

**MINUTES OF A COMMITTEE OF THE WHOLE TOWN
BOARD MEETING HELD ON JANUARY 9, 2013 AT 7:00 PM AT
TOWN HALL, ONE OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Tancredi
Councilman Baisley
Councilman Eagleton
Councilman Conte
Councilman Cifone
Councilman Krakower
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Miller

***NOTE: Attachments pertaining to a particular Town Board Meeting will be found after the final minutes of that meeting, which are kept in the official minute books, held in Town Clerk's Office.**

Public comments made during a Board Meeting may be heard on the audiotape of that particular meeting, which is kept in the Town Clerk's Office.

{ } designates corrections or amendments to

7:00 PM

CALL TO ORDER

SALUTE THE FLAG

Supervisor Tancredi: The presentation tonight is by Sean O'Donnell and he is going to speak to us about a proposed project on Sheafe Road.

01:09-COW 1 PRESENTATION

By Sean O'Donnell – Concerning
Multi-Family Housing Property on
Sheafe Road

Bill Povall: My client is Sean O'Donnell, who owns a property on Sheafe Road. The property is presently Zoned as Business/Highway designation. His desire is to seek a Zoning change from the Town Board and turn it into a multi-family. The proposal is to build 37 two bedroom apartment units at that location. It is currently vacant and it is next to, I call it a Gymnasium, I'm not sure what it is used for right now, but it is just north of Route 9 on the west side of Sheafe Road, basically across the street from the property that I think is loaned out to the school district for their bus storage. With me is William Povall from Povall Engineering. He is the engineer on the project and we have met with Neil Wilson once and with Jay Baisley and I know Jay has had an opportunity to take a look at the property. We wanted tonight to come forth with some information, only information, it's non-committal, and in fact, in speaking with Neil Wilson, I was trying ascertain what process to engage in order to make it a formal petition or request for a reason and he wasn't quite certain what form that would take and so he suggested doing this as an alternative, which seemed like a good idea. The total property would be about

6.2 acres and it takes into account the acquisition of a portion of the next door parcel, which would be in the nature of a lot line revision or subdivision, which would necessarily involve the Planning Board. The property is currently served by Town water, sewer and the Casper Creek runs through there but the proposed development would not provide a problem based upon the proximity to the Creek. From an architectural point of view, you will see a schematic tonight that does not necessarily represent anything close to the final product. My Planner and his architectural team are very flexible in terms of trying to accommodate what would be the best way to lay out the proposed use. So, that being said, I will also note that the property is currently assessed at \$155,000 and you can multiply that by 10 for this project so it's valued (inaudible) in terms of the Tax value. Right now it is a piece of vacant land. We have a couple of handouts for you (MAPS ATTACHED TO FINAL BOOK COPY) I will turn it over to Bill Povall and let him address this.

Patrick Moore: I'm the Engineer for Sean O'Donnell. With this particular map here, it shows the four acre piece that Mr. O'Donnell owns and then there is an 8.4 acre piece that is for sale right now, near the Casper Creek, and what we've done is show the layout of a 37 units, but we would need to purchase the 2.2 acres adjacent to it to get the amount of land necessary to get the unit count. So, as you can see here, referring to the map, this is the property, this is the townhouse project which is adjacent to this piece and which is consistent as far as use with this parcel and then you have the mobile home park on the corner of Sheafe Road and Spring Street. There is some light industrial to the south and then the Highway/Business continues out to Route 9 to the north. What you have here is a blow up of the two parcels themselves to give you an idea of what the layout looks like. The existing parcel, which is 4 acres is right here, and it is relatively flat here and it spokes off around the sides (referring to the property maps). That is what the 4 acre parcel looks like. Then, our client has entered into an agreement to purchase the 2.2 acres in this area here (referring to map). So, that would make the total parcel 6.2 acres. Then we would need a Multi-Family Residential Zone to allow one unit per 6 units per acre. It would then work out to 37 maximum with the combined parcels. What we've done with this particular layout, which is really our first run through, This is Sheafe Road, the parking in the middle, and the three buildings off to the side. Right now, there is an existing water main on Sheafe Road that would service the parcel and as far as sewer, a new line would have to be run down along Sheafe Road and through an easement along Route 9. Then with this particular plan here, we left room for things like stormwater management, for example. So, again, this was put together to give you an idea of what the potential could be for the first run through and there is a lot of ability here to adjust.

