

MINUTES OF TOWN BOARD MEETING
HELD ON DECEMBER 6, 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 7:07 P.M.
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore

ABSENT: Councilman Conte

*Please note all attachments to the Resolutions, along with a copy of the original Resolutions are attached to the full Summary copy available by clicking on the red underlined meeting date located in the Board Agenda section on our meetings page at townofpoughkeepsie.com

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

NO SPEAKERS CAME FORWARD

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

RESOLUTION

12:6 - # 1 OF 2017

PUBLIC HEARING TOWN CODE
AMENDMENT CHAPTER 177
SUBDIVISION OF LANDS
RECREATION FEES

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on December 6, 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 177, entitled "Subdivision Law"; 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 16, 2017 and published in the Poughkeepsie Journal on November 27, 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

Ann asks the question, what is the difference between a major subdivision and a minor subdivision? Neil come forward to answer her question and states that a minor subdivision is anything less than 3 lots. No Rec fees would be imposed for a minor subdivision -that has been our policy, this is just to clean up the language.

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

CARRIED: 5-0

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

CARRIED: 5-0

NO SPEAKERS CAME FORWARD

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

CARRIED: 5-0

RESOLUTION

12:6 - # 2 OF 2017

PUBLIC HEARING EXCAVATION LAW CHAPTER 174

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 6th day of December, 2017, at 7:00 p.m. at the Town Hall, One Overocker Road, Poughkeepsie, New York, does hereby:

RESOLVE, that because the adoption of this proposed Local Law does not authorize any particular action, it does not include new programs or a major reordering of priorities that may affect the environment, and because it does require necessary SEQRA review to be performed before permits are issued, it is a Type II Action requiring no SEQRA Review, and

BE IT ENACTED, that the Town Code Chapter 174, entitled "Streets and Sidewalks", is amended by adopting a local law in the form attached, which amendments shall be as follows:

REPEAL:

Sections 174-21 through 174-35, Streets and Sidewalks, Article IV Excavations.

ADD

Sections 174-21 through 174-36, Streets and Sidewalks, Article IV Excavations, attached.

BE IT FURTHER ENACTED, that the amendments are attached hereto and incorporated herein, 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 Legal Notice of Public Hearing was posted on November 17, 2017 and published in the Poughkeepsie Journal on November 27, 2017; and
AND BE IT FURTHER ENACTED, that said local law shall take effect immediately upon filing with the Secretary of State.

So Moved: W. Carlos/J. Renihan

Bill Carlos talks about how this law came to be about. It has been in the works for about two years, and is based on a copy that came down from the Association of Towns and will help protect the Town, our roads and the money we spend to work on our infrastructure. Bills thanks Jim Nelson, Marc, Ann and all those on the Committee who helped him with this law.

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

Jay Baisley reads through the agenda

JAY MAKES A MOTION TO SUSPEND THE RULES ON ANY AGENDA ITEM: M. Cifone CARRIED: 6-0

*Mr. Armstrong; asks about the type of trucks that the highway department is purchasing, are they pick up or dump trucks? Jay tells him the types of vehicles
He also asks about Van De Water, and the Fox Run Tax Cert.*

Matthew Woolever; had some questions about the Hudson Heritage project and the traffic impacts- he said it looks like they did a lot of work south of the project, but he sees a problem north of the project at Rt9 and Big Meadow Lane. Neil comes forth and talks with Matthew about the different phases of the project and explains how the meetings with the DOT work. Neil says he would be happy to meet with him to further explain.

JAY MAKES MOTION TO RESUME THE RULES: M. Cifone CARRIED: 6-0

RESOLUTION

12:6 - # 3 OF 2017

CONCUR- OFFICE OF THE NYS
COMPTROLLER'S DETERMINATION
OF BRIAN E. MULLEN

WHEREAS, the Town of Poughkeepsie has received a determination regarding an application of Town of Poughkeepsie Police Officer Brian E. Mullen for Accidental Disability Retirement from the Office of the New York State Comptroller, New York State and Local Police and Fire Retirement System, dated November 17, 2017 and

WHEREAS, said determination found that Mr. Mullen is permanently incapacitated for performance of his duties as a Town of Poughkeepsie Police Officer, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby concur with the Office of the New York State Comptroller's Office determination and his accidental disability retirement is effective immediately.

