

**MINUTES OF A SPECIAL TOWN BOARD MEETING
AND COMMITTEE OF THE WHOLE MEETING
HELD ON MAY 8, 2013 AT 7:00 PM AT TOWN HALL, ONE
OVERROCKER 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

**Motion made to suspend the rules for public speaking on Public Hearing #1:
Supervisor Tancredi/S. Eagleton**

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 7-0**

**Doreen Tignanelli: Will Sean be making his presentation and then we can make
comments or how are you doing this?**

**Supervisor Tancredi: We can have him do that first. Why don't you come up now
Sean and give us any highlights and we will do it that way.**

**Sean : The annual report is furnished to the DEC every year. It is required by every
municipality in New York that has a MS4 Municipal separate storm sewer system
and it mostly consists of pipes, sewer storm catch basins that discharge to waters of
the State. We have four water sheds in the Town of Poughkeepsie, we have the
Hudson, the Fallkill, the Casperkill and the Wappingers. The report indicates the
status of all Town owned stormwater management practices, ponds,
quality control units and mostly from sub-divisions that discharge to waters of the
State. It indicate a status for privately owned storm systems and they have
maintenance records that are required to be furnished to the Town to make sure
they are being maintained properly. There are 620 outfalls in the Town of
Poughkeepsie, every year we try to do about 20%. We did 136 this year and they
were the Hudson and Casperkill Water Sheds. We inspect the outfalls, for any
stains. We look for illicit discharges, any pollution. We check the condition of the
outfalls and any damage that we find with any Town owned property in the system.
We furnish a report to the Highway Department and they go ahead and do the
maintenance. We are involved with the Dutchess County Soil and Water
Committee for public awareness and outreach education. We review swipes for new**

projects. We do inspections for current projects, for erosion control, pollution prevention, inspections of all Town Departments and I could go on and on, but that is kind of a brief overview of the report and this report is due on the 30th of this month and we will send it out before.

Supervisor Tancredi: Is there any concerns or issueS that we ought to be aware of?

Sean: All of our structures seem to be sound. Every privately owned structure has been maintained every five years. An engineer has to go and do an inspection and we've gotten all the maintenance records. The report is a lot of work, but we haven't seen anything that would "Raise the Red Flag" as far as an illicit discharge, which is what the report is really looking for.

Doreen Tignanelli: I will be submitting written comments, but I would like to see better controls, when there are inspections on construction sites and there are recommendations I've seen on the monthly inspection reports by Morris Associates that make recommendations and they are not necessarily followed through with by the Town's Responsible Department. I will detail some of those again, but there are some things that month after month I notice they are on the inspection reports and they are not corrected. There have also been some issues like Tuscany Square Site on the South Road that had some erosion problems and it seems it has gotten past the Town at some point. You heard someone talk about that one time at a meeting and I then contacted the DC and they said in the mean time it had just been corrected and so I think we need to do a better job on those inspections and monitoring to make sure things are done fairly quickly, and have to wait months for that. Then again, the importance of having things on the Town's website is important too, to keep people aware and the Draft Storm Water Management Plan is still from 2010. In the last two years they said they would try to have the 2011 and 2012 Plan out there and that hasn't happened. So, it would be good to have some updates.

Supervisor Tancredi: Sean, can you make sure we get the current updates?

Sean: Sure. The SWMUP, the Storm Water Maintenance Update Plan, we just got a template from Dutchess County Soil and Water, they want to try and make every municipality conform to one template, which is easy to go through, but unfortunately it is a lot of work and so we've been working on that.

Motion made to close the Public Hearing: Supervisor Tancredi/S. Eagleton

ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None **CARRIED: 7-0**

05:08-SM 1 PUBLIC HEARING

**To Accept Public Comment On A
Draft Storm Water Annual Report**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the draft Stormwater Annual Report prepared by the Town of Poughkeepsie Director of Municipal Development; and

BE IT FURTHER RESOLVED, that said report has been filed in the Town Clerk's Office for review and comment by any interested party, and has been posted on the Town's website and

BE IT FURTHER RESOLVED, that on May 8, 2013 a public hearing was held at a regularly scheduled meeting of the Town Board; and

BE IT FURTHER RESOLVED, that the public review and comment period ends at 4:00 PM on May 17, 2013 when all written or oral comments are to be submitted; and

BE IT FURTHER RESOLVED, that the Town Board does direct the Director of Municipal Development to review the comments and prepare for filing the final report which is due June 1, 2013.