Bill Povall: I think there is a similar project, the recently opened apartment complex up across from the radio station on Pendell Road and that is an aesthetically pleasing place and it's put together well. My client is not here, but I can attest to the fact that he is a very experienced builder. He's built thousands of projects and his capabilities are impeccable and I think Neil Wilson can acknowledge that because he's had some experience with him. I bring that up just to underscore the idea of how flexible with

respect as to how this will look architecturally. The idea of this project is not for Senior Housing, it is to be opened to the general public.

Supervisor Tancredi: Anyone wish to ask any questions?

Councilman Krakower: (Inaudible) So, the stream that runs along between the properties is kind of a natural separation between the structures. (Yes)

Councilman Conte: You said these are two bedrooms and I think you are looking for residents like husband, wife and one or two kids. If you have 37 two bedrooms, is there potential for 74 cars?

Bill Povall: There is actually, in the code, two cars per unit, but you can bank up to 50%. When we originally put this layout together we tried to preserve some open space, but being where we are, we could certainly expand with any further layout, especially with obtaining the additional 2.2 acres. There is a lot of room there to add plenty of parking.

(With new audio system in affect, being able to hear the Councilman speak has been rendered inaudible for the most part. New system will be put in place soon for me to hear clearly, sorry)

Bill Povall (?) – Your enabling legislation provides that after if there is a request for a rezone, you have the right to seek a recommendation from the Planning Board just as to the rezone. We will need a little guidance in that respect, I would imagine that would come from Neil Wilson, but I'm not sure. So, I would ask that the Town Attorney maybe communicate with Neil and let me know what form the Board would like to receive this request in so that we make it conform with us.

The only other thing we have on tonight is (inaudible) we had our year end audit for 2011 and so Jim Wojtowicz, Town Comptroller, has some update. We are still wrapping up 2012 in terms of payments and so.

Jim Wojtowicz, Town Comptroller: Basically, the Supervisor asked me to start with the 2011 audit numbers. Our fund balance for the Town's three major funds, which makes up the levy,

The General Fund, the Part Time Fund, and Highway Fund for 2011 we increased our Fund balance by \$286,000. The Fund balance for the three major funds for the year end was \$530,000. So, that's about 2.3% of a 23 million dollar levy. So, we are still working on that and trying to improve it. Our Fourth major fund is the Town 23 million Water Fund. That improved by \$358,000 in 2011 and the Fund Balance in our Water Fund is over \$5 million. It's the strongest Fund in the Town. The Sewer Fund is partial town is our Sewer Fund. This improved by \$769,000 in 2011 and our Fund Balance for 2011 stands 1.8. It wasn't tool long ago when this Fund was in a negative position. Between the action of the Town Board and the good management, I believe it was Mr. Zani, I believe this fund has turned into one of our strengths. The Fund balance for a year is

the difference between the revenue and expense for any given year. So, for example, the ABD Fund we have a \$23 million revenue, our expenses are balanced in \$23 million or whatever the difference is, it's either a Fund balance if it's positive, if your revenue exceeds your expenses, or negative. So, we would like to continue to get that up. The package before you is 2012 results during December. The year is not complete, we're on an accrual basis, so, we have bills that come in and we pay 2012 bills way into March and the same thing with revenues. For example, Sales Tax, we have gotten three installments in from Dutchess County; we have a fourth one in February 2013 for 2012. The Sales Tax, for example, turn to page 36, the third number from the top, (20) Sales Tax Distribution, you will see we have a budget of \$2.3 million, year to date, we've gotten 1.891, that's 3 checks from Dutchess County that make up the 1.891. I get another check in February that will go into that column. Last December, the fourth quarter is our best quarter for Sales Tax, shopping, etc., we received \$608,000, we exceeded our Sales Tax by \$200,000 if we get 2.5. It's too early to tell. The numbers aren't final. The Departments worked real well on sticking to the Budget. They said, if you don't need it, don't fill up your cabinet with supplies. Earlier, we got a new electric supplier, we got a better deal, we saved 18.6% on electric bills. We are working on a new Purchasing policy, the one we live with dates back to 1979 and was updated in 1992. So, we are working on that.

Pages 1-31 are the five major funds.

Councilman Krakower: (Inaudible) For the most part, everybody came in at or below the Budget numbers, right.

Jim Wojtowicz: Yes, we project that appropriations will come at Budget or better.

