

**MINUTES OF TOWN BOARD MEETING  
HELD ON NOVEMBER 15, 2017 AT 7:00 PM  
AT TOWN HALL, ONE OVEROCKER ROAD  
POUGHKEEPSIE, NEW YORK**

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

<b>PRESENT:</b>	<b>Supervisor Baisley Councilman Renihan Councilman Carlos Councilman Conte Councilman Cifone- Arrived at 7:06 PM Councilman Lepore Town Attorney Nelson Town Clerk Salvatore</b>	<b>ABSENT:</b>	<b>Councilwoman Shershin</b>
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**\*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)**

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

*Doreen Tignanelli asked about the portion of Chapter 105-4 V (5) in regard to fees that will be voted on tonight, and questioned how something that we had not even voted on yet was on the agenda for the Planning Board meeting tomorrow night. Jay said he would look into. Doreen also mentions that she has no objection to the fee, and she has no objection to prorating it, she just feels that 10% is too low.*

**NO OTHER SPEAKERS CAME FORWARD**

**MOTION TO CLOSE PUBLIC HEARING # 1: J. Baisley/ J. Conte CARRIED: 5-0  
RESOLUTION**

**11:15 - # 1 OF 2017**

**PUBLIC HEARING- TOWN CODE  
AMENDMENT CHAPTER 105 FEES  
SOLAR ENERGY PUBLIC UTILITY**

**BE IT ENACTED**, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on November 15, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt amendments to Town Code Chapter 105, entitled "Fees"; and

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

BE IT FURTHER ENACTED, that the Town Board of the Town of Poughkeepsie has determined that this action is a Type II Action requiring no environmental review; and  
BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on November 2, 2017 and published in the Poughkeepsie Journal on November 6, 2017; and  
BE IT FURTHER ENACTED, that said local law shall take effect immediately upon filing with the Secretary of State.

So Moved: J. Renihan/W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Carlos, Conte, Lepore  
Nays: -0-  
Absent: Councilwoman Shershin, Councilman Cifone CARRIED: 5-0

Superior Baisley reads through the agenda items

JAY MAKES MOTION TO SUSPEND THE RULES FOR PUBLIC COMMENT ON ANY AGENDA ITEMS/  
J. CONTE CARRIED: 5-0

*Doreen asks about agenda item #SC1- will the position that is being vacated be posted on the website, Jay mentions that yes it will be-*

*She also had a question on agenda item # 11- the settlement of a lawsuit and asked what the Town would be liable to pay. Jay mentioned the Insurance would cover all but 5,000.*

*Lastly, Doreen had a comment on item #3 the Tax Cert for Bright Horizons and states that it is a very large amount. Doreen also mentions that in all her years looking them over, she feels this is one of the highest amounts, and she states they are not good for the fire districts or the taxpayers. Jay agrees - These are negotiated by lawyers and it is not just us giving them the break.*

JAY MAKES MOTION MADE TO RESUME THE RULES: J. CONTE CARRIED: 5-0

## RESOLUTION

11:15 - # 2 OF 2017

ADOPT -AMENDED  
BASE PROPORTIONS

WHEREAS, the Town Board of the Town of Poughkeepsie adopted RESOLUTION 8:9 - #7 OF 2017 and RESOLUTION 8:23 - # SC 2 OF 2017 which said resolutions adopted and certified the current base proportions and adjusted base proportions for the 2017 tax roll, and

WHEREAS, an error has been found in the current base proportions and adjusted base proportions, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adopt and certify the current base proportions, as follows:

	H	NH
Town	51.38766	48.61234
Town outside village	48.99253	51.00747
Consolidate Light	52.62755	47.37245

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby adopt and certify the adjusted base proportions, as follows:

	H	NH
Town	51.32953	48.67047
Town outside village	48.93880	51.06120
Consolidated Light	52.51054	47.48946

So Moved: W. Carlos/ J. Conte

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

**RESOLUTION**

11:15 - # 3 OF 2017

**AUTHORIZE TAX CERTIORARI SETTLEMENT-BRIGHT HORIZONS**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement of the tax certiorari proceedings instituted by Bright Horizons Childrens Centers, Inc., 15 Golf Club Lane, Grid No.: 6160-03-160127, for the tax assessment rolls for 2015, 2016 and 2017, as follows:

Assessment Roll	Assessment	Reduced Assessment	Amount of Reduction
2015	1,852,500	1,200,000	652,500
2016	1,309,500	1,050,000	259,500
2017	775,000	775,000	0

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee, Town Assessor and Karen Hagstrom of Corbally, Gartland and Rappleyea, LLP, to sign such papers as are necessary to effectuate said settlement.