So Moved: M. Cifone/ J. Renihan

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

CARRIED: 6-0

RESOLUTION

12:6 - # 4 OF 2017

**AUTHORIZE
HIGHWAY SUPERINTENDENT TO
PURCHASE 2 NEW TRUCKS**

WHEREAS, the Town of Poughkeepsie Highway Department wishes to purchase two new Ford Trucks; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Highway Superintendent or Supervisor to purchase 2 new Ford trucks (F-550 Dump, \$64,842.63 and F-350XL, \$48,810.50), both under State Procurement pricing of \$113,653.13, pursuant to the attached recommendation of the Superintendent of Highways, the cost of which is covered by CHIPS funds, and

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

So Moved: J. Lepore/ M. Cifone

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

CARRIED: 6-0

RESOLUTION

12:6 - # 5 OF 2017

WAIVE 30 DAY LIQUOR LICENSE

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request on behalf of Twisted Soul, 47 Raymond Avenue, Poughkeepsie, NY, for a waiver of the 30 day review period for a liquor license application; and

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

So Moved: A. Shershin/ M. Cifone

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

CARRIED: 6-0

RESOLUTION

12:6 - # 6 OF 2017

APPOINT VAN DE WATER
COURT ORDER-CLEAN UP
245 WILBUR BOULEVARD

WHEREAS, the Town Board has by Resolution 4:5 - #3 of 2017 determined that the Premises at 245 Wilbur Boulevard is unsafe under Town Code Chapter 71, and has authorized the Town to undertake necessary demolition or repair, and

WHEREAS, the Owner has failed to remediate the condition at 245 Wilbur Boulevard, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Kyle Barnett, Esq. of Van DeWater & Van DeWater at the rate of \$185.00 per hour for Partners, \$165.00 Associates and \$80.00 for Paralegals, to initiate litigation against the owners of 245 Wilbur Boulevard, which property is believed to be currently owned by Stanley C. Millspaugh, as Trustee of Stanley C. Millspaugh Living Trust and Bernice Millspaugh, as Trustee of the Bernice B. Millspaugh Living Trust, or their successors, for judicial authorization permitting the Town, its agents and contractors, to enter the property, board it as necessary to prohibit entry, and remove the debris stored at the property, and also for a judgment lien against the owners and the property, pursuant to Town Code §71-11 for the expense incurred by the Town, and for such other relief as the Court may deem just and proper.

So Moved: J. Baisley/ J. Renihan

Jay mentions that this has been long going on and Ann mentions that it is an extreme situation and it's a shame we have to go this route.

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

CARRIED: 6-0

RESOLUTION

12:6 - # 7 OF 2017

APPOINT TAX CERT TO:
CAPPILLINO & ROTHSCHILD

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby retain Cappillino & Rothschild, LLP, at the hourly rate of \$150.00 for Attorneys to represent the Town's interest in a proceeding known as *Fox Run at Fulton LLC vs. Town of Poughkeepsie*, Dutchess County Supreme Court Index Number 2017-51707.

So Moved: J. Renihan/W. Carlos

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

CARRIED: 6-0

RESOLUTION

12:6 - # 8 OF 2017

**SET DATE FOR PUBLIC HEARING
AMEND TOWN CODE CHAPTER 195
STOP SIGNS CRESTWOOD/PENNOCK**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 20th day of December, 2017 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, New York as and for the time, date and place of a public hearing to consider amendments to the Town Code, Chapter 195, entitled "Vehicles and Traffic", specifically §195-44. Schedule IX: "Stop Intersections", which amendment would be as follows:

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

Stop Sign on	Direction of Travel	At Intersection of
Crestwood Boulevard	Both	Pennock Road

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, if adopted, said local law shall become effective immediately upon filing with the Secretary of State.

So Moved: JW. Carlos/ M. Cifone

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

CARRIED: 6-0

RESOLUTION

12:6 – # 9 OF 2017

**AUTHORIZE BID ADVERTISEMENT
AWWTP REPAIR TO SUPPORT PIPES**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Town Clerk to advertise for bids for "ARLINGTON WASTEWATER TREATMENT PLANT TUNNEL, REPAIRS TO SUPPORTS FOR PIPES-CONTRACT NO 2017-07", pursuant to plans and specifications which will be available on December 11, 2017 in the Office of the Town Clerk, that an optional site visit for bidders will be on January 8, 2018 at 1:00 p.m. at the Administrative Building, 78 Sand

Dock Road, Poughkeepsie, New York, and that the bid opening will be held on January 30, 2018 at 11:00 a.m., by which time all bids will be received; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reserve the right to accept or reject all bids in whole or part; and

BE IT FURTHER RESOLVED, that the Town Board does hereby determine that this repair contract is a Type II Action requiring no environmental review.