SO MOVED: J. Baisley/S. Eagleton

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi**

Nays: None

CARRIED: 7-0

05:08-SM 2 AUTHORIZE

Special Consent Item SC 1

RESOLUTION

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

SC 1. Accept/Authorize Supervisor to Sign

**Banta Stormwater Easement And
Agreement**

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: S. Eagleton/J. Conte

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 7-0**

05:08-SC 1 ACCEPT/AUTHORIZE SUPERVISOR TO SIGN Banta Stormwater Easement & Agreement

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Stormwater Management Facility Inspection and Maintenance Easement in regard to the project known as Banta – 11 – 15 Collegeview Avenue; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign the Stormwater Management Facility Inspection and Maintenance Agreement in regard to the project known as the Banta – 11-15 Collegeview Avenue; and

BE IT FURTHER RESOLVED, that such acceptance and authorization by the Town Board of the Town of Poughkeepsie is subject to the approval of all final documents by the Attorney for the Town, Town Engineer and the Director of Municipal Development for the Town of Poughkeepsie.

SO MOVED: J. Conte/S. Eagleton

STORMWATER AGREEMENT ATTACHED TO FINAL BOOK COPY

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 7-0**

SPECIAL TOWN BOARD MEETING CLOSED AT 7:11 PM

**COMMITTEE OF THE WHOLE MEETING OPENED AT 7:12 PM
MAY 8, 2013**

05:08-COW DISCUSSION

**On Composting/Greenway
Environmental Services**

Shabazz Johnson and Josephine Papagni spoke from Greenway Environmental Services

Shabazz Johnson: I think that the key thing is that this is a discussion and we don't really have a prepared presentation to start it off. Just we would like to get an update to where we are. We've had a walk through with the DEC at the Tucker Drive Site and I think there has been A; we met with Todd yesterday, and there has been a conference call between Board Members and the DEC and just want to get an update as to where we are and what needs to be done from here.

Supervisor Tancredi: Well, as I expressed to you yesterday, we walked with the DEC and then spoke to them as a follow up afterwards and asked them what they felt about the site and whether it is appropriate for our leaves and one of the concerns they had was the size of the property and they don't feel it is large enough to handle our entire fall leaf harvest. They were also concerned about the stream on the west side of the property that there would be no discharges into that stream. There were some questions also about what might be under the soil there since it is in the middle of what used to be a landfill and that didn't seem to be too major of an issue since the plan, I think, you presented to them, didn't involve any digging. But, I think the biggest concern they raised was the size of the property. They would like to have seen it bigger and so I think that puts it back into the Town Board's hands as to whether we want to pursue something on a scale smaller than our fall leaf harvest.

Councilman Conte: Did they present anything in writing?

Supervisor Tancredi: We are waiting, no.

Councilman Conte: I think the best time to have this conversation then, is when we get that in writing and we can see what they want and we can share it with you and hear your comments in reference to their conclusions.

Shabazz Johnson: I would like to see some sort of resolution before it gets too late to do it this year and then it just keeps rolling and rolling.

Supervisor Tancredi: I agree. Sabastian, you've met with the Land Use and Planning Committee in the past, would you like to take up that conversation, once we get the letter from DEC, would you like to handle it through that Committee.

Shabazz Johnson: That's fine with me. At some point though, we are going to have to make a decision whether we are going to reward it to Greenway or do an RFP. We've got to make a decision. But, I'm fine with sitting down with the Committee. I just hope the DEC gives us something quickly so a decision can be made soon.

Josephine Papagni: Todd, you mentioned something also that the site was engineered for 10,000 cubic yards and it seems like the amount that is being estimated has basically almost doubled. So, truthfully, you are right, half could be handled—

Supervisor Tancredi: We checked with the Highway Department today because we wanted to know what our fall harvest is and they confirmed that we do 20,000 cubic yards or a little over.

Shabazz Johnson: Well, Duffy Latten from Deema, I think, I got from Ann, their facilities only approve for 10,000 or less, so, how big is his property vs. the property we are looking to use?

Supervisor Tancredi: I don't know how much land he has.

