



**Supervisor Tancredi spoke highly of now Police Sergeant Tompkins and congratulated him on his promotion.**

**Motion made to open Public Hearing #1: Property Maintenance at 44 Wendy Drive: Supervisor Tancredi/Councilman Cifone**

**ROLL CALL: Ayes: Councilman Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 5-0**

**NO SPEAKERS CAME FORWARD**

**Motion made to close Public Hearing: Supervisor Tancredi/Cifone**

**ROLL CALL: Ayes: Councilmen Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 5-0**

**10:15-01 PUBLIC HEARING Property Maintenance – 44 Wendy Drive**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 15, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled “Property Maintenance”, does hereby determine that said property located at 44 Wendy Drive, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6159-04-623180, owned by Cathy and Edmund Ryan, is in violation of Chapter 159; and**

**BE IT FURTHER RESOLVED: that the Legal Notice of Public Hearing was posted on October 1, 2014 and published in the Poughkeepsie Journal on October 3, 2014; and**

**BE IT FURTHER RESOLVED, that said determination is based on the presentation and report submitted at the public hearing by the Town of Poughkeepsie Zoning Administrator; and**

**BE IT FURTHER RESOLVED, that said owner of 44 Wendy Drive has not complied with the Orders to Remedy; and**

**BE IT FURTHER RESOLVED, that the Town shall cause the removal of all solid waste, debris, litter, garden waste, fallen tree limbs and shall cut and continue to cut the grass to a height not to exceed 6 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained; and**

**BE IT FURTHER RESOLVED, that the charges shall be sent to the registered owners of said property for reimbursement; and**

**BE IT FURTHER RESOLVED, that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and**

**BE IT FURTHER RESOLVED, that the Highway Department or an appointed contractor is authorized to cut and continue to cut the grass to a height not to exceed 6 inches and to remove and continue to remove all garden waste and fallen tree limbs, solid waste, debris and litter.**

**SO MOVED: M. Cifone/S. Krakower**

**ROLL CALL: Ayes: Councilmen Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 5-0**

**Motion made to open Public Hearing #2: Supervisor Tancredi/M. Cifone  
CARRIED: 6-0**

**Doreen Tignanelli: I just have a question. Number 2 here says 28 Millbank, but the resolution that was posted online said 6 Magnolia.**

**Supervisor Tancredi: We are going to read 28 Millbank, it was just a mistake.**

**Motion made to resume the rules: Supervisor Tancredi/W. Carlos  
CARRIED: 6-0**

**10:15-02 PUBLIC HEARING Property Maintenance - 28 Millbank  
Road**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 15, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, under Chapter 159 of the Town of Poughkeepsie Code, entitled "Property Maintenance", does hereby determine that said property located at 28 Millbank Road, Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6160-03-685315, owned by Grace A. Colliton is in violation of Chapter 159; and**

**BE IT FURTHER RESOLVED:** that the Legal Notice of Public Hearing was posted on October 1, 2014 and published in the Poughkeepsie Journal on October 3, 2014; and

**BE IT FURTHER RESOLVED,** that said determination is based on the presentation and report submitted at the public hearing by the Town of Poughkeepsie Zoning Administrator; and

**BE IT FURTHER RESOLVED,** that said owner of 28 Millbank Road has not complied with the Orders to Remedy; and

**BE IT FURTHER RESOLVED,** that the Town shall cause the removal of all garden waste, fallen tree limbs and shall cut and continue to cut the grass to a height not to exceed 6 inches, and any continued maintenance thereafter if the premises continues not to be properly maintained; and

**BE IT FURTHER RESOLVED,** that the charges shall be sent to the registered owners of said property for reimbursement; and

**BE IT FURTHER RESOLVED,** that if said costs and disbursements are not reimbursed within thirty (30) days of the bill, said charges shall be added to the next state, county and town tax bill pursuant to the provisions of Section 159-13 of the Town Code and shall become a lien against the property and filed with the Dutchess County Clerk and the Dutchess County Commissioner of Finance; and

**BE IT FURTHER RESOLVED,** that the Highway Department or an appointed contractor is authorized to cut and continue to cut the grass to a height not to exceed 6 inches and to remove and continue to remove all garden waste and fallen tree limbs, solid waste, debris and litter.

**SO MOVED:** S. Krakower/M. Cifone

**ROLL CALL:** Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None **CARRIED: 6-0**

**10:15-03 PUBLIC HEARING** **Property Maintenance – 6**  
**Magnolia Lane**

**WITHDRAWN**

**Motion made to open Public Hearing #4: Supervisor Tancredi/A. Shershin**

**CARRIED: 6-0**

**Supervisor Tancredi:** We have a couple of gentlemen here to discuss the project that's being considered and applied for.

**Tom Meyering, Parks and Recreation Director for the Town of Poughkeepsie, and Scott Williams, Village Grant Writer for Village of Wappingers Falls.**

**Tom Meyering:** Before we start, do you want me to explain a little bit about what the Community Development Block Grant is?

**Supervisor Tancredi:** Yes, briefly, because we are pretty familiar with that.

**Tom Meyering:** Ok, the Community Development Block Grant is a Grant that is administered by the County Planning Department. It has very limited areas where projects are eligible to be undertaken. Generally, those are areas with a low to moderate income in the census block areas. Also, projects for handicapped accessibility, for the elderly. I've reviewed my parks to see if any of them are eligible. I had two that were somewhat eligible, but projects were in Overocker Park and Sheafe Road Park. The projects in those parks had some problems when it comes to the guidelines of the Grant and so speaking with Supervisor Tancredi, we were approached by the Village of Wappingers Falls to join with them in a grant and I will turn it over to Scott to explain this program.