Councilman Conte: and Councilman Krakower (inaudible)

Jim Wojtowicz: I'll also mention that vendors are paid timely in the Town of Poughkeepsie. When Todd (Town Supervisor) came in, he feels it is very important to pay vendors on time. He feels if they work for the Town, we ought to pay it. As long as he is charging the correct rates and does the job, we pay the bills. We don't get involved in the Highway Department Business and the snow plowing and roads, it's not our job so Todd (Town Supervisor) says "Mind your own business and pay the bills and so we do that and we pay them on time.

Supervisor Tancredi: Jim, you want to mention the pension retirement? There was an article in the paper about pension payments I think that's important.

Jim Wojtowicz: Yes, the Town will be prepared to pay our NYS Retirement contribution of 3.2 million dollars on February 1st. No borrowing, no financing we have the cash. There was borrowing ten years ago that just came off the books. We were paying an additional \$179,000 a year to finance. Todd (Town Supervisor) doesn't want to borrow for any operating expenses and I support that 110%. So, it's a tough struggle, but will make that payment on February 1st.

Councilman Krakower: What is the total amount of the Water Fund Budget annually?

Jim Wojtowicz: It's about a \$5 million budget.

Councilman Krakower: (inaudible)

Jim Wojtowicz: On page 32 starts the revenues and I would like to go over the major ones. The Mortgage Tax is very good. On page 32 this was budgeted 2.6 million dollars in 2008.

Supervisor Tancredi: Mortgage Tax receivable in 2008 was 2.6 we had reduced that as a result of the economy we had reduced that to \$800,000 in 2012. That's major.

Jim Wojtowicz: The (inaudible) came in at \$183,000. We got two checks from Dutchess County bi-annually. The Courts. I think we had the 16th busiest court in New York State, that's what the Judge keeps telling me. The Budget was \$705,000 in 2011 and now its \$950,000. The Tax Receiver always hits his Budget. The Budget in 2012 was over by \$32,000. Now we have the Credit Cards on line, people are paying (inaudible) On page 36 we talked about Sales Tax. I expect good news there in February. Every payment so far has exceeded our 2011 payment. In 2013 Dutchess County has a new method for sales tax by locking in at a 2009 rate. We have dropped our budget quite a bit.

Supervisor Tancredi: Yes, we are receiving less.

Jim Wojtowicz: Page 36, Franchise Fees. We now have three franchises: Verizon, Time Warner and Cablevision. All three in the Town and we get a quarterly check from each of them, we've got ¾'s booked, and we need about another \$175,000, that's what we are running per quarter. I expect to be on budget here. Page 36, Real Property, next year we were notified that the McCalisters (inaudible) needing less space in the Police/Court Building. We dropped the budget by about \$80,000 now. The difference in there is the Cell Tower rentals which remains strong. On Page 37, the Building Department, the Budget is \$630,000. Tim Sickles tells me that they are pretty much down to \$603,000, we are going to have a \$27,000 short fall there. Zoning is up \$9,000, Planning is up \$27,000.

Page 37: Zoning Budget at \$54,900, they hit \$64,000. The Planning Department Budget is \$67,000 and they are at \$94,000. This is all revenues.

(Speaker Inaudible)(Councilman Krakower ?)

Councilman Conte: I know we've been squeezing since I've been on this Board, It's lately seems like the State and County has been squeezing (inaudible)

Councilwoman Shershin: That did extremely well collecting Recreation fees.

Supervisor Tancredi stated he appreciated Jim Wojtowicz for his work.

COMMITTEE REPORTS

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|---------------------------|--|
| 1. FINANCE | Councilman Krakower: No Report |
| 2. FIRE ADVISORY | Councilman Conte: No Report |
| 3. GOVERNMENT OPERATIONS | Councilwoman Shershin: No Report |
| 4. LAND USE & PLANNING | Councilman Krakower: No Report other
Than we are going to try and
(Inaudible) at Committee Meetings
(Inaudible) |
| 5. PERSONNEL | Councilman Cifone: No Report |
| 6. RECREATION | Councilman Baisley: We are working on
up at So. Gate. It is about $\frac{3}{4}$ done, we
are hoping that Babe Ruth (inaudible)
with no cost to the Town. The Town is
in the process of building it with no cost
to the Town. The Town will be putting
back stops in and Babe Ruth will be
helping us do all the rest of fencing it and
(inaudible) at no cost to the Town. |
| 7. SENIOR CITIZENS | Councilman Baisley: We are glad to
announce that we bought a senior center a
couple days before Christmas and Tom
Meyering is in the process of designing it
with a small committee and hopefully it will
be ready by the middle of summer. |
| 8. TECHNOLOGY & EQUIPMENT | Councilman Eagleton: No Report |
| 9. WATER, SEWER, HIGHWAY | Councilman Eagleton: No Report |

Mr. Armstrong has asked for information on what we've spent on vacant properties and Sarah Davis, the Zoning Administration has informed me that for 2012 we were billed \$6,795 for mowing and brush cleanup and we hope to recoup that through the Tax process, and then the Building Department has reported to me that in 2012 they spent \$31 hundred and 9 dollars on two residents they had to board up and there are three or four others that have been before the Town Board and we are waiting for the expiration time on the cleanup and boarding up.

