

**MINUTES OF REGULAR TOWN BOARD MEETING
HELD ON FEBRUARY 18, 2015 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Tancredi
Councilman Baisley
Councilman Carlos
Councilman Cifone
Councilman Krakower
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore

ABSENT: Councilman Conte

- **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 the Town Clerk's Office

{ } designates corrections or amendments to

7:00 PM

CALL TO ORDER

SALUTE THE FLAG

Motion made to suspend the rules for public comments: Supervisor Tancredi/W. Carlos**CARRIED: 6-0**

Rob Rubin: There are two items I would like addressed, one of them is 02 and I would like if you could provide what standard or justification that Germania rises to that they can ask for the waiver of these fees? Not whether it is done historically, but, what do they have to meet to get that waived and then just a little discussion as you go down further, the Walkway Over the Hudson Agreement, I'm just curious as to why we are involved in that since the Walkway is in the City of Poughkeepsie and not the Town.

Supervisor Tancredi: O.K. We'll discuss that.

Motion made to resume the rules: Supervisor Tancredi/W. Carlos

CARRIED: 6-0

02:18-01 BID AWARD

Spy Hill Generator

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the "SPY HILL GENERATOR" to the low bidder,

Kinsley Power Systems, at the bid price of \$19,095.00, pursuant to the recommendation of the Town Engineer; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute a contract agreement with Kinsley Power Systems.

SO MOVED: J. Baisley/W. Carlos

Councilman Baisley: Todd, do you know if these are the same generators we've been putting in, because we are trying to standardize them all. (Yes)

**ROLL CALL: Ayes: Councilman Baisley, Carlos, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

MEMORANDUM ATTACHED TO FINAL BOOK COPY

02:18-02 APPROVE

Waive Fees – Germania

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby waive all permit fees relating to Germania of Poughkeepsie's Maifest on May 16th and 17th, 2015 and their Oktoberfest on September 11th, 12th and 13th, 2015, pursuant to the request from Germania dated February 1, 2015, a copy of which is attached.

SO MOVED: W. Carlos/A. Shershin

Supervisor Tancredi: Mr. Rubin asked why we consider waiving the fees and we typically have in the past for "NOT FOR PROFIT" Organizations that are something we see as supporting something the Town residents takes part of. Fees are generally exclusively per view of the Town Board whether to impose them or waive them and on occasion we have been asked by Germania and probably a few other organizations like this whether we consider waiving it and mostly assembly fees and things like that for regular events that they have once or twice a year.

Councilman Cifone: It brings a lot of people into the area as well that can shop in our local stores and local gas stations and restaurants along 44 and so I don't have a problem with it.

Councilwoman Shershin: I don't think the fees is that much, I think \$100.

Town Clerk: For Public Assembly, depends on how many people, for 100 people, about \$100.

**ROLL CALL: Ayes: Councilman Baisley, Carlos, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

COPY OF REQUEST ATTACHED TO FINAL BOOK COPY

02:18-03 AUTHORIZE

Dial-A-Ride Agreement

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the 2015 Dial-A-Ride Amendment Agreement with the County of Dutchess, which agreement provides for a joint service transportation system for senior citizens and handicapped individuals with payments made by the Town not to exceed \$68,540.00.

SO MOVED: M. Cifone/S. Krakower

Councilman Krakower: Has that number changed since last year?

Supervisor Tancredi: I don't believe so. If it is, it isn't significant.

Councilman Baisley: I think it was about \$65,000 last year; it went up a couple of thousand.

Supervisor Tancredi: I don't really know, but I do know that we've looked back every other year to try and determine how many seniors are actually taking advantage of this service and I was actually surprised last time we had the discussion, how many rides we do have in the Town of Poughkeepsie and so, it is a service that is really used quite a bit by the seniors. Dial-A-Ride tries to split the Town up into two sections, north and south, and I think the dividing line is primarily Spackenkill Road and it is well used.

Councilman Baisley: I think they have actually bettered the service over the years because they added an extra bus for us that one year, and it's still on there, to take them down to Fishkill once a month to some of the other supermarkets and take them around. We haven't had as many complaints because for a while there, we had complaints about them sitting long, I guess they have addressed that and it's been resolved too.

Councilman Carlos: How do we communicate this to all our seniors?

Supervisor Tancredi: It's something we've had for a number of years. First of all through the Senior Center, it is well publicized, but the seniors also through the

County Senior Program, Office of the Aging, and so it is pretty well published. The north route, they service the Town on Mondays, Thursdays and Fridays and South is Monday, Wednesday and Friday.