**Scott Williams, Grant Writer for Village of Wappingers Falls:** The project title is "Lower Wappingers Creek, Mid-Hudson River Paddle Sport Center." The Grant is a \$285,000 request from the County to construct a Paddle Sport Center for Kayaking, Canoeing, potentially Crew, Fishing and Paddle Boarding. The facility would be jointly operated through an inter-municipal agreement between the Town of Wappinger whose Board has already passed a resolution to go in on this application, the Village of Wappingers Falls, and the Town of Poughkeepsie. We really feel like we have a one of a kind resource with lower Wappingers Creek. It's calm, shallow and perfect for novice aquatic recreational enthusiasts and there are a tremendous amount of natural resources surrounding the Creek from Reese Park in the Town of Wappingers Falls to all the parks around New Hamburg, highlighted on the map in back of the package in front of you. We feel that through the adaptive use of the Village's old Highway Garage at 105 Market Street along the creek, this building would be turned into this boating Center. Having a structure there dedicated solely for Recreation would do a lot toward getting all of these parks used and the Creek itself more properly utilized.

**Councilman Cifone:** Would this be "Bring your own kayak" or could you rent one there?

**Scott Williams:** The plan is to have rentals, not only rentals, but, tours, lessons. Joe Ennisser from the Greenway Committee has already donated two lockers for kayaks and so right now, assuming we get this grant and we get the building

suitable, it would be your own until the Municipal Agreement is devised and we start to plan the shared recreational program.

**Supervisor Tancredi:** The building is perfectly located, it's right on the creek. You literally walk out the door. It's a very calm area and even I could get out there in a kayak and not get swept in the current and so I think it's a great spot. In terms of municipal cooperation and sharing, the Village and two Towns, we've been at this for a long time through Tri-muni, which many of you are familiar with. Our sewer plant down in the south end and so it would be an extension of that relationship and it's a good work relationship and hopefully the County will see that this is a favorable application and then we can get together and work on an Inter-Municipal Agreement and start the process.

**Councilman Krakower:** I agree, I think it makes sense and it's a good idea to take a resource that is there and bring it to more of the general public because a lot of times, the people who are into that sport will be out there using it, but the rest of the world doesn't even realize that it's an opportunity and so I think it's a good thing.

**Councilman Baisley:** I agree. Beacon also has one and they are doing excellent down there and they are really close to the river.

**Supervisor Tancredi:** I appreciate Scott's work in putting this Grant Application together and we'll keep our fingers crossed and hopefully the County will view it favorably and give us the money we are looking for. Would anyone in the audience like to speak to this Public Hearing? Seeing no one, I make the motion to close Public Hearing #4: Seconded by Councilman Cifone

**CARRIED: 6-0**

**DISCUSSION PACKAGE ATTACHED TO FINAL BOOK COPY**

**10:15-04 PUBLIC HEARING**

**Community Development Block  
Grant 2015**

**RESOLUTION**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF THE FISCAL  
YEAR 2015 DUTCHESS COUNTY COMMUNITY DEVELOPMENT BLOCK  
GRANT PROGRAM APPLICATION WHICH SAID GRANT IS A JOINT  
GRANT WITH THE VILLAGE OF WAPPINGERS**

**Project: Lower Wappingers Creek-Mid Hudson River Paddlesport Center**

**WHEREAS, the Town of Poughkeepsie is participating in the Dutchess  
County Community Development Consortium for the Fiscal Year 2015; and**

**WHEREAS, input from citizens and groups has been received and considered; and**

**WHEREAS, an application has been prepared which addresses our community concerns, and**

**WHEREAS, the Legal Notice of Public Hearing was posted on October 3, 2014 and published in the Poughkeepsie Journal on October 7, 2014.**

**NOW, THEREFORE BE IT RESOLVED, that the Supervisor or his designee is authorized to submit the annexed Dutchess County Community Development Consortium Fiscal Year 2015 grant application; and**

**BE IT FURTHER RESOLVED, that the submission of said application to the Dutchess County Department of Planning and Development be and hereby is authorized; and**

**BE IT FURTHER RESOLVED, that the submission of this grant application is a preliminary process not committing the Town to take action, and it is therefore a Type II Action (617.5(21)) requiring no SEQR review, which SEQR review will be conducted by the participating municipalities prior to a determination to proceed.**

**SO MOVED: A. Shershin/S. Krakower**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**Motion made to suspend the rules for public speaking on agenda items: Supervisor Tancredi/M. Cifone**

**CARRIED: 6-0**

**Doreen Tignanelli: I have a question on #20, to waive the fees for Route 9D Professional Park. It didn't say in the resolution online, how much the fees were.**

**Supervisor Tancredi: I believe they are \$18,000. We will get to that, but we will get to it. Neil, do you know, off the top of your head?**

**Neil Wilson, Development Director: \$10,880.**

**Doreen Tignanelli: Thank you. And, also, in the supplemental material that was on-line, this was called a re-approval of an amended plan, but the plan actually expired on October 15<sup>th</sup>, which is today and it had received it's two 90 day time**

extensions and so I'm not sure how it could be a re-approval, it's going to be considered tomorrow at the Planning Board Meeting and it expired today, I don't know how that would be considered a re-approval.

Supervisor Tancredi: What would you consider it?

Doreen Tignanelli: A new submission. Also, I did see in the Town Code, there were different prices for fees for initial submissions vs. revised submissions and so I don't know if that possibly affects it, but, this expires as of today and I'm not really sure why the fees are being waived anyway.

Motion made to resume the rules: Supervisor Tancredi/M. Cifone

**CARRIED: 6-0**

**10:15-05 WAIVER**

**Liquor License Waiver For YOLO- You Only Live Once, LLC Located at 260 North Road**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby acknowledge receipt of a request from Glen F. Kubista & Associates on behalf of YOLO You Only Live Once, LLC, 260 North Road, 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: Supervisor Tancredi/M. Cifone**

#### **REQUEST ON FILE**

**Supervisor Tancredi: I believe the proprietors are here tonight. I know there were some questions last week.**

**Councilman Cifone: I actually had an opportunity to speak to Joseph, on my left here, I explained to them that we've had some issues in the past with restaurants in that location with alcohol and turning it into a dance night club at night, moving the tables around and going outside the scope of the building permit and so they have assured me that this is not going to happen and they are going to keep it as a very nice restaurant and have light music and the hours of operation are going to be in line with a true restaurant.**

**Dave Gonzales:** You mentioned you spoke to Joseph Barlow. Joseph is our Chef and Enrico Romano. Romano is our Manager and partner as well as Joe. I want to personally thank you for allowing us to come here and explaining what our restaurant is going to be about.

