W. Carlos

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley,  
Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-



ABSENT: -0-

CARRIED

7-0

RESOLUTION

9:20 - # 23 OF 2017

SPECIAL CONSENT RESOLUTION

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

- 1. Set Date for Public Hearing (Traffic Sergeant Bruschetti)      Town Code Amendment- Crosswalks at 51 Fulton Street
- 2. Authorize (Town Clerk Salvatore)      Marist College Family Weekend Tailgate Party
- 3. Waive (Town Clerk Salvatore)      30-day Liquor License- J. Dominicks Trattoria
- 4. Accept (Chief Spero)      Resignation-Chris Rolison-Police Officer

AND BE IT FURTHER RESOLVED, that upon the objection of any member of the Town Board, an item may be removed from the list and voted on separately.

So Moved: J. Renihan/ W. Carlos

Roll Call:      AYE:    Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
                   NAY: -0-  
                   ABSTAIN: -0-  
                   ABSENT: -0-      CARRIED      7-0

RESOLUTION

9:20 - # SC 1 OF 2017

SET DATE FOR PUBLIC HEARING  
TOWN CODE AMENDMENT CHAPTER  
195- CROSSWALKS

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 4<sup>th</sup> day of October, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as and for the time, date and place of a public hearing to consider amendment to the Town Code, Chapter 195 entitled "Vehicles and Traffic", specifically § 195-47. Schedule XII, entitled "Crosswalks", to add a crosswalk at 51 Fulton Street, which amendment would read as follows:

ADD: § 195-47. Schedule XII

Name of Street	Location
Fulton Street	North/South direction at 51 Fulton Street

**AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does determine that this action is a Type II Action requiring no environmental review; and**

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

**So Moved: W. Carlos/ J. Conte**

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

**NAY: -0-**

**ABSTAIN: -0-**

**ABSENT: -0-**

**CARRIED**

**7-0**

**RESOLUTION**

**9:20- # SC2 OF 2017**

**AUTHORIZE TAILGATE PARTY  
MARIST COLLEGE FAMILY  
WEEKEND**

**WHEREAS, the Town Board of the Town of Poughkeepsie has heretofore received an application from Marist College for its Family Weekend Tailgate Party event to be held on Saturday, September 23, 2017 from 4:00 p.m. to 8:00 p.m. on the Campus Grounds; and**

**WHEREAS, the presence of food vendors, is a vital part of a successful Tailgate Party; now therefore**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does not include the vendors of food participating in the Marist College Family Weekend Tailgate Party as peddlers and hawkers, and these vendors are thereby exempt from the provisions of Chapter 151 of the Town Code; and**

**BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application as submitted for said event to be held on Saturday, September 23, 2017.**

**So Moved: J. Conte/ J. Renihan**

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

**NAY: -0-**

**ABSTAIN: -0-**

**ABSENT: -0-**

**CARRIED**

**7-0**

**RESOLUTION**

**9:20 - #SC 3 OF 2017**

**WAIVE 30 DAY LIQUOR LICENSE  
DOMINICKS TRATTORIA**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from the Law Offices of Lorenzo L. Angelino on behalf of J.**

Dominicks Trattoria, 779 Dutchess Turnpike, Poughkeepsie, NY, for a waiver of the 30 day review period for a liquor license application; and

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

So Moved: M. Cifone/ J. Conte

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

RESOLUTION

9:20 - #SC 4 OF 2017

ACCEPT RESIGNATION POLICE  
CHRIS ROLISON

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Christopher Rolison, Police Officer with the Town of Poughkeepsie Police Department, effective September 18, 2017, at 11:59 p.m.

So Moved: M. Cifone/ J. Conte

Roll Call: AYE: Councilmen Renihan, Carlos, Conte, Cifone, Lepore, Supervisor Baisley, Councilwoman Shershin  
NAY: -0-  
ABSTAIN: -0-  
ABSENT: -0- CARRIED 7-0

*Jay mentions that we had a very large water main break down on Route 9 by Spring Road and he thanked all the Town Departments who came together and worked well together.*

*Dutchess County Shared Services Grant came out today and we are going to get some help to put a police officer on the County Drug Task Force. Over \$100,000 for this Grant*

SUSPEND THE RULES FOR ANY PUBLIC COMMENT: J. Baisley/ J. Conte 7-0

NO ONE CAME FORWARD

RESUME THE RULES: J. Baisley/ J. Conte

TOWN BOARD AJOURNED AT 8:13 P.M.