So Moved: M. Cifone/ J. Renihan

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6-0

RESOLUTION

12:6 - # 10 OF 2017

AUTHORIZE SUPERVISOR TO SIGN
ADDENDUM 4 TO POUGHKEEPSIE
WATER SALE AND PURCHASE-
HOPEWELL GLEN

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to consent and execute Addendum No. 4, on behalf of the Town, to the Poughkeepsie Water Sale and Purchase Agreement between the Poughkeepsie Joint Water Board and the Dutchess County Water and Wastewater Authority extending for two years the Authority's water purchase option and water storage agreements in favor of the Town of East Fishkill's Hopewell Glen Water District, and

BE IT FURTHER RESOLVED, that this agreement represents part of the ongoing administration of the Town of Poughkeepsie's affairs with no change which would create a substantial adverse environmental impact and is a Type 2 action requiring no SEQRA review.

So Moved: J. Lepore/ M. Cifone

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6-0

RESOLUTION

12:6 - # 11 OF 2017

AUTHORIZE RELEASE OF LETTER
OF CREDIT: GRAND MEADOWS

WHEREAS, the Town Board of the Town of Poughkeepsie, by Resolution 11:15 - #6 of 2017, accepted the roads within the Grand Meadows Subdivision as well as a one-year Maintenance Bond in the amount of \$112,000, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby release and return the developer's Letter of Credit of \$234,000 in regard to the Grand Meadows Subdivision pursuant to the recommendation of Neil Wilson, Director of Municipal Development, conditioned upon the receipt of acceptable and recordable deeds with metes and bounds descriptions for all roads and easements together with proof of clear title per Town Code §177-32G

So Moved: A. Shershin/ M. Cifone

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6-0

RESOLUTION

12:6 - # 12 OF 2017

A RESOLUTION OF THE TOWN BOARD ADOPTING SEQRA FINDINGS FOR THE HUDSON HERITAGE PROJECT

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 (the "Site"); and

WHEREAS, the Site is located in the Historic Revitalization Development District ("HRDD") under the Zoning Code of the Town of Poughkeepsie ("Town Zoning 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 (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" (the "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 (the "FEIS") to Town staff on or about March 30, 2017; and

WHEREAS, the Town Board'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, on September 20, 2017, the Town Board determined that the FEIS was complete, and directed its staff to publish a notice of completion and file copies of the FEIS as required by regulation; and

WHEREAS, the Town Board has prepared a written statement of environmental findings for the Project ("SEQRA Findings Statement") pursuant to Section 617.11(c) of SEQRA's implementing regulations; and

WHEREAS, the SEQRA Findings Statement, which is annexed hereto, sets forth the Town Board's reasoned elaboration as to the facts and conclusions as developed in the DEIS, FEIS, and in response to public and agency comments received as part of the review process relating to the potential environmental impacts of the Project; and

WHEREAS, the SEQRA Findings Statement also sets forth the Town Board's requirements, conditions and/or mitigation measures related to the Project pursuant to SEQRA.

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby adopts the annexed SEQRA Findings Statement for the Project as the Town Board's official written findings statement pursuant to Section 617.11(c) of SEQRA's implementing regulations; and

2. The Town Board hereby directs the appropriate Town Staff to file the SEQRA Findings Statement with the Town Supervisor's Office, the Town Board, all Involved Agencies, any person who has requested a copy, and the Applicant pursuant to 6 N.Y.C.R.R. Section 617.12(b)(1); and

3. The Town Board hereby directs the Town Clerk to maintain the SEQRA Findings Statement in files that are readily accessible to the public and made available on request pursuant to 6 N.Y.C.R.R. Section 617.12(b)(3).

So Moved: J. Baisley/ M. Cifone

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6-0

David Cooper, Zarin & Steinmetz, Special Counsel for the project; basically goes through explaining where we are at and instead of reading the next two Resolutions he goes through an explanation of

the SEQRA process, the Rezoning of the application and the Finding Statement. Please view online for David's full comments and the board's questions on these next two items-

*Jeff Renihan reads into the record Resolution #13 starting at **

RESOLUTION

12:6 - # 13 OF 2017

A RESOLUTION OF THE TOWN BOARD ADOPTING PROPOSED AMENDMENTS TO SECTION 210-30 OF THE TOWN ZONING CODE CONCERNING THE HISTORIC REVITALIZATION DEVELOPMENT DISTRICT