**Mr. Gonzales** has been in the Hudson Valley for over 15 years and assures the Town Board that his restaurant is going to be just that, a restaurant. His main living is owning three dental entities in the Town of Poughkeepsie and he would not jeopardize those businesses. It's going to be an atmosphere that's going to range from about 6 AM to the dinner time (11 PM) because they want something different in that particular area. One of his practices is actually in St. Francis Hospital where the restaurant is near. In close proximity, a lot of people go to the diner nearby. He intends for this to be a very nice higher end place.

**Chef Joe** worked in many of the higher end restaurants in the Poughkeepsie area. He stated he has no interest in being part of a night club type restaurant. He definitely doesn't want any problems with the Town. They will respect the hours we are open to and there will be catered type music and a light jazz piano. No night club, no bouncers and nothing to create a problem.

**ROLL CALL:** Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None **CARRIED: 6-0**

**10:15-07 AUTHORIZE** Chief Mauro, Captain Lecomte, Captain Spero: Agreements

### **RESOLUTION**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute an agreement between the Town of Poughkeepsie and Town of Poughkeepsie Chief of Police Thomas Mauro in substantially the form annexed hereto, and also with Patrol Captain Ronald Spero and Detective Captain Paul Lecomte in substantially the form annexed hereto, except as to base salary and the joint evaluation of the Captains by the Chief and Supervisor, all for the period January 1, 2013 through December 31, 2015.

**SO MOVED: J. Baisley/W. Carlos**

**Councilman Baisley:** I don't think at this point, we are going through the Budget process, we should be passing any contracts or negotiations or anything new, it's a month long process, I don't think we should be passing anything like this at this time.

**Councilman Krakower:** This is pretty consistent with what we've done in the past and we just approved the CSEA Contract ---

**Councilman Baisley:** Prior to the Supervisor's Budget. It's just my opinion, you can go with what you want—I think the three guys do a great job, it has no reflection on them. Just being on the Budget Committee, times are tough, people are losing their houses and I think these issues should be addressed during the budget process when we meet with the Department Heads on a one on one to make sure every penny is accounted for. But, that's my opinion.

**Supervisor Tancredi:** I can respect that. The money is tight.

**Councilman Krakower:** Todd, you put together the Budget, I'm guessing these numbers were something you kept in mind when you put together your budget?

**Supervisor Tancredi:** Yes, this is accounted for in the Budget as with the other contracts we signed, the PBA and CSEA and it is accounted for in the 2015 Budget.

**ROLL CALL:** Ayes: Councilmen Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: Councilman Baisley **CARRIED: 5-1**

**AGREEMENT ATTACHED TO FINAL BOOK COPY**

**10:15-08 SET DATE FOR Budget – 2015**

**RESOLUTION**

**BE IT RESOLVED**, pursuant to and in accordance with the provisions of Section 106 of the Town Law and other applicable provisions of law, the tentative statement of estimated expenditures and revenues heretofore submitted by the Supervisor is adopted as the Preliminary Budget of the Town of Poughkeepsie for the fiscal year beginning January 1, 2015 and such Preliminary Budget is on file in the Town Clerk's Office of the Town of Poughkeepsie for public inspection; and

**BE IT FURTHER RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby set the 5<sup>th</sup> day of November, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, as the date, time and place of the public hearing, on the Preliminary Budget for the fiscal year beginning January 1, 2015, at which time all interested parties will have the opportunity to be heard, which Preliminary Budget was approved by this Board and filed with the Town Clerk; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized, empowered and directed to advertise said public hearing in the Poughkeepsie

**Journal no less than five (5) days prior to the public hearing and to post same on the Town Clerk's bulletin board; and**

**BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.**

**SO MOVED: W. Carlos/J. Baisley**

**Supervisor Tancredi thanked Jim Wojtowicz, Town Comptroller for the work he did on the Budget and the Budget is now in the hands of the Finance Committee.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**10:15-09 APPOINTMENT Substitute Court Attendant- Harry  
Rosario**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Harry Rosario to the position of Substitute Court Attendant, not to exceed 15 hours per week, at the salary of \$15.00 per hour, effective immediately.**

**SO MOVED: M. Cifone/S. Krakower**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**10:15-10 SET DATE FOR PUBLIC HEARING Repeal-No Through Traffic –  
Lawson And Conklin Streets, New  
Hamburg**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 5<sup>th</sup> day of November, 2014 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie NY as and for the time , date and place of a public hearing to consider an amendment to the Town Code, Chapter 195 entitled "Vehicles and Traffic", specifically Section 195-63 Schedule XXVII, entitled "No Through Traffic", which would read as follows:**

**REPEAL: Section 195-63. Schedule XXVII – No Through Traffic, specifically:**

<b>Name of Street</b>	<b>Location</b>	<b>Time Limit</b>
<b>Conklin St. (New Hamburg)</b>	<b>Westerly Direction at at Main Street</b>	<b>Until the completion of the Bridge St. Bridge Repair</b>
<b>Lawson St. (New Hamburg)</b>	<b>Southerly Direction at Reed Road</b>	<b>Until the completion of the Bridge St. Bridge Repair</b>

**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: S. Krakower/M. Cifone**

**Councilman Baisley: Why do we have to do this? It says right on it, until the completion of the project. The project is over, why does it have to go back to a Public Hearing?**

**Supervisor Tancredi: Beats me, you'll have to ask our Attorney that question.**

**Councilman Krakower: I guess we have to take it off the books when the bridge is completed.**

**Town Attorney Nelson: The way it is written now, is that until that happens and I think this memorializes that it's happened and then it takes it out of the Code. You put stuff in the Code, you have to take it out, and this is how it comes out.**

**Councilman Krakower: Does the Police Department or can the Town Board do a "no through traffic" like "no parking" for a period of time, without actually changing a local law?**

**Town Attorney Nelson: I haven't looked at it since the last huge snow storm, and my recollection is that they do have the authority, but it relates to "special" circumstances.**