So Moved: J. Conte/ J. Renihan

Roll Call: Ayes: Supervisor Baisley, Councilmen Renihan, Carlos, Conte, Cifone, Lepore  
 Nays: -0-

Absent: Councilwoman Shershin

CARRIED: 6-0

**RESOLUTION**

11:15 - # 4 of 2017

**AUTHORIZE SUPERVISOR TO SIGN INTERMUNICIPAL AGREEMENT**

WHEREAS, by Resolution 12:3 - #8 of 2014, the Town Board of the Town of Poughkeepsie approved the execution of an Intermunicipal Agreement with the County of Dutchess to participate in the Regional County Highway Snow & Ice Control Program (the "Program") within the boundaries of the Town, and

WHEREAS, the County has forwarded a new Intermunicipal Agreement for Snow Removal and Ice Control starting October 1, 2017 through April 30, 2018 that would pay per mile and eliminate a significant amount of tedious paper work, now therefore

BE IT RESOLVED, that the Supervisor is authorized to execute an Intermunicipal Agreement ("IMA") with the County for the Town's participation in the Program, and the Highway Superintendent Pfeifer is hereby authorized to perform such work and to receive the materials and payments therefore as outlined in the annexed IMA during the winter season of 2017-2018, and

BE IT FURTHER RESOLVED, that this is a Type II action requiring no SEQR review.

*Jay mentions this is to change the paperwork process*

So Moved: M. Cifone/ W. Carlos

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

CARRIED: 6-0

**RESOLUTION**

11:15 - # 5 OF 2017

**RATIFY-WATER, SEWER & MISC RENTS AND CHARGES-RELEVY**

WHEREAS, it appears that certain water and sewer rents, assessments and charges due to the various districts in the Town of Poughkeepsie from properties within said districts have not been paid for more than sixty (60) days and are liens against the said properties; and that notice of those delinquent charges, as detailed by the Town's Software Support Analyst, has been forwarded to the County of Dutchess per Town Law §198(1)(k) and (3)(d) by November 13, 2017, and

WHEREAS, delinquent charges for Property Maintenance have also been so forwarded to the County of Dutchess pursuant to Town Code Section 159; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie hereby ratifies the notification to Dutchess County regarding delinquent water and sewer rents and charges and property maintenance charges and requests that the amounts stated as being in default be levied against the properties liable therefore.

WATER	\$ 311,992.24
SEWER	\$ 218,243.03
OTHER	\$ <u>951.39</u>

TOTAL \$ 531,186.66

So Moved: J. Lepore/ J. Conte

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

RESOLUTION

11:15 – # 6 OF 2017

ACCEPT MAINTENANCE BOND  
GRAND MEADOWS

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, upon the recommendation of the Town Highway Superintendent, does hereby authorize the Supervisor to accept, for dedication, the roads within Grand Meadows Subdivision known as, respectively, Jamil Court, Ray Boulevard, Alia Court, said acceptance and dedication to be effective upon the receipt of maintenance security of \$112,000 to be held for one year from said receipt together with a deed, title insurance policy and recording documents in form acceptable to the Attorney to the Town.