Josephine Papagni: I can't speak to that, but I'm under the impression it is a huge space, but he does a whole different process. His sits for years and moves, which he has the space to do that. That's my impression, it has to do with your registration and that is only up to 10,000, otherwise you have to go for a permit, which is a very big deal.

Councilman Krakower: Are we effectively, Mr. Latten's only customer? (No)

Councilman Eagleman: Now, the Performance Grant, is that based on a certain amount of production? (Yes) Approximately how much? Is 10,000 enough? (Yes)

Shabazz Johnson: The grant is based on food wastes and 1,000 yards of food waste. So, it is not based on the amount of leaves. We don't mix food waste with leaves, etc. It is technically tricky, but because of the regulations and the way it is regulated, you can mix yard waste with food waste, but you can't mix food waste with yard waste. So, what that means, if you put on your inspector's cap and came to a site that had an odor complaint, the first thing you want to see is where you process your food waste and then you go to that spot and there are wood chips mixed with food waste. The way we do it, and wood chips are in the yard waste category and if there was no odor there, then you would be able to pin point it. The way the regulations are written, really facilitates pin pointing problems and inspecting a site. So, we don't mix leaves with food wastes. As we look at the Grant and as the State looks at the Grant, the goal of it is that the State spent a lot of time looking at the work we did at Vassar and we explained this at some length already, we found that we really did create some innovative techniques and they want to see these techniques expanded. This is an opportunity to kind of "Put their money where their mouth is" in a way and help out the Town of Poughkeepsie in developing the food waste composting and the composting process as well. We are not dependent on the leaves. We do need them because that is actually what we make our product out of and so if you look at the product that we are selling right now, it is top soil

and leave mold compost and the only thing we make from the food waste is Class A high organic top soil, which we may sell to a rail trail.

Councilman Eagleton: How much capacity do you need to sustain yourself economically in terms of the product you sell, how much do you need, and have you figure that out?

Shabazz Johnson: Well, we have been managing with a registration amount of material. That is 1,000 yards of food waste and 10,000 yards of leaves and then the current wood waste at DeGarmo Road, is part of that and so we make a two-fold product out of the wood waste. We make playground mulch out of the hard wood waste and we make just landscaping mulch out of the soft wood.

Councilman Krakower: So, register means a lower threshold you need to meet with the State. So, by registering, the next step up is being permitted. So, by registering you are telling the state that you are taking 10,000 yards or less of leaves and a 1,000 yards or less of food waste and the process is different than the process for permitting, correct? (Yes) To me, registration sounds like you provide all the information and they register you, whereas permitting sounds like you provide all the registration and then they evaluate it and determine whether they are going to issue a permit, is that it?

Shabazz Johnson: No, it's not like that. It has to do with a number of different factors and it has to do with volume. As I understand it, the capacity of the site is 13,000 yards of leaves and so, we are asking for a registration and we went into believing that as the Town's leaf harvest was within the 10,000 yards and so that information is how we tailored the process from start up and that is what made the Tucker Drive site a workable site because the capacity of that site is 13,000 yards and it is 3,000 yards or 30% more than the registered amount we had to handle.

Councilman Krakower: If you are doing 1,000 yards of leaves, what is the threshold before you have to register with DEC?

Josephine Papagni: Fewer than 3,000 you would approach them, show them what you are doing, and then they would give you a letter of exemption if they accept it.

Councilman Krakower: So, doing your own yard or property, you would have to go through DEC to get some sort of approval to do it properly? (Yes)

Example area sites were listed and orally examined and compared with our site.

Shabazz Johnson: We don't grind leaves because you get an inferior product. We process in a better way. Grinding does not add any value to the product.

Councilman Cifone stated that he does not think our site is big enough to have Shabazz's company services us.

Shabazz Johnson: Honestly, you have a good system, we don't have the land in my opinion and in DEC's opinion, I don't want you spinning your wheels and running around, your system will work, but not in the capacity the Town needs and if we do it on a smaller scale, our fees may go up with the other company that we utilize and we could be stuck holding the bag if the company we use raises those fees.

Josephine Papani: We deal with all the farms and they are desperate for organic and for them to get it delivered, at no cost to them, which is part of our offer to you. Otherwise, we could ship that to them, they would welcome it.

Councilman Cifone: The trucking fees alone would cost money.