**Councilman Carlos: Otherwise it has to come to the Town Board.**

**Councilman Krakower: We effectively changed the Town Law and now we have to change it back.**

**Town Attorney Nelson: You take things out, the same way you put things in.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**10:15-11 AUTHORIZE Contract With Troy & Banks-Street  
Light Audit**

**RESOLUTION**

**BE IT RESOLVED, the Town Board of the Town of Poughkeepsie, after considering the Town's procurement policy, and the experience of other municipalities, authorizes the Supervisor to execute a contract with Troy & Banks, Inc. to conduct an audit of the Town's street lighting systems, such contract to be in substantially the form annexed hereto, and the Town Board further finds that it would not be in the best interest of the Town to solicit alternative proposals or quotations for such audit, and**

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

**SO MOVED: A. Shershin/J. Baisley**

**Councilman Baisley: Is this at no cost to us, we get the savings and whatever we save, they get a percent? Is that how they get their money?**

**Supervisor Tancredi: Yes, there is no cost to us, initially. Jim, #2 on the Attachment I think is still wrong. Any savings, the Town is to get 75% and Troy & Banks would get 25%.**

**Town Attorney Nelson: TB is Troy & Banks, Inc.**

**Supervisor Tancredi: Oh, I see.**

**Councilman Krakower: If the kilowatt goes down, we don't actually see it, right?**

**Councilman Carlos: They count the street lights to make sure the bill we get from Central Hudson is for the lights we actually have.**

**Councilman Krakower: What I'm saying is, I could use the same exact electricity this year as I did last year and my cost could go up or down depending on the cost of the electricity. So, is there a savings based on the Kilowatts usage or the overall costs?**

**Supervisor Tancredi: I don't think it's based on Kilowatts .**

**Councilman Krakower:** If the cost of electricity goes down this year, then it may look like we saved money but, ---

**Supervisor Tancredi:** We get charged per light pole.

**Councilman Krakower:** As long as the measurement is well defined, it should be easy. We have all the same lights this year that we will have next year, presumably. So, the savings should be pretty clear. But how is it calculated? If it's based on overall cost---if gas goes from \$4 a gallon to \$2 a gallon, but no one saves me that money---

**Supervisor Tancredi:** I understand what you are saying, we will make sure it is.

**Town Attorney Nelson:** I will make sure that's in there. I discussed several permutations about what happens based on historically and then going forward, but generally it is the savings going forward that have to be the product of something that was done. I did not ask them that basic question, like if rates go down, do you get a cut of that, but I will make sure that they don't.

**This discussion continued for several minutes.**

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

Nays: None

**CARRIED: 6-0**

**CONTRACT ATTACHED TO FINAL BOOK COPY**

**10:15-12 BID AWARD**

**Arlington Wastewater Treatment  
Plant**

**A. Heating And A/C Equipment**

**A.**

**AMENDED  
RESOLUTION**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby award the bid for the "ARLINGTON WASTEWATER TREATMENT PLANT REPLACEMENT HEATING AND A/C EQUIPMENT" to the low bidder Sun-Dance Energy Contractors, Inc. d/b/a Markley Mechanical (\$286,973.00 plus conduit bid alternate of \$29,210.00=\$316,183.00 vs. \$296,750.00 plus conduit bid alternate of \$26,890.00=\$323,640.00), so the total price does not exceed \$316,183; and

**BE IT FURTHER RESOLVED,** that the Supervisor is authorized to execute a contract with Sun-Dance Energy Contractors, Inc. d/b/a Markley Mechanical for

**\$316,183 upon receipt of the required insurance certificate, security bond and other documents specified in the bid package.**

**SO MOVED: Supervisor Tancredi/S. Krakower**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**B. Clarifier Basins Equipment**

**B.**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the “ARLINGTON WASTEWATER TREATMENT PLANT SECONDARY CLARIFIER BASINS EQUIPMENT REPLACEMENT” to the low bidder, Spectraserv, at the bid price of \$482,700, pursuant to the recommendation of the Town Engineer; and**

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

**SO MOVED: J. Baisley/W. Carlos**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**10:15-13 BID AWARD**

**Sanitary Pipe TV Inspections And  
Cleaning**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the “SANITARY PIPE T.V. INSPECTIONS AND CLEANING” to the low bidder, American Underground Services, at the bid price of \$30,108.30, pursuant to the recommendation of the Town Engineer; and**

**BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute a contract agreement with American Underground Services.**

**SO MOVED: W. Carlos/J. Baisley**

**Supervisor Tancredi: Don, can you come up and talk about the length of pipe they are going to inspect?**

**Don Beer:** As I recall, it was somewhere around a \$1 a foot. So, it's somewhere between five and six miles.

**Supervisor Tancredi:** Basically what we are looking for is cracks in the line and try to determine if there is Inflow and Infiltration and so it's something we need to do in a much larger area than what we are starting with here, but this is at least a jumping off point.

**Councilman Baisley:** Don, are you hitting the hard hit areas first? Do we know the infiltration is coming in?

**Don Beer:** Yes, we are in the middle of a seven year plan and we have three areas in the Town, one is the Country Club and we just got a letter from the DEC that said that we are – not quite a consent order, but they are going to put this requirement for us to TV about 4,000 feet of pipe into the SPDES Permit. The other two areas are historically having troubles with a couple of pump stations overflowing and so— just so you know, this isn't going to be IT.

**Supervisor Tancredi:** Yes, this is just a start, but it is at least a start.

**ROLL CALL:** Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None **CARRIED: 6-0**

**10:15-14 RETAIN** Morris Associates – Completion Of  
Country Club Estates Sewer District  
Elimination – Connection

### **RESOLUTION**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby retain Morris Associates for engineering services for the completion of the Country Club Estates Sewer District, Sewage Treatment Facility Elimination – Force Main Connection, at its stated hourly rates, with the total cost not to exceed \$59,000 for design services and \$10,000 for completion and oversight of the subsurface investigation work, and

**BE IT FURTHER RESOLVED,** that the Town Board finds it would not be in the best interest of the Town to solicit alternate proposals, and

**BE IT FURTHER RESOLVED,** that the aforesaid services are a Type II Action requiring no SEQRA review.

**SO MOVED:** M. Cifone/W. Carlos

**Councilman Krakower:** Is this charged just to that sewer district? (Yes)

**Supervisor Tancredi:** All of the numbers were broken down and when we saw the various –

**Councilman Krakower:** So, it's paid by Country Club Estates Sewer District? (Yes)

**Supervisor Tancredi:** Also, we have a required schedule that we have with the DEC and so we are on the schedule and we are trying to meet the schedule and I think we are meeting it at this time. So, this is the continuation of that work.