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 (the "Site"); and

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

WHEREAS, EFG/DRA is proposing to redevelop the Site as mixed-use, pedestrian-friendly, residential and commercial development (the "Project"); and

WHEREAS, on June 5, 2015, EFG/DRA provided the Town Board with a Development Master Plan Application pursuant to the requirements of Section 210-66(B) of the Town Zoning Code ("DMP Application"), Petition for a Zoning Amendment ("Petition") that would modify certain portions of Section 210-30 of the Town Zoning Code concerning the permitted uses, design and redevelopment of land in the HRDD ("Zoning Amendment") and a Long Environmental Assessment Form ("EAF") Part 1, setting forth technical details pertaining to the potential environmental impacts of the Project, including the proposed Zoning Amendment; 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, as well as referred the DMP Application and Petition to the Town Planning Board for its review and recommendation pursuant to the Town Zoning Code; and

WHEREAS, on October 25, 2016, EFG/DRA submitted a "Draft Environmental Impact Statement for the Hudson Heritage Project" (the "DEIS") to the Town Board; 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, on November 17, 2016, the Town Planning Board issued a positive recommendation to the Town Board that it adopt the Zoning Amendment; and

WHEREAS, the Town Board held a duly noticed Public Hearing on the Zoning Amendment on December 7, 2016 pursuant to Section 210-66(C)(4) of the Town Zoning Code; and

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

WHEREAS, on September 20, 2017, the Town Board, after consultation with its staff, independent consultants, and special counsel, determined that the FEIS was complete, and directed its staff to publish a notice of completion and file copies of the FEIS as required by regulation; and

WHEREAS, as a result of a comment offered by the Town Planning Board, Town Staff recommended that a minor clarification be made to Section 210-30(C)(7) of the Zoning Amendment concerning the application of area and bulk standards to proposed site plans subsequent to the approval of a development master plan; and

WHEREAS, the recommended revision to Section 210-30(C)(7) does not result in a substantial change to the Zoning Amendment, or otherwise create a new requirement that was not otherwise embraced by the version of the Zoning Amendment that was the subject of the Town Board's December 7, 2016 Public Hearing; and

WHEREAS, on December 6, 2017, the Town Board adopted a written statement of environmental findings ("SEQRA Findings Statement") pursuant to Section 617.11(c) of SEQRA's implementing regulations, thereby completing the SEQRA review process of the Project, including the Zoning Amendment; and

*WHEREAS, the SEQRA Findings Statement, which is hereby incorporated as if set forth fully herein, contains the Town Board's reasoned elaboration as to the facts and conclusions as developed in the DEIS, FEIS, and in response to public and agency comments received as part of the review process relating to the potential environmental impacts of the Project, including the Zoning Amendment; and

WHEREAS, the SEQRA Findings Statement also sets forth the Town Board's basis for determining that the Zoning Amendment, as revised, is consistent with the Town Master Plan, as well as its other planning policies related to the HRDD;

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby adopts the attached Local Law # 27 -2017, amending Article V, Section 210-30 of the Town Zoning Code, relating to the Historic Revitalization Development District; and
2. The Town Board directs the appropriate Town Staff to provide EFG/DRA with a certified copy of Local Law # 27-2017.
3. Local Law # 27-2017 shall take effect upon filing with the Secretary of State.

So Moved: J. Renihan/ W. Carlos

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

Nays: -0-

Absent: Councilman Conte

CARRIED: 6-0

*Bill Carlos reads into the record Resolution #14 starting at **

RESOLUTION

12:6 - # 14 OF 2017

A RESOLUTION OF THE TOWN BOARD GRANTING
DEVELOPMENT MASTER PLAN APPROVAL
FOR THE
HUDSON HERITAGE PROJECT

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 (the “Site”); and

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

WHEREAS, EFG/DRA is proposing to redevelop the Site as mixed-use, pedestrian-friendly, residential and commercial development (the “Project”); and

WHEREAS, on June 5, 2015, EFG/DRA provided the Town Board with a Development Master Plan Application pursuant to the requirements of Section 210-66(B) of the Town Zoning Code (“DMP 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 (“SE-QRA”) 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 referred the DMP Application to the Town Planning Board for its review and recommendation pursuant to Town Zoning Code; and

WHEREAS, on October 25, 2016, EFG/DRA submitted a “Draft Environmental Impact Statement for the Hudson Heritage Project” (the “DEIS”) to the Town Board; 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, pursuant to Section 210-66(C)(3) of the Town Zoning Code, the acceptance of the DEIS as complete meant that the DMP Application was also “complete” to commence the public review process; and