Councilman Conte: (Inaudible)

Motion made to suspend the rules for Public Speaking: Supervisor Tancredi/J. Conte

Mr. Armstrong: Thank you for the information. The only other thing I have is (inaudible) how much of this year's we've gotten back from the banks, if anything.

Supervisor Tancredi: All goes on the tax bill.

Mr. Armstrong: I understand that, but I was wondering how much we have gotten back. Have we ever received anything back that you are aware of?

Councilman Krakower: (Inaudible)

Councilwoman Shershin: We should have gotten something back. Like the house on Caywood (inaudible) it's up for sale now. Someone went in and redid the whole thing and now it's up for sale.

Councilman Krakower: (Inaudible)

Mr. Armstrong: I also want to say, Gentlemen, this is the first one of these meetings I've come to and I'm very encouraged as to what I've learned. Unfortunately, I wish I could say that about the Fire Department, because we are in the dark. Things aren't explained like this and their attitude is very disconcerting. They had a meeting this last Monday and one of the subjects they brought up and voted on, the majority said they were not going to use the Poughkeepsie Journal any longer for their legal items to be put in. I think that's a disgrace. But, they have an "I don't care what you think" attitude and it's got to stop. They said they probably won't use another newspaper. They didn't like the fact that the paper didn't put enough good articles in there for them or about them. I think that's ridiculous; there is stuff in the paper all the time about what the Fire Department is doing. I have never heard anyone with derogatory comments about the job the Firemen and the volunteers are doing out there on the street. They constantly do a tremendous job.

Supervisor Tancredi: And as a matter of fact, they saved a woman's life in that fire recently.

Mr. Armstrong: Right, we know we have to pay for them to do their job and get equipment, but it's the Board, with their conflict of interest and the attitude of "You can't tell us what to do with money because you don't have a right to vote on it, so we don't care what you think" and that's the impression we have.

Mr. Armstrong continued by saying the Town Board is doing a good job at trying to keep the taxes and economy in tact, and explaining it to the public but the Fire Department is going in the other direction and has the "I don't care attitude" and won't explain anything.

Speaker did not give name: I just want to say how pleased he was as to the way the Town is being run. All the departments and all and this report on the Treasury's report is very good. I think you've done a great job on keeping the revenues down. I have one other concern and that is, we have an Ordinance that says you can't park overnight on the

streets, mainly because of the snow plowing. Out near me there is a car that was parked for about a month. The snow plow has gone around it twice now. Therefore the snow is almost out in the middle of the street. They finally moved the car, but I just want to know what enforcement is there?

Supervisor Tancredi: If you call your Councilman or call my office and let us know what is happening on those days, we will have the Police stop by and take a look.

Speaker: Should I have the Town then come up and re-plow it?

Supervisor Tancredi: Yes, you can call and let them know.

Councilman Conte: It would be a good idea to talk to the guys that are doing the plowing and they see that or recognize that, they should (inaudible)

Doreen Tignanelli: First question is an easy one. What's going on with the monitors? When they were showing the plans before, ever since we've had the new system put in, the monitors don't work.

Supervisor Tancredi: I don't know if they don't work or just not turned on? We will have to check and see, I don't know why they aren't on tonight.

Doreen Tignanelli: Not just tonight, every since the new system was put in.

Councilman Krakower: (Inaudible)

Doreen Tignanelli: My next topic is the Vassar deer kill. I want to see about something I saw that was on a website and was attributed to Supervisor and I want to see if that is accurate.

Supervisor Tancredi: It's not accurate. I spoke to her on it.

Doreen Tignanelli: There was something on here as a quote: "Friends of Animals.Org." they are attributing a statement to the Supervisor Tancredi saying that he expressed disappointment of "Friends of Animals" about Vassar's actions. "The deer killing issues goes against the values of Vassar's (Inaudible) and Tancredi pledged to institute a Town Resolution in the next few weeks to urge Vassar to consider other options besides killing, when Vassar (inaudible) decides again that there are too many on the property."