**ROLL CALL:** Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None **CARRIED: 6-0**

**10:15-15 AUTHORIZE** **Licensing Agreement – Marist Project**

#### **RESOLUTION**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the Temporary Sidewalk/Street Construction License Agreement between the Town of Poughkeepsie and Marist Real Property Services, Inc. to supplement a 2005 License Agreement for Beck Place, in substantially the form annexed hereto, 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 the final agreement by the Attorney for the Town and the Director of Municipal Development for the Town of Poughkeepsie.

**SO MOVED:** S. Krakower/M. Cifone

**ROLL CALL:** Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None **CARRIED: 6-0**

#### **LICENSE AGREEMENT ATTACHED TO FINAL BOOK COPY**

**10:15-16 WAIVE** **Permit Fees For Arlington Fire District**

#### **RESOLUTION**

**BE IT RESOLVED,** that the Town Board of the Town of Poughkeepsie does hereby waive the fees affiliated with the application submitted by the Arlington Fire District pertaining to placement of banners at all four of its stations, a copy of said request is attached.

**SO MOVED: A. Shershin/M. Cifone**

**Councilman Carlos: This is a request of a waiver for the Fire Department to put up banners trying to attract new volunteers. Let me just take a moment of time to say, if you are young and you are concerned about your community, they could certainly use the help. It's really needed, it's very important. I myself, do not have the courage to run into a burning building, but there are people who can and they need the help and so please, contact the Arlington Fire Department and sign up and be a volunteer. Start giving early in life.**

**Supervisor Tancredi: Well, said.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**REQUEST ATTACHED TO FINAL BOOK COPY**

**10:15-17 APPOINT Laurie Tortarella -Water Department**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Laurie A. Tortarella to the full time position of Clerk for the Town of Poughkeepsie Water Department, at the CSEA Grade 4, Step 1 salary of \$16.60 per hour, effective November 3, 2014, which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks, per Civil Service Law.**

**SO MOVED: Supervisor Tancredi/S. Krakower**

**Supervisor Tancredi: It's great to have Laurie coming back to the Town, she left a couple of years ago to seek full time employment, so it's nice to have her back.**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**10:15-18 WAIVE Flea Market – Poughkeepsie Elks Lodge**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the request filed by the Poughkeepsie Elks Lodge to hold a flea**

market on November 9, 2014 at the Poughkeepsie Elks Lodge, 29 Overocker Road, Poughkeepsie, NY and does hereby waive all fees affiliated with said flea market as all proceeds will be used for charitable donations.

**SO MOVED: J. Baisley/W. Carlos**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**10:15-19 WAIVE Permit Fees For New Hamburg  
Fire District**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive any building permit and other fees related to the New Hamburg Fire District's upgrading of its electrical and generator systems as well as constructing an addition on the east side of the station located at 15 Channingville Road, Wappingers Falls, New York.**

**SO MOVED: W. Carlos/J. Baisley**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**10:15-20 WAIVE Application Fees – Route 9D Office Park**

#### **RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive the site plan application fees in reference to the application for re-approval of a Site Plan submitted by Socker Spring, LLC for the project known as Route 9D Professional Office Park, for the reasons set forth in the letter dated September 29, 2014 from Richard Cantor, attorney for Socker Springs, LLC, a copy of which is attached hereto.**

**SO MOVED: M. Cifone/W. Carlos**

**Richard Cantor, Attorney: Route 9D Office Park is a development for office use on Route 9D, just off the intersection of Route 9. It received conditional site plan approval from the Planning Board and the project ran into two significant delays, none of which is attributable to either the fault or the lack of proceeding by the**

applicant. The first of the two problems is that during –There were two time delaying factors. During the SEQRA Process, during the Archeological review a Native American skeleton was found on the property. The applicant has cooperated in a time consuming process with the Town, with the State Office of Parks and Recreation, DEC and with Three Indian Tribes. The agreement was finally signed. As part of the Protocol for doing this out of the respect for Native American Culture was to have Tribal representatives present. Tribal representatives come from as far away as Oklahoma. They were unable to come before the time ran out and the schedule for doing the actual reburial is now in Mid-November. That was one factor.

**Councilman Krakower:** How long ago were those Native American remains—that was quite a while ago wasn't it? How long ago were they were discovered?

**Mr. Cantor:** A couple of years ago. Not long ago. Three years ago

**Councilman Baisley:** It was a long drawn out process even when they found it, they went further on to see if there was any more there.

**Councilman Krakower:** The thing that was sort of strange to me was , we had a police car parked there for a few days and then initially...

**Supervisor Tancredi:** They were not sure what they found. They didn't know if it was human remains.

**Mr. Cantor:** The second problem the project ran into, which also created a delay, was the neighboring property owner was determined to be parking on this property and driving through this property which interfered with the functioning of the approved site plan. One of the conditions of the approval was to resolve the encroachment so that the site plan approved, could be implemented. The neighbor then started an action in local Supreme Court in Dutchess County claiming that they had adverse rights. The process of civil litigation is not quick. The approval process that is going on before the Town Board will modify the previously approved plan so that the modified plan will be able to function, notwithstanding the parking and driving by the neighbors property.

**Councilman Krakower:** So, you think the neighbor filed a lawsuit to kind of bog you down in the mud? Your client, to slow him down?

**Attorney Cantor:** I didn't say that. I assume the neighbor filed a lawsuit because they thought they were correct.

**Supervisor Tancredi:** So, this lawsuit was basically the type of lawsuit, in other words, for land they have been using the property for a certain amount of time and they feel they have a right to continue.