**ROLL CALL: Ayes: Councilman Baisley, Carlos, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

**02:18-04 AUTHORIZE Walkway Over The Hudson –
SUPERVISOR TO SIGN Letter Agreement**

RESOLUTION

WHEREAS, Walkway Over the Hudson has requested the assistance of the Town of Poughkeepsie for its 2015 Walkway Over the Hudson Marathon, Half Marathon and 5K events; and

WHEREAS, the request for assistance is part of the ongoing administration of the Town with no new programs or major reordering of priorities that may effect the environment, such that no SEQRA review is required; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute the annexed Letter Agreement with Walkway Over the Hudson.

SO MOVED: S. Krakower/M. Cifone

Supervisor Tancredi: Rob, the reason we are signing on is because they are using a couple of Town roads and they are going to start and end the event at Marist. Come up Fulton, over Fairview and catch the Rail Trail. We had a little presentation last week at the Committee of the Whole Meeting and I think Councilman Cifone volunteered you for the run and we all volunteered to hand out the water for the event. It will be nice for the Town and the entire area. It will bring, hopefully, people to the area who are not otherwise here for the marathon and half marathon. It hopefully will give our restaurants and hotels some business and maybe encourage some of us to run and get into shape. That's kind of the idea behind it.

**ROLL CALL: Ayes: Councilman Baisley, Carlos, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

LETTER OF AGREEMENT ATTACHED TO FINAL BOOK COPY

**02:18-05 AUTHORIZE
SUPERVISOR TO SIGN**

**Stop DWI-Drug Recognition
Agreement**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to sign the 2015 STOP-DWI Program Drug Recognition Expert Amendment and Extension Agreement with the County of Dutchess, a copy of which is attached.

SO MOVED: A. Shershin/S. Krakower

**AMENDMENT & EXTENSION AGREEMENT FOR STOP DWI PROGRAM
ATTACHED TO FINAL BOOK COPY**

**ROLL CALL: Ayes: Councilman Baisley, Carlos, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

02:18-06 AUTHORIZE

**Planning Board Extension On Dalia
Project**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the extension of the Town of Poughkeepsie Planning Board's recommendation on a Senior Housing Overlay District designation for the Dalia Site Plan project to May 22, 2015.

SO MOVED: Supervisor Tancredi/M. Cifone

Councilman Carlos: The fees that are involved in this, do they have to refile the fees if we extend it or do we extend the fees?

Supervisor Tancredi: I don't know if there is a fee to extend it, there may be, I don't know off the top of my head. I think what you are thinking of is what Doreen brought up at one time about a resubmittal. This isn't a resubmittal, it's an extension.

Town Attorney Nelson: There are no fees involved with this or no additional fees. This is, I understand, an extension of time. You are giving the Planning Board some extra time to make their recommendation on this. It's not even an extension of the application itself, it's an internal mechanism.

ROLL CALL: Ayes: Councilman Baisley, Carlos, Cifone, Krakower,

Councilwoman Shershin and Supervisor Tancredi
Nays: None

CARRIED: 6-0

02:18-07 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. Accept Retirement of John E. Simmons

AND BE IT FURTHER RESOLVED, that upon the objection of any member of the Town Board, an item may be removed from the list and voted on separately.

SO MOVED: J. Baisley/W. Carlos

**ROLL CALL: Ayes: Councilman Baisley, Carlos, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi**
Nays: None

CARRIED: 6-0

02:18-SC-01 ACCEPT

**Retirement of John E. Simmons
Highway Department**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept, with regret, the retirement of John E. Simmons from the Town of Poughkeepsie Highway Department, effective February 28, 2015.

SO MOVED: W. Carlos/J. Baisley

Councilman Krakower: I've had the pleasure to work with Jake over the years and like everyone else at the Highway Department, he's done a fantastic job and has always been available and easy to work with. I've always seen him and Mark out there side by side with the guys working and Jake got hurt working out there with the guys and so they've always led by example over there and I'm sad to see Jake go. I wish him good luck in the future with all he is going to do and we, again, have a good Highway over there and so I think we will be good going forward.

Councilman Cifone: I think we all can say the same thing. He is going to be missed and wish him well. I've been over there numerous times when collecting for the troops and he's been supportive and helped me out quite a bit any time I needed a mailbox, he always got it for me.

Supervisor Tancredi: Yes, we are going to miss Jake. He was always at the Transfer Station up front. We wish him well in his retirement.

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

Nays: None

CARRIED: 6-0

Motion made to accept comments on Town issues: Supervisor Tancredi/M. Cifone

CARRIED: 6-0

Doreen Tignanelli: Two meetings back when the DeGarmo Road Bridge project was discussed, the Deputy Commissioner of Public Works from the County was here and I asked about the Town's Wetland Ordinance and he said that he didn't know about the Town's Ordinance and if they had to follow it, but he would check. Has anyone checked or heard anything about that?