Supervisor Tancredi: It's not accurate. I did speak to a woman from that organization and I had asked her to remove the comments from the website, and she agreed to, but I don't think that's happened yet. (inaudible) It's not a website some people watch but the only part I can say I've discussed with a Board Member, too is the potential for a resolution to ask Vassar to consider to do something other than their current means of deer management. But, at no time did she ever tell me how I want to quote this on a website. I told her my view or past practice and what I've been used to in this job is if

you are going to be quoted, you ask for a statement for the paper and you give one, but that didn't happen here and I was a little surprised when I saw the quote on the website.

Doreen Tignanelli: I did wanted to verify that, and I also wanted to ask if the Board members would consider some sort of resolution so that this doesn't happen again and I would like to cover a few subjects. Part of what bothers me is the fact Vassar has (inaudible) the way that they are doing this to benefit the community and I filed a freedom of information law request with the City of Poughkeepsie, because that is where it first (inaudible) and in the letter to Mayor John Tyzik Vassar actually says, "Vassar should be perceived be a Good Neighbor for helping the community to deal with this problem". So, they are putting it out there that they are helping the community deal with this problem and they are a good neighbor. But again, there are several problems with that statement. In November info session that they had, a person said they saw a deer the next day in their yard and they said that you can see that the number of deer within the conserve has been reduced, but the number in the surrounding area is still the same. So, that's really not doing anything, in my opinion, then to reduce car/deer accidents or keep people's shrubbery and landscaping and so this is all part of this "good neighbor". They also say in several instances, and this is from their websites, the fact that deer are starving and they looked at their fat content after the kill, and they were in good condition and not starving. The body weights range from 130 lbs. and the heaviest animal was 155 lbs. male and 188 lbs female and so they weren't starving. They are feeding the poor. Ok, one of the issues there is that meat is not USDA inspected. Vassar can't sell that meat or serve it in their cafeterias, but you can give it to the poor! Vassar students are constantly requiring the services of the Arlington Fire District. 10% of the Arlington Fire District calls are Vassar College. Vassar College does not give any money on a regular basis, just occasionally they will, like Marist gives \$130,000. Vassar College had a record shattering one year almost 70 million dollars in pledges and yet they can't give anything to the Arlington Fire District to lessen the burden on the tax payers. One more thing on the Science Building, when you were doing the Comprehensive Plan, a number of years ago, the Vassar Program came to the Town and said "Your wetland buffers are pitiful, they need to be expanded" and they came forward that the (inaudible) buffer should be at least 100 feet in width and they also recommended that the Town avoid granting any variance to the Aquatic Resource Protection Law. So, this is another case of "Do as we say and not as we do." The 125 million dollar Vassar Science Building is being built in a wetland, the footings are in a wetland on the site, and they asked for a variance and having an Aquatic Resource Protection Law granted, so, again, they are not following their own scientific recommendations, but, it's ok, because we are Vassar College and we know what we are doing.

Councilman Krakower: I think Vassar generally closes their front gates. They open their gates and come out and they have institutions they choose to be good neighbors when they need something. Then they close the front gates and shove the community back out. I think people that work at Vassar and students are good people and good neighbors, but as an institution, Vassar chooses to be a good neighbor when it needs something.

Speaker (inaudible)- Vassar College really don't care what we care about what we think about the community surrounding them. I doubt if they are going to care if you make any statement of disapproval of what they are doing unless you say we are enforcing our Ordinance. (She stated that it is illegal and she quoted several sections of the Ordinance) Section 139-3, 139-4M, 139-6 and she asks that the Town carry out the law enforcement in this issue. I think you have a strong basis to tell them they are violating the Town Laws.

Councilman Krakower: (Inaudible) I appreciate the efforts you are making and I'm not in favor of what Vassar is doing here, but I appreciate the fact that (inaudible)

Rob Rubin: Last week I neglected to complement two people who were involved in updating the audio equipment here. Councilwoman Ann Shershin, (inaudible) for the hearing impaired people out there, come to the meetings, it's a great thing. Also, as part of the Historic Preservation Commission, I hope in the very near future, up on the website, there is going to be some very interesting maps.

Supervisor Tancredi: Ok, make a motion to close the meeting: Supervisor Tancredi/J. Conte

CARRIED: 7-0

MEETING CLOSED AT PM

SJM:lkm