**Attorney Cantor:** The legal term is “Adverse possession”, this started a lawsuit saying “We have a continuing right to do that because we’ve done it for more than ten years and the manner that the law recognizes this right”, and we have been working our way through that lawsuit. We now have a resolution to be presented and hopefully approved by the Planning Board that will obviate that problem. Those two reasons, neither which ---

**Councilman Krakower:** What is that resolution that will obviate that problem?

**Attorney Cantor:** We are proposing to shift the access point for this project by a small number of feet that will avoid the conflict between the access for this project and the encroaching parking and encroaching driveway.

**Councilman Krakower:** Why is it it took two years to come to that simple resolution?

**Attorney Cantor:** Because until we had some understanding with the neighbor that they would accept this solution, we couldn’t implement it because we would still be at loggerheads with the neighbor and so for both of those reasons, neither of which was caused by delay or lack of attention by the applicant for a project which I presume the Town welcomes a fully taxpaying office project, we are hoping that you will authorize the waiver of the fees. The fees were fully paid the first time around. The Town’s consulting fees for this application will be paid under escrow fees.

**Councilman Krakower:** Jim, do we have the authority to waive the application fee for a site plan?

**Town Attorney Nelson:** Yes, the authority to waive fees is to the Town Board and the only question I’ve seen come up is one that relates to equal treatment of people in similar situations.

**Councilman Krakower:** The other question I have, I don’t ever remember having waiving the application fee for a Site Plan. I know we’ve turned down homeowners when they try to get an extension on their Building Permit.

**Supervisor Tancredi:** I think we’ve waived them and turned them down, based on the reasoning. I don’t know whether we’ve done this.

**Councilman Carlos:** Mr. Cantor, in this particular case, you are doing a new submission of the old plan because of circumstances beyond control of the applicant. And you are asking to simply allow the fees that have been paid once, to continue covering this new submission?

**Attorney Cantor:** That’s exactly correct. Stated better than I stated it, thank you.

**Councilman Krakower:** We always potentially open up a slippery slope when we waive things, because everybody will come in here and say it's beyond my control and everyone will come ---

**Councilman Carlos:** Well, if they come in here and tell me they've found remains from an Indian, I think it might be out of their control.

**Councilman Krakower:** But, will that within itself, prevent the project from pulling a Building Permit? Once its site plan approved, you have to pull a Building Permit, right in order to get it rolling?

**Attorney Cantor:** Yes. It precluded the satisfaction of the conditions of approval which precluded the signing of the sight plan; you need a sight plan to get a Building Permit.

**Supervisor Tancredi:** And, just to be clear, if the Planning Board approves the application, as far as you are concerned, these property owners are going to move forward, assuming the Native American Indians remains are removed, this lawsuit settled, they are going to move forward?

**Attorney Cantor:** They are going to move forward, have all the conditions satisfied and they are going to present the site plan for a signature and as with any business manner, they are going to proceed as business permits.

**Supervisor Tancredi:** Neil, I have a question for you. In terms of this project, I don't know if the Town has had a---it doesn't sound like we've done much work in getting to this point because of the conditions that Mr. Cantor has outlined, were there costs to the Town that – The Planning Board gets paid \$35 or \$40 a head for their meetings, I'm wondering if the Building Inspectors etc.----

**Neil Wilson:** Yes. Since the time of the site plan approval 18 months ago, we've been waiting for the applicant to come back with the conditions of approval having been satisfied. They have not and we have now, as Doreen had pointed out earlier today, is the expiration of that original approval, plus two 90 days. So, the waiver of fees, this is the only Board of the Town that can waive fees, you've done it for some site plan approvals usually for like the Fire Departments expansions or something like that, but I don't recall that an application like this has come back to you because usually they go away completely and don't go forward with the project, and everything just expires, or satisfy the conditions of the approval and the chairman signs the drawing, etc.

**Councilman Krakower:** Have we ever waived a fee, I don't recall ever waiving a fee.

**Neil Wilson:** During my tenure, this is a matter for suppression for me as well.

**(THIS DISCUSSION CONTINUED FOR SOME TIME)**

Attorney Cantor clarified that the work that yet needs to be done will be paid for by this applicant through the escrow fees. He stated that the Town would not absorb any of those costs and when this reaches the point to submit for the Building Permit, all of those fees will be paid within accordance of the Town's schedule. There is a de-minimis amount of administrative work that is occasion to the Town by the fact that we are coming in with a revised access. It's regrettable on all sides that we couldn't work out all of these details before today, we tried hard, and the time just didn't fit together, but the Town is not going to absorb any of these expenses. If you tried to coordinate parks and recreation, DEC, and three Indian tribes, you would understand why the time involved. As an aside, the applicant has agreed in this resolution to create a permanent easement on the property for the reburial of the remains on the property at the request of the Indian tribes. There are not going to be any signs or monumentation because they are concerned about vandalism or disrupting of the remains. It will be reburied in a more private location, unmarked location.

Neil Wilson: This took a long time to coordinate. I reached out to the Regional Director of DEC and he put me in contact with the DEC Archeologist who was immensely helpful, but it took a long time to get the parties to the table, to identify, etc.

Attorney Cantor: Just as a point, the (client) spent well in excess of \$50,000 in archeological fees and investigation to reach this point to permit the reburial.

Town Attorney Nelson: Do you want to amend this in the second line where it says, "raise the site plan fees in reference to the new submittal for approval of a site plan---by reason of the discovery of Native American remains as set forth in the letter"?

**AMENDED RESOLUTION**

**BE IT RESOLVED**, that the Town Board of the Town of Poughkeepsie does hereby waive the site plan application fees in reference to the new submittal for the approval of a Site Plan submitted by Socker Spring, LLC for the project known as Route 9D Professional Office Park, by reason of the discovery of Native American remains as set forth in the letter dated September 29, 2014 from Richard Cantor, attorney for Socker Springs, LLC, a copy of which is attached hereto.