So Moved: J. Baisley/ J. Lepore

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

RESOLUTION

11:15 - # 7 OF 2017

REFER/ CONSENT REZONING  
LEAD AGENCY TO PLANNING  
MANOR HILL MOBILE PARK

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby refer the application of Manor Hill Mobile Home Park for a project known as Manor Hill Community Project, located at 246 North Grand Avenue, Poughkeepsie, New York, tax parcel number 6162-16-970397, for a change of zone from Residence, Single Family 20,000 Square Foot (R-20) District to Residence, Mobile Home (R-MH) District, to the Town of Poughkeepsie Planning Board for special use permit and site plan review pursuant to Town Code §210-83 and Town Code 210-150-152 respectively and recommendation pursuant to Town Code §210-154, and hereby consents to the designation of the Planning Board as the Lead Agency for the SEQR review of said project.

So Moved: J. Renihan/ W. Carlos

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

**RESOLUTION**

11:15 - # 8 OF 2017

**ACCEPT CERTIFICATES OF  
ATTENDANCE- CARL WHITEHEAD**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificates of Attendance for Carl H. Whitehead from Dutchess County Planning Federation for the courses entitled “Form-Based Zoning” and “Sign Regulation”, copies of which are attached.

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

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

**CARRIED: 6-0**

**RESOLUTION**

11:15 - # 9 of 2017

**ACKNOWLEDGMENT OF RECEIPT OF AN AMENDED APPLICATION  
AND SETTING OF A PUBLIC HEARING  
IN THE MATTER OF THE APPLICATION OF PAZ MANAGEMENT, INC.  
FOR ZONING TEXT CHANGE AND SITE PLAN APPROVAL  
FOR THE REDEVELOPMENT OF THE FORMER RAYMOND AVENUE SCHOOL  
25 AND 31 RAYMOND AVENUE, TOWN OF POUGHKEEPSIE**

**WHEREAS**, On August 16, 2017 Paz Management, Inc. as the contract vendee for the purchase of the former Raymond Avenue School located at 25 and 31 Raymond Avenue, tax parcel numbers 6161-12-755735 and 784726, consisting of ±6.8 acres, submitted a petition for a Zoning Map Amendment and a Zoning Text Amendment to allow the redevelopment for the former public school site for a mixed use project (“Project”); and

**WHEREAS**, as originally proposed the Project would include the restoration and conversion of the former school building for approximately 44 residential dwelling units, as part of ±172 total apartments of various bedroom mixes (i.e. studio, and one and two bedroom units), ±16,200 square feet of retail, restaurant and office space, a 110 room hotel, parking for ±351 vehicles, and site amenities such as a pool and walking paths for residents; and

**WHEREAS**, on August 23, 2017 the Town Board adopted a Notice of Intent and declared itself to be the lead agency to coordinate the environmental review of the project, and directed Town Staff to circulate the application to the identified involved agencies seeking their consent to the Town Board acting as the lead agency; and

**WHEREAS**, none of the involved agencies objected to the Town Board assuming the role of lead agency within 30 days of mailing of the Notice of Intent and on September 29, 2017 the Town Board became the lead agency; and

WHEREAS, since the time of the original circulation of the application the applicant and Town Staff and Town consultants have worked on revisions to the site plan, the Long Form Environmental Assessment Form (EAF) and the zoning text amendment; and

WHEREAS, the proposed Project has been amended to delete the request for a Zoning Map Amendment, modified the proposed zoning text amendment, and modified the proposed Site Plan so that it eliminates the proposed hotel, provides for ±47 residential dwelling units in the former school building, includes ±100 residential units within a four-story building, ±14 residential units on the upper two floors of a three-story building with ±5,640 square feet of ground floor commercial space, ±20 residential units on the upper two floors of a three-story building with ±8,773 square feet of ground floor commercial space, parking for ±209 vehicles, and site amenities such as a pool and walking paths for residents; and

WHEREAS, the changes to the application are substantial and the Town Board has determined that the amended application should be re-circulated to the involved and interested agencies as an advisory to allow said agencies to review and comment on the plan changes; and

WHEREAS, the Town Board has initially classified the project as an Unlisted Action under the New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, ("SEQRA"); and

WHEREAS, the zoning text amendment requires a public hearing; and

WHEREAS, the project will also require site plan approval from the Town Planning Board along with other permits and approvals from various local, regional and state agencies; and

NOW THEREFORE BE IT RESOLVED:

1. The Town Board hereby sets a public hearing on the proposed amendment, which is attached hereto, for December 20, 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 hereby directs Staff to circulate the amended application to all of the identified involved and interested agencies along with a request for comment regarding said amended application; and
3. The Town Board refers this matter to the Planning Board for an advisory report pursuant to §210-154 of the Town Code; and
4. 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
5. The Town Board directs the Town Clerk to notify the surrounding towns of the public hearing pursuant to GML 239-nn.