Supervisor Tancredi: Yes, I believe we have a Wetland Ordinance and from the discussions I've had, the general feeling is that the County most likely, as a government one step above us, most likely is able to avoid that, for lack of a better term, but we've made them take note of our Ordinance and the section and asked the County Planning and County Attorney to look at it and either get a permit or tell us why they shouldn't have to and we haven't yet heard back from them,

Doreen Tignanelli; It doesn't seem fair that the County can take away sales tax and not listen to or adhere to Town Ordinances. Again, he did say it's an area prone to flooding and they're removing a half acre of trees, the Town has an Ordinance that says there is a 50 ft. buffer for the Wappinger Creek and the fact that nobody bothered to look into that is a little bit troubling and he also just, when he was talking about the trees, he also talked about the avoidance of tree cutting, maybe it won't disturb the bats at that particular time, but still taking down a half acre of trees, I believe it's going to affect the flooding situation and potentially the bat habitats and again, bats eat a lot of insects and West Nile's been on the rise and that shouldn't be taken lightly either.

Councilman Krakower: I think, whether they are legally required to follow our laws are not, I think they should at least make every attempt to do so and be considerate of what our local ordinances are. I kind of got an impression from them that that was what they were going to do. I didn't get the impression that they were

just disregarding us. My feeling from that interaction and what came out after is that their intention is to try and look at it and comply the best they can.

Doreen Tignanelli: Yes, but he said he wasn't aware of it, but that makes you wonder how much research was done and when doing a project like this, are there local ordinances they should be adhering to and does the County trump them?

Councilman Krakower: And again, I've seen other level of governments that we don't have to follow your rules, so we could care less, but, I don't think that's the case with this one. I think they at least took that under consideration. So, in the past, we've not necessarily had that happen. They are doing something for the public good, it's not a developer coming in and I do think they will try their best. They seem to have a plan in place at least to try to address the issue with the bats.

Doreen Tignanelli: Well, the DEC does require because they are an endangered species, that you can't cut trees during the summer months because that is their roosting period.

Councilman Krakower: My impression was that we were being considerate of us as a local municipality.

Doreen Tignanelli: Well, he did say he was going to look into and so I just wondered if they had followed up.

Supervisor Tancredi: Jim, you haven't heard anything have you?

Town Attorney Nelson: I placed the inquiry, but not yet heard back.

Joe Armstrong: This Dial-a-Ride what are the stipulations involved? Are there certain places that people have to pick them up? Can some be picked up at their home, need be, people that are restricted to use it?

Supervisor Tancredi: Yes, seniors have to call in advance and set up a ride. I forget, Dial-a-Ride wants a certain amount of advanced notice.

Councilman Baisley: Doctor's offices are top priority.

Joe Armstrong: There are no real restrictions as to use?

Town Clerk: It says there is a registration process in here.

Councilman Krakower: It's actually a really good service. A lot of my clients are seniors and it helps them get out of the house because without the Dial-a-Ride they rely on their family and friends to give them rides places and it helps seniors keep more active.

Supervisor Tancredi: A lot of it is doctor visits, grocery store and Senior Center, things like that.

Councilman Baisley: They also take you to the Galleria which is a hub for the buses and you take the Dial-A-Ride to the Galleria and then you can take a bus anywhere in the County and come back and they take you grocery shopping and tell you when they will pick you up. The only thing that trumps anything is that if they have a lot of doctor visits that day, the doctor visits prioritize over the shopping trips. They pick you up door to door.

Joe Armstrong: Do they make pick ups at the Senior Center?

Councilman Baisley: Yes, they pick you up, door to door. They take you from your house right to your location and back.

Joe Armstrong: Also, the increase in the sewer costs to residents of the Country Club Estates and I guess the resulting answer was that because of the project being done of redirecting the wastewater from our plant that has out used it's usefulness for one reason or another, that we are starting to be charged that already, before the project is even started.

Supervisor Tancredi: Did you talk to Mr. Wojtowicz?

Joe Armstrong: Yes. But, someone had to make that decision to start charging us before anything got started.

Supervisor Tancredi: I think we have an opportunity to start charging every year when we do the special district fees. We are already doing work in terms of design, they haven't broken ground, but, requiring easements, site work. There is money, not necessarily construction, but—

Joe Armstrong: Well, mine went up well over a hundred dollars. I can imagine some are even more and some less.

Councilman Carlos: Joe, is that for the month or the year?

Joe Armstrong: No, year. The monthly is your usage plus the special district thing you pay for the rest of you life. But, I'm a little bit surprised that we are already starting to be charged for it.

Supervisor Tancredi: But, there are fees that the Town has incurred as a result of this project, so somehow they've got to be paid, and as we have discussed in previous meetings a while back, it is the users of that plant that are going to pay those fees and although there has been no construction done, there has been a number of engineering and surveying and easements required and quite a bit of work going into the project at this point.