**SO MOVED: J. Baisley/ W. Carlos**

**ROLL CALL ON AMENDMENT:**

**Ayes: Councilmen Baisley, Carlos, Cifone, Krakower, Councilwoman Shershin and Supervisor Tancredi**

**Nays: None**

**CARRIED: 6-0**

**ROLL CALL ON AMENDED RESOLUTION:**

**Ayes: Councilmen Baisley, Carlos, Cifone, Councilwoman Shershin and Supervisor Tancredi**

**Nays: None**

**Abstain: Councilman Krakower**

**CARRIED:5-0-1**

**10:15-21 SET DATE FOR**

**Amend Town Code Chapter 110 Fire Prevention**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 5<sup>th</sup> day of November, 2014 at 7:00 PM at the Town Hall, One Overocker Road, Poughkeepsie, NY as and for the date, time and place of a public hearing to consider an amendment to Chapter 110, entitled “Fire Prevention”, specifically Section 110-16, “Licensing of oil and gas and liquefied petroleum gas heating equipment contractors”, which amendment is attached hereto, and**

**SEE ATTACHMENT**

**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: Supervisor Tancredi/J. Baisley**

**Councilman Krakower: Right now we license people that are installing heating equipment? (Yes) You’re going to make them take a standardized test for it.**

**Councilwoman Shershin: Right, instead of a written exam prepared by a Fire Inspector. I have one question Neil. Currently, we don’t charge a fee for this and when they have to take this exam, they will be charged a fee, but by the company administrator, we would have nothing to say about the fee, so do we have to say something in our fee Code?**

**Supervisor Tancredi: It’s not a fee coming to us.**

**Neil Wilson: No, it’s a fee by the testing company. Right now, what we have are three written tests and they are given on a cyclical basis, but they have been the same tests that have been in use for a long, long time and at some point, you’ve got to pass.**

**Councilwoman Shershin:** They've had guys coming in and taking the test and by the fourth time they start catching on.

**Neil Wilson:** --- So, we want to be able to authorize the Fire Inspector to review which test in which testing center gets used periodically. That's the language change that would allow him to do that.

**Councilman Krakower:** I've mentioned this before. I think we need to take a look at our licensing requirements in general. My concern is that we may be too tight with some of these things and too restrictive. The problem with being too tight and too restrictive is that you restrict out competition to the detriment of the taxpayers and residents in the Town of Poughkeepsie. When you license everybody out with a small select group, it creates a situation where the cost of that service goes up very quickly.

**Councilwoman Shershin:** I don't know. We currently have 140 licensed ---

**Councilman Krakower:** But, you are restricting people that aren't local, is generally what happens and that is problematic and I think it's great to use local labor, local talent, and everything if you can. I do think there are times where if the cost is just too high to use local, it's not unreasonable for people to use skilled tradesmen or professionals from out of the area. I know with our Plumbing Code, we require ten years of experience in order to get a Plumbing License. I don't know of any other profession where you need ten years to get licensed and I think some of those things have to be looked at because those have been on the books for years.

**Supervisor Tancredi:** I think that's a great job for the Government Operations Committee.

**Councilman Krakower:** I honestly think we don't want to put our Town or residents in jeopardy, but I think what we are doing is we are driving up the costs of doing business here.

**Supervisor Tancredi:** Who's the Government Ops?

**Councilwoman Shershin:** I think it's me, thanks. Here it's only four years and that you show that you've done ten years of installations, certainly that's more than reasonable. As for the plumbers, in the current environment, there are so many fees and other things that you have to pay, these guys prefer to be journeymen underneath a master plumber and being taken care of. By the time you pay the insurance and licensing fee and everything else.

**Councilman Krakower:** We shouldn't be another layer and level on that. I think we should make sure, ten years of experience, there should be a direct correlation to that requirement and the work that they are doing. Maybe some major

infrastructure jobs it's required, but changing out a faucet or toilet or some of these things,---

**Councilwoman Shershin:** But, you don't need a license to change a faucet or repair a leak. It's in the Town Code. You do not need to have a license to do that. You can do that.

**Councilman Krakower:** But, if you install a bathroom in your house, you need ---

**Councilwoman Shershin:** You need to have a licensed plumber, but to repair a leak or leaky faucet, you do not, the homeowner can change out the sink, the tub, the shower, themselves. Only if you change the pipes.

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: Councilman Krakower CARRIED: 5-1**

**10:15-22 SET DATE FOR Amend Town Code Chapter 210-  
PUBLIC HEARING Zoning**

### **RESOLUTION**

**WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending an amendment to Chapter 210, entitled "Zoning", specifically Article II, Section 210-9, entitled "Definitions", and**

**WHEREAS, the proposed amendment is 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 they, in fact, had been read verbatim; and**

**WHEREAS, the action to amend the Zoning Law is an Unlisted Action under the New York State Environmental Quality Review Act; and**

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

**WHEREAS, the amendments require a public hearing.**

**Now, therefore be it resolved that:**

- 1. The Town Board hereby states that because only the Town Board can consider and adopt changes to the Town Code that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for**

**purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and**

- 2. The Town Board hereby sets a public hearing on the proposed amendments for November 19, 2014, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and**
- 3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and**
- 4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.**
- 5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

**SO MOVED: J. Baisley/W. Carlos**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**AMENDMENT ATTACHED TO FINAL BOOK COPY**

**10:15-23 ACCEPT**

**Town Board Minutes  
August 6, 2014 – Regular Mtg.  
August 13, 2014 – COW Mtg.  
August 20, 2014 – Regular Mtg.  
September 3, 2014 – Regular Mtg.  
September 10, 2014 – COW Mtg.**

**RESOLUTION**

**BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2014 Town Board Meetings, to wit:**

**August 6- Regular Town Board Meeting  
August 13 – Committee of the Whole Meeting  
August 20 – Regular Town Board Meeting  
September 3 – Regular Town Board Meeting  
September 10 – Committee of the Whole Meeting**

**SO MOVED: M. Cifone/S. Krakower**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**10:15-24 AUTHORIZE Special Consents 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:**

**1. Notification The following claim has been referred to the Legal Department**

- 1. RBS Citizens v. Morelli, Town, et al.**

**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: W. Carlos/J. Baisley**

**ROLL CALL: Ayes: Councilmen Baisley, Carlos, Cifone, Krakower,  
Councilwoman Shershin and Supervisor Tancredi  
Nays: None CARRIED: 6-0**