So Moved: J. Conte/ J. Renihan

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

CARRIED: 6-0

RESOLUTION

11:15 - # 10 OF 2017

ACCEPT TOWN BOARD MINUTES

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2017 Town Board Meetings, to wit:

October 4, 2017 - Regular Town Board Meeting  
October 18, 2017- Regular Town Board Meeting  
November 1, 2017- Regular Town Board Meeting

So Moved: M. Cifone/ J. Conte

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

RESOLUTION

11:15 - # 11 OF 2017

SETTLEMENT OF CLAIMS  
ELAINE CASE v. ANDERSON

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement by assigned counsel, Steven Stern, Esq., of Sokoloff Stern LLP, of any and all claims against the Town *In the Matter of Elaine Case... v. Anderson et al.* for \$23,334.00, which settlement is within the applicable policy limits and subject to a \$5,000.00 deductible.

So Moved: J. Lepore/ M. Cifone

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

RESOLUTION

11:15- # 12 OF 2017

SET DATE FOR PUBLIC HEARING  
EXCAVATION LAW

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 6 day of December, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY as and for the time, date and place of a public hearing to consider amendments, in substantially the form attached, to Town Code Chapter 174, entitled "Streets and Sidewalks", which amendments would read as follows:

REPEAL: §§ 174-21 through 174-35, Streets and Sidewalks, Article IV Excavations.

ADD: §§ 174-21 through 174-36, Streets and Sidewalks, Article IV Excavations.

SEE ATTACHMENT



**AND BE IT FURTHER RESOLVED, that the Town Board does hereby waive the verbatim reading and does direct that said amendments be spread across the record as if it, in fact, they had been read verbatim; 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 amendments, if adopted, will take effect immediately upon filing with the Secretary of State.**

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

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

**CARRIED: 6-0**

### **RESOLUTION**

**11:15 - # 13 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. Accept Resignation of Maureen Moss  
(Town Clerk Salvatore)**

**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: Ayes: Supervisor Baisley, Councilmen Renihan, Carlos, Conte, Cifone, Lepore  
Nays: -0-  
Absent: Councilwoman Shershin**

**CARRIED: 6-0**

### **RESOLUTION**

**11:15 – SC #1 of 2017**

**RESIGNATION-LEGAL SECRETARY**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the resignation of Maureen Moss from her position as a part time Legal Secretary in the Legal Department, effective as of close of business on November 27, 2017.**

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

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

Nays: -0-  
Absent: Councilwoman Shershin

CARRIED: 6-0

JAY MAKES MOTION TO SUSPEND THE RULES FOR PUBLIC COMMENT ON ANY TOWN ISSUE: J. Renihan  
CARRIED: 6-0

*Mr. Casement brings up he states, again, the dead trees on Ridge Road, and is worried that they will harm a resident. Unless they are on Town property there is not a lot that we can do about it. Jay said we can only notify someone, if it's not our property. Jay told Mr. Casement that this is the first time he can remember hearing about it and will look into the issue.*

*Doreen speaks about the redevelopment project at the Raymond Ave School- She thinks that it is a good project but she is not in favor of using the ± in regard to the amount of apartments when it is approved. She feels that it leaves the opportunity for more development than given approval for. Be careful*

*Doreen also spoke in more detail about the fact that the "Dahlia" project asked to be on the planning board in November and quoted a portion of the Code that was not yet voted on and wondered how does this happen? Jay said he would look into in the morning-*

JAY MOTION TO RESUME THE RULES: J. Conte

CARRIED: 6-0

TOWN BOARD MEETING ADJOURNED AT 7:47 P.M.