WHEREAS, the Town Board held a duly noticed Public Hearing on the DMP Application on December 7, 2016 pursuant to Section 210-66(C)(4) of the Town Zoning Code; and

WHEREAS, on or about August 27, 2017, EFG/DRA submitted a proposed draft Final Environmental Impact Statement to the Town; and

WHEREAS, on September 20, 2017, the Town Board determined that the Final Environmental Impact Statement was complete; and

WHEREAS, on September 28, 2017, after conducting several meetings to review the DEIS, the Petition and the DMP Application, the Town Planning Board issued a positive recommendation to the Town Board that it approve the proposed Development Master Plan for the Project; and

WHEREAS, on December 6, 2017, the Town Board adopted a written statement of environmental findings (“SEQRA Findings Statement”) pursuant to Section 617.11(c) of SEQRA’s implementing regulations, thereby completing the SEQRA review process of the Project, including the DMP Application; and

WHEREAS, the SEQRA Findings Statement, which is hereby incorporated as if set forth fully herein, contains the Town Board’s reasoned elaboration as to the facts and conclusions as developed in the DEIS, FEIS, and in response to public and agency comments received as part of the review process relating to the potential environmental impacts of the Project, including the DMP Application; and

WHEREAS, the SEQRA Findings Statement also sets forth the Town Board's requirements, conditions and/or mitigation measures related to the Project pursuant to SEQRA, including requirements, conditions and/or mitigation measures related to the DMP including, but not limited to, requirements relating to the preservation of open space and adaptive reuse of historic structures, which shall be utilized by the Town Planning Board in evaluating subsequent site plans relating to the Project; and

WHEREAS, on December 6, 2017, the Town Board also adopted a Resolution amending the Section 201-30 of the Town Zoning Code to change the HRDD District regulations in order to facilitate the Project; and

WHEREAS, The Town Board has reviewed the criteria for approval of a Development Master Plan set forth in Section 210-66(D) of the Town Zoning Code, as well as those contained in Section 210-30(C) (as amended on November 15, 2017), and makes the following findings concerning the DMP annexed hereto:

- 1. The DMP conforms to the applicable purposes and goals of the Town Plan, as set forth in detail in the SEQRA Findings Statement;**
- 2. The DMP conforms to the applicable purposes of the Town Zoning Code, in that it would result in a phased redevelopment of a 156-acre site with a mix of residential and nonresidential uses, including the rehabilitation of historic structures, as well as the permanent preservation of open space, environmentally sensitive resources and recreational resources;**
- 3. The DMP conforms to accepted design principles in the proposed functional roadway system, land use configuration, open space system, drainage system and scale of the elements;**
- 4. The DMP design would provide for adequate public services and utilities, including access to public transportation;**
- 5. The DMP components are suitably located with respect to uses on adjoining lands, and the proposed uses would be reasonably free of objectionable conditions, such as odors, noise, dust, air pollution, high traffic volumes, incompatible land uses and other environmental constraints;**
- 6. The architectural style of proposed buildings, including exterior materials, finishes, color and the scale of the buildings proposed in the DMP, would be consistent with intent and purposes of Town Zoning Code;**
- 7. The development of the Site, as shown in the DMP, would not produce undue adverse effects on the surrounding neighborhood;**
- 8. The DMP would promote the preservation and adaptive reuse of landmark structures in the Historic District at the Site, including the adaptive reuse of the Main Administrative Building as a hotel;**
- 9. The DMP would promote the preservation of open space at the Site by concentrating mixed development within an integrated design plan connecting residential uses to accessible neighborhood commercial centers and recreational spaces;**
- 10. The DMP would promote a mix of commercial and residential uses in a planned community where building bulk and architecture as well as the location of use types, complement each other and harmonize with open spaces in the surrounding landscape;**
- 11. The DMP would promote pedestrian activity through a safe and walkable environment that links residential components at the Site to commercial components at the Site, as well as to on- and off-Site passive recreational resources.**