**Motion made to suspend the rules for public speaking: Supervisor Tancredi/M. Cifone**

**CARRIED: 6-0**

**Doreen Tignanelli: Earlier tonight you talked about prohibiting parking in certain areas of the Town and I would like to know what happened, in spite of the Local Law that was passed to prohibit parking on Boardman Road because of the Lourdes games. Friday night, October 10<sup>th</sup>, there were cars parked all over Boardman Road.**

**Supervisor Tancredi: I don't think it's posted yet. I just by mistake, drove through there and I saw the cars parked on the west side of Boardman, Lourdes side and I didn't see the signs. I don't think it's posted yet. I didn't have any trouble getting through. There were no cars parked on the east side. Everyone parked on the grass. I had no trouble getting through. As I said, I just went through by mistake and saw them there. I referred it to the Chief, but I don't think it's posted yet.**

**Councilman Krakower:** It's got to get to Albany to become a Local Law, correct Felicia, (Yes) and then when we get it back, they post the signs.

**Doreen Tignanelli:** But, that was back in August.

**Councilman Carlos:** If the car is not parked on the paved portion of the highway, you can't put a ticket on it. It might be trespassing—

**Supervisor Tancredi;** They were off pretty well.

**Councilman Carlos:** One of the tires has to be on the paved portion of the highway, that's the way it reads.

**Doreen Tignanelli:** Ok, the only other thing, for the Wegman's site, the assisted living on the corner of Boardman and Spackenkill, the DEC did perform an inspection here and they had an overall rating of marginal and they had a number of non-compliance issues and I wasn't sure why it's inspected on behalf of the Town on a monthly basis and why those instances of non-compliance issues were not documented.

**Supervisor Tancredi:** I think that rating is subjective. There were four issues, I have them actually on my desk. One was the entrance they had an issue with, there were two I thought were really ---

**Doreen Tignanelli:** There was construction entrance, erosion, sediment control, soil stockpiles, and sediment basins.

**Supervisor Tancredi:** I don't think the Town felt that it was raised to the level of---

**Councilman Krakower:** Is that a construction entrance on Spackenkill Road? (No) Is that going to be permanent?

**Councilwoman Shershin:** It's where they connected to the electricity, sewer line and water line.

**Councilman Carlos:** Just so I understand this, because this question has come up about enforcement. We pay an engineer to go and inspect construction and they do a monthly report to whom?

**Supervisor Tancredi;** To me and we actually go over it once a month. Today I had a construction report meeting with the engineer and Neil Wilson and we go over that report.

**Councilman Carlos:** Just so I know, then you look at it and it says there is no drainage control, or whatever it is, then ----

**Supervisor Tancredi:** It was DEC that did this based on a complaint.

**Councilman Carlos:** How does the enforcement happen then?

**Supervisor Tancredi:** DEC has to enforce ....

**Councilman Carlos:** No, inside our Town. I'm just concerned about how this step works. In other words, we get a report from the engineer saying these are lacking or not in compliance on these items.

**Supervisor Tancredi:** We aren't getting the reports we are supposed to be getting and that are required.

**Councilman Carlos:** It comes from the Engineer and it goes to the Supervisor who meets with our people, how does it get enforced, does it go to the Building Department and they enforce it?

**Don Beer:** It goes to the Building Department and the Building Department issues a Notice of Violation, the applicant is given an X amount of time to correct it and if they don't correct it, they get fined.

**Supervisor Tancredi:** The engineers can make a recommendation, but it's just that, a recommendation. There isn't any police work, they just make a recommendation, we had a job in Town where we weren't receiving any reports in a timely enough fashion and so they noted it on their report to the Town and we made a decision to issue a NOV, which the Building Department is going to do. The developer will have ten to fourteen days to remedy the situation, if they don't then we issue tickets.

**Don Beer:** Let me address the issues in the DEC Report. First of all, they had an issue. They say the SWIP was not available on site and we have no idea where it came from. Full SWIP is on site, accessible by the public. Was accessible to the DEC and they actually looked at it. So, I'm not sure where in the world that came from. The second issue was, they thought that there should be more siltation ponds on the site. When the engineer designs a SWIP, they use the DEC manual. They have discession on the site to make changes depending upon field conditions and this particular case, they ran into a lot of rock, which of course rock doesn't erode real well in water and so there was no real need to have siltation basins. The DEC warned the applicant and the applicant's engineer went back to the DEC and in his letter he said he didn't agree and he didn't think the basins were necessary. There was a follow up done last Friday with the DEC at the site. The DEC is reiterating their desire for siltation basins and I believe the Engineer has finally agreed that they are going to recommend it to the applicant. That was the second issue and that was something that has gone back and forth. We've been on top of that and looked at it several times. (This subject continued for a few minutes more)

**Joe Armstrong:** Clarify me with this Country Club Estates thing. The Morris Associates and the \$70,000 they are being paid, it comes out of the one million, four, I assume? ( Yes. It's an elimination connection or telling them how it's supposed to be hooked up to the new pipe.)

**Supervisor Tancredi:** It's nothing new, it's all in the numbers you were given, it's just we are starting to get closer to this project being completed.

**Joe Armstrong:** Is it that involved that it cost \$70,000 to make the pipe go one way?

**Mike Cifone** mentioned that it is Fire Prevention Week. He wanted people to know that the Fairview Fire Department and our Town of Poughkeepsie Police Department responded to an accident at Fairview and Cedar where two cars collided at the intersection and the jeep flipped over, a girl was able to climb out of it and the roof was crushed. Our first responders responded very well and just because it is Fire Prevention Week, I would like to give Fairview a shout that they did a great job within minutes of my 911 call. He wanted to say thanks to them and the Police Department for their good job.

#### **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. Confidential communication between attorney and his client/Town Board based on attorney/client privileges.**
- 1. Information relating to the current and future investigation of the prosecution of a criminal offense which would imperil effective Law Enforcement if disclosed.**

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

**SO MOVED:** J. Baisley/W. Carlos

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

Nays: None

**CARRIED: 6-0**

**TOWN BOARD ADJOURNED TO EXECUTIVE SESSION AT 8:40 PM**

**FS:lkm**