Rob Rubin: One of the things I wanted to publicly make a commendation about is the work his Highway Department has done in the two or three snowstorms we've had. His crew has done a heck of a job in getting the roads cleared, salted, sanded and if the other Towns did as good as this, we wouldn't have had delays and cancellations in our school district. So, Marc, you've set a high bar for everyone else to reach.

Councilman Krakower: I've actually said to other people, you can tell when you've come into the Town of Poughkeepsie, because the quality of roads are significantly better in good weather and bad and in snowstorms it a clear indication. You cross over into the Town of Poughkeepsie, the roads are better and safer and our guys are out there 24 hours, constantly. I give them credit because we go to sleep at night, they don't, they are out there constantly out there making those roads safe for the rest of us and that is something most people don't even notice. You look at the road and say they are great, but, these guys are burning the midnight oil.

Supervisor Tancredi: Just on that point, with all the storms we've had, salt has become an issue and so Marc has been burning the phone lines to make sure we have the salt we need, but because it has become a bit of an issue trying to get the salt necessary to salt the road.

Rob Rubin: I have to commend him on something. A few years ago he came by and he had Brian in the trucks and I didn't realize it just smelled like a deli and pickles. Speaking about snow though, I wanted to ask if—some of you may know my wife is handicapped and she has a handicapped parking permit in the various malls and shopping areas she goes to and recently with all these storms, I've noticed that when the parking lots are cleared, where do they pile the snow? They pile it in the handicapped parking spots, which seems to be counterintuitive to what the spots really are and so I wondered if you, Supervisor, could ask for a review to see what the Town might be able to do so that that snow is not put into the handicapped spots.

Supervisor Tancredi: Yes, we will look into that.

Rob Rubin: The last thing I would like to do is make a general invitation. One of the Towns students, Joshua Jordan, he goes to Roy C. Ketchum High School and at the Martin Luther King Breakfast he received a Martin Luther King Award that day and it was a fabulous event and the Wappinger's School Board is going to publicly recognize him this Monday, February 23rd and if anyone like to come. He is one of our Town's students. Great kid. This will be at the Wappinger's Jr. High School at 7:30 PM.

Marc Pfeifer: There is a shortage of salt in the whole area, not just Poughkeepsie, but the entire County. It is a State bid we get and this year it is held by Morton Salt and the Albany Port is out. I was on the phone today with head of the County

today, which is Gary Cooper and even they are short and they have plenty of storage, so it's not a case of they just can't get here. So, we hope, they are going to start pulling out of Newark, New Jersey and it will be coming slower because it is a further run and they can't carry as much weight on the truck coming that far. So, we are probably good for another day or so, if more than that, we are going to be dangerously close to running out of it. We are trying to do all we can to keep everyone safe, but you may notice that we do hills and intersections and leaving the flat areas a bit. Thank you for your compliments, it's been very hard and our guys have been working very hard and it's not easy to do. It's been a bad winter. Hopefully it will warm up.

Councilman Cifone: Marc, the liquid we put out before the storm, that's been working pretty good for us, has it been holding up for us as well?

Marc Pfeifer: Yes, the liquid we have and even if we get right down to it, we have calcium on our trucks that we spray, like Rob says, smells like pickles, but, we can spray sand with the liquid as well, so we will always have something to put out there, but sand doesn't melt, just gives a little traction, the calcium does melt, but depends on the temperature and the temperature hasn't been in our favor. Hopefully it will warm up.

Councilman Carlos: It's a good thing this isn't Boston!

Supervisor Tancredi: I just wanted to make one announcement. The Town this year, and we had mentioned this in a meeting some time back, we had applied to the County through the Community Development Block Grant Program, we teamed up with the Village of Wappinger's and the Town of Wappinger's for a grant and we were awarded a \$242,700 grant for the paddle boat center we discussed down on the lower end of Wappinger's Creek and so that was good news and we are excited about it and we are going to work with the Village and Town and Tom Meyering has already begun doing work in the planning phases and I think this is going to be a great recreational opportunity for our residents and it is good to work with other municipalities in a shared cooperative effort.

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.**
- 2. Discussion regarding two claims.**

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

SO MOVED: J. Baisley/M. Cifone

**ROLL CALL: Ayes: Councilman Baisley, Carlos, Cifone, Krakower,
Councilwoman Shershin and Supervisor Tancredi
Nays: None**

CARRIED: 6-0

**TOWN BOARD RETURNED FROM EXECUTIVE SESSION AT 7:32 PM
NO ACTION TAKEN
TOWN BOARD MEETING CLOSED AT 7:41 PM**