***NOW THEREFORE BE IT RESOLVED THAT:**

1. The Town Board hereby approves the DMP pursuant to Section 210-30 (as amended on December 6, 2017) and Section 210-66 of the Town Zoning Code, and as set forth in maps DMP-3, DMP-4, and DMP-5 attached hereto and made part hereof, subject to the following:
 - a. The requirements, conditions and/or mitigation measures set forth in the SEQRA Findings Statement;
 - b. Site plan and/or subdivision approvals to be issued by the Planning Board for any phase or part of the DMP pursuant to Section 210-66(E), 210-150, and chapter 177 of the Town Code, provided that the Planning Board shall not approve any site plan and/or subdivision unless the Planning Board finds that the site plan and/or subdivision is in substantial conformance with the annexed DMP, the SEQRA Findings Statement, and any conditions and requirements imposed by the Town Board under this approval.
 - c. The Planning Board may in conjunction with any application for site plan and/or subdivision approval approve corresponding modifications to the DMP, provided the proposed modifications are materially consistent with the DMP and the SEQRA Findings Statement approved hereby. If the Planning Board determines that the proposed modifications are not materially consistent with the DMP and the SEQRA Findings Statement, then the applicant may apply directly to the Town Board for an amendment to the approved DMP and modification of the SEQRA Findings Statement. Any such amendment shall be subject to the procedures as a new application. If an application for an amendment to the Town Board is not made, the site plan and/or subdivision plat shall be considered as disapproved.
2. If construction work on any component of the DMP is not commenced within three (3) years of this Approval, then this Approval of the DMP shall become null and void and all rights therein shall cease unless the Town Board, for good cause, authorizes an extension.
3. The Town Board hereby directs the Town Clerk to file a copy of this decision in its files within five (5) days of the adoption of this Resolution, and provide a copy of the same to the Applicant.

So Moved: W. Carlos/ J. Renihan

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

CARRIED: 6-0

Nick Minoia; EFG DRA Hudson Heritage, would like to thank the Town Board, Neil, Eric and all the entire staff at the Town of Poughkeepsie and all of his staff in this long process.

RESOLUTION

12:6 - #15 OF 2017

AUTHORIZE SPECIAL CONSENT

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

- | | |
|--|--|
| 1. Authorize
(Highway Superintendent Pfeifer) | Highway Department to purchase
Dump Truck |
|--|--|

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: M. Cifone/ J. Renihan

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

RESOLUTION

12:6 - #SC 1 OF 2017

**ACCEPT HIGHWAY DEPARTMENT
TO PURCHASE DUMP TRUCK**

WHEREAS, the Town of Poughkeepsie Highway Department wishes to purchase a new dump truck; and

WHEREAS, the County of Onondaga, pursuant to General Municipal Law § 103 issued competitive bids and procured a low bid from Ben Funk, Inc. of Hudson, New York, for a 2018 Navistar International HX 620 6x4 cab chassis Dump Truck in the amount of \$193,786.00; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to purchase, pursuant to General Municipal Law § 103 (16), one 2018 Navistar International HX 620 6x4 cab chassis Dump Truck from Ben Funk, Inc. at the Onondaga County bid price of \$193,786.00, pursuant to the attached recommendation of Highway Superintendent Pfeifer, the cost of which is covered by CHIPS funds, and

BE IT FURTHER RESOLVED, that the purchase of this equipment is a Type II Action requiring no environmental review.

So Moved: J. Lepore/ W. Carlos

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

Mark Mulpeter, Business Developer and Jeff Doane, District Director from Central Hudson gave a presentation about Street Lights which took place next for roughly about 25 minutes

MOTION MADE TO SUSPEND RULES FOR COMMENT ON ANY TOWN ISSUE: J. Baisley/ J. Conte
CARRIED: 6-0

*Joe Armstrong asks about the clean up on Wilbur Blvd. and has a question about the trucks again-
The earlier two were different from the dump truck listed in SC1-Marc came up and explained differ-
ence to Mr. Armstrong.*

He also tells Marc about the manhole cover on Colette-

He tells the Town Board they should really think about the streetlights and go over it in great detail-

MOTION MADE TO RESUME THE RULES: J. Baisley/ J. Conte CARRIED: 6-0

EXECUTIVE SESSION

12:06: ES ADJOURN TO EXECUTIVE SESSION To Enter Executive Session To Consider Following Matters:

- A. Personnel Matters To Wit- The Hiring, Firing, Promotion, Demotion & Employment History Of A Particular Individual Who Need Not Be Identified At This Time.
- B. Confidential Communications between the attorney and his client, the Town Board, based on the attorney/client privilege.

And Be It Further Resolved, There Will Be No Action Taken Appropriating Money

TOWN BOARD ENTERED EXECUTIVE SESSION AT 8:33 P.M.

TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 9:35 P.M.

NO ACTION TAKEN

TOWN BOARD MEETING ADJOURNED AT 9:36 P.M.