Josephine Papagni: We gave you all those figures and looking at it, would be \$40,000 a year if every bit of the 10,000 had to be shipped, which you know that is not going to happen, just a little bit, if at all.

Councilman Eagleton: How long is it going to take, DEC is talking about a year for turn around, is that accurate?

Shabazz Johnson: With the system we use, you have to realize, we compost over 500,000 yards of material over at Vassar Farm and it is a permitted facility and we for many years took in 10,000 yards of leaves per year and we managed it on a half acre site. This is not something we are unfamiliar with and not a process you can't see in action today and right now. So, when we believe that we can process that material, receive it in November, blend it up, get our volume reduction and have it cured in March, April, May and June cure for those three months and have it ready for distribution in June, that is the same system we've used at Vassar for many years and we processed all the material that was there at no cost to City, Town or Vassar.

Councilman Cifone: DEC also mentioned that there will be an odor that comes out of this. At times it would be pleasant and at others it will not. The concern is, we have a complex right over there and depending on how the wind blows, and we could be hurting those residents. Vassar Farms is a large area and they have a buffer of trees, we don't have that.

Supervisor Tancredi: The only thing I can attest to as far as odor, I've been in Vassar many, many times and I've never smelled anything.

Josephine Papagni: I think it goes back to the whole grinding mentality because DEC initially promoted that 20 years back and when you grind those leaves, you do get odors. We do not, it's like you are sitting in a bowl and when the leaves are off the trees, I can see in the windows of the people on Zack's Way, that's how close we are.

Councilman Krakower: I think it would make sense to do an RFP as long as DEC doesn't say "No". If the DEC says we can do up to 10,000 cubic yards of leaves or 13,000 at that site, and that's the most anyone else is doing around the County, I think it would make sense to just put the RFP on and see what we get and make a decision. I think we are sort of at that point. Unless DEC sends us something in writing and says, "No, you can't do it or you can only do 5,000 cubic yards" or significantly lower than we need, I think we should do the RFP and make a decision.

Supervisor Tancredi: What I think we ought to do, with Land Use and Planning, take a look at it, once we get the letter, and make a recommendation to the Board and then vote and move forward.

Shabazz Johnson: Here is what I would like to see. There is an opportunity for us to get a different kind of permit, which is an R & D Permit, Research and Development Permit and this permit is a closed/ended. It could be for one full year with a renewal, or it could be for three years and what that would do is allow us to administer the grant, allow you to see our operation first hand and then it would give you a chance to really develop that RFP, because the way it is right now, anyone who watches these meetings, they know what our proposal is. If we were to go into this and be successful, then you wouldn't have to issue any RFP. If we were unsuccessful, then we won't be responding to your RFP and so it just won't be an issue. So, I think that given the publicness of our plans and our proposals that that would be something, because we weren't paid for any of those plans or proposals or time put in, that would be something that we would be satisfied with and then the RFP would not be lost because you would always have that to issue. We would have our opportunity to demonstrate, you would have your opportunity to see and then if there is a problem, there is just a clean break and move everything out and we are done with it and we won't be coming back.

Councilman Eagleton: How long does it take to get that?

Shabazz Johnson: Well, if this is something that the Board supported, we would just go back to the DEC with a new application for an R & D Permit and then we would altogether figure out the volume which we would go for 10,000 yards and the time period which could be one year with a renewal and then we would be reviewing that from a position of experience. We feel confident that we can deliver and once you walk that site with us through that year, you will be comfortable with the process. Because we are innovators and we have developed an advance in composting technology and the State has spend a lot of time and invested in us and in this place and in all of us trying to focus in on solving this problem. It's a problem for every municipality in New York State, but we were the only ones given a grant to address it. So, that investment is something that I think we all should be proud of.

Josephine Papagni: There were 68 applicants.

Supervisor Tancredi: I'll have Jim contact DEC tomorrow and see if we can push the State to move this letter along and as soon as we get it, we will forward it to Councilman Krakower's Committee and they can take a look at it and bring us a recommendation to the Town Board and I agree, everyone has an equal vote. Fair enough? (Yes) Ok, that brings us to the end of our Committee of the Whole and now we will do the Committee Reports.

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 |
| 5. PERSONNEL | Councilman Cifone: No Report |
| 6. RECREATION | Councilman Baisley: We met with Tom tonight at the Recreation Committee and The camp is 88% full now and swimming lessons are 98% full and he is going to discuss with Jim Wojtowicz over the next couple of months to line his budget numbers to be more legible for everyone to read. |
| 7. SENIOR CITIZENS | Councilman Baisley: The update is that the Recreation Center is coming along very well. The inside has been boxed out and they are getting ready to paint it and cut out the windows and there has been work done throughout the building and it is well on its way. |
| 8. TECHNOLOGY & EQUIPMENT | Councilman Eagleton: No Report |
| 9. WATER, SEWER, HIGHWAY | Councilman Eagleton: No Report |

*** Supervisor serves as an ad-hoc member of all Committees, except Finance during budget process.**

Motion made to suspend the rules for public speaking: Supervisor Tancredi/S. Eagleton

CARRIED: 7-0

Doreen Tignanelli: I have a question about something I didn't hear. You said the DEC had a concern about that site due to prior use. Is that what you said?

Supervisor Tancredi: No. I said they would have concern as to what is under the soil because it is part of the landfill.

Doreen Tignanelli: Oh, ok, they were concerned about prior use as a Landfill?
(Yes)

Town Attorney Nelson: It's in the area, they are not sure, right?

Supervisor Tancredi: Well, the map technically shows it kind of in between the landfills, but we suspect it is probably all part of the landfill. Mark was going to do some test digs, but they actually told us they didn't see any reason to do that because the plan, if we move forward, doesn't involve any digging.

Doreen Tignanelli: The site that they had at Vassar that had some problems with hazardous waste and DEC was involved because Vassar did some illegal dumping from their labs. So, there were issues there. That's why they were forced to clean up the site and that's how this all started. I would like to see this project go through. If it can save taxpayers money and you have a chance to be on the cutting edge for some environmentally, friendly disposal practices.

Councilman Conte: I just want to do one real fast. Up here in the Third Ward near Adams, Cherry Hill, Chief I don't know if you can throw any light on this, but I had a chance to call up. I guess there was a structure fire up there where a car hit a gas line apparently and from what I have gathered by talking to people, it was a very good stop on the part of the Arlington Fire Department and the Police were there and it was handled very well and very professionally and I want to thank both teams there.

Councilwoman Shershin: I was at the Arlington Fire District meet on Monday and they wanted to express their appreciation to the Police Department for a good assist and helping to evacuate about 150 people from the apartments.

Councilman Cifone: I ran into some constituents in the Town of Poughkeepsie and they wanted this put on the website: Dutchess Cruisers are sponsoring a Car Show for the Spackenkill High School Class of 2015 May 11, from 10 AM to 3 PM. Free for spectators and \$10 for car entry. Prizes, food, raffles and entertainment and the rain date will be May 18th at the High School and you may call 463-7810 for information.

Councilman Baisley: The Firehouse wants to thank you for last night coming down to the Hamburg Company I Meeting last night. They held a ceremony for three life members and two of them were 50 years and one had 58 years membership and they

are still members and active firemen. Todd came down, a couple of representatives and legislators from the governor's office came down and people from the Fireman's Association came down. These three were non-paid volunteers with over 50 years of service between them and that shows real commitment. And on another note, next Friday the 17th they are doing their annual fire prevention where all of Sheafe Road 5th Grade School Association comes down to the fire house and the Police Department does something and the ambulance and Hamburg will be there with 17 volunteers there to teach the fifth graders fire prevention. Any one on the Board that is available, feel free to come down and see what goes on because they do a great show.

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby adjourn to Executive Session to consider the following matters, to wit:

1. Contract Negotiations
2. Confidential communication between attorney and his client/Town Board based on attorney/client privileges.

BE IT FURTHER RESOLVED, that there will be no action appropriating money.

SO MOVED: J. Baisley/S. Eagleton

**ROLL CALL: Ayes: Councilmen Baisley, Eagleton, Conte, Cifone, Krakower, Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

COMMITTEE OF THE WHOLE MEETING ADJOURNED AT 7:50 PM

TOWN BOARD ENTERED EXECUTIVE SESSION AT 7:51 PM

TOWN BOARD RETURNED TO COMMITTEE OF THE WHOLE MEETING AT 8:15 PM

THERE WAS NO ACTION TAKEN IN EXECUTIVE SESSION

COMMITTEE OF THE WHOLE MEETING CLOSED AT 8:16 PM

SJM;lkm