

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

**PRESENT: Supervisor Tancredi
Councilman Baisley
Councilman Carlos
Councilman Conte
Councilman Cifone
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore**

Supervisor Tancredi: Public Hearing #1 is an issue that was adjourned from a previous Board Meeting so; we will take comments, if anybody has any comments on #1 which is the Nuisance, ATV's Limited Use Motorcycles. This is an ordinance that has been discussed previously, I make a motion to open Public Hearing #1. Seconded by Councilman Conte

CARRIED: 7-0

NO SPEAKERS CAME FORWARD

Motion made to close Public Hearing #1: Supervisor Tancredi/Councilman Conte

CARRIED: 7-0

**10:07-01 PUBLIC HEARING/
SET DATE**

**Nuisance, ATV's, Limited Use
Motorcycles, Motorcycles**

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie, having pursuant to a public hearing held on September 16, 2015 and tabled to October 7, 2015 at 7:00 PM, considered an amendment to Chapter 144 of the Town Code, specifically the addition of Section 144, Article II, entitled "Nuisance Vehicles", does hereby close that public hearing, and withdraws and takes no action on said amendment; and

WHEREAS, the Town Board has received modified proposed amendments to Chapter 144, Article II, entitled "Nuisance Vehicles", and

WHEREAS, the modified proposed amendments are attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of

said amendments and does direct that said amendments be spread across the record as if they, in fact, had been read verbatim;

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Town Board hereby sets a public hearing on the proposed amendments to Chapter 144 for October 21, 2015, 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

2. That said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

SO MOVED: J. Baisley/J. Conte

Councilman Cifone: If you don't mind- at the Boards pleasure, I'm going to be out of Town for work that day, so can we do this the following week?

Councilman Conte: Oh, I'm going to be out of Town as well that day, so I will second that.

Amendment made to be held on November 4th instead of October 21, 2015 per Councilman Cifone, and seconded by Councilman Conte.

ROLL CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore, Councilwoman Shershin, and Supervisor Tancredi

CARRIED: 7-0

Councilman Cifone: The changes we had to make were we didn't want to off set and hurt people who were legally riding their ATV's on their property and were being responsible and so what we did was changed a couple of things so people could still ride it if there was a muffler on there and if they weren't disrupting their neighbors and if it was within 700 feet of the property line. So, there were some substantial changes and I would like to be here to address it when it comes up.

ROLL CALL ON RESOLUTION AS AMENED

**Ayes: Councilmen
Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

Motion made to open Public Hearing #2: Supervisor Tancredi/Councilman Carlos

CARRIED: 7-0

Todd Tancredi: This is something by law we have to do each year. It's the Special Districts: Water, Sewer and Special Districts of that order. There are no substantial changes that you should be aware of. Our Town Assessor is here, if anyone does have any questions, but this is something, by law, we have to advertise and we have to do each year, but there are no changes that you would be particularly interested in I don't think, but, motion made to open Public Hearing #2:

A resident from 212 Rochdale Rd. spoke for seven minutes on an unrelated matter. (Her well)

Motion made to close Public Hearing #2: Supervisor Tancredi/J. Conte

CARRIED: 7-0

10:07-02 PUBLIC HEARING

Special District Assessment Roll

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 7th day of October, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt the Special District Budgets as presented for 2016, pursuant to the documentation located in the Town Clerk's Office; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on September 18, 2015 and published in the Poughkeepsie Journal on September 24, 2015.

SO MOVED: W. Carlos/M. Cifone

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

CARRIED: 7-0

Motion made to open Public Hearing #3: Supervisor Tancredi/Councilman Conte

CARRIED: 7-0

"Daniel Wade, Attorney with Law Firm Roziki/Roziki Associates and I represent City Mortgage who is the mortgage company on this property that recently

completed a foreclosure sale on September 3rd, 2015 which resulted in the property being sold to a third party, (names inaudible) . My client has taken this matter seriously. I spoke with them today. They have actually solicited for bids to have the work completed to make the remediations to the property that are necessary. They have received those bids during the process of submitting those bids for approval, once that is done, they intend to have their property preservation department go out to the property and make the necessary corrections to alleviate this violation.”

Sarah Davis: I do have photos and I also spoke to the maintenance company today, Safe Guard, and they are aware that it is sold, however, the bank has not received payment in full and so they are still maintaining it. But, the maintenance person that went there to do the work, won't do it for the money that was allowed so he went back to them and it's going out to bid again. There is hope it will be done in a week, but---

Supervisor Tancredi: Primarily we are talking about tall grass?

Sarah Davis: Yes and there is a big pile of debris next to the building.

Supervisor Tancredi: What kind of debris?

Sarah Davis: Not raw garbage. Furniture, couches and those kinds of things.

Daniel Wade: And those are pretty common items that are left over after a foreclosure and like I said, our client is receiving bids to have that removed and they do expect to have that approved very shortly. We would ask for a continuance for an adjournment for 30 days to make sure we can approve those bids and take care of the issue for the Town.

Supervisor Tancredi: What I would like to do, if we can, I would like to approve this and our problem and from my point of view, we have neighbors in this neighborhood that are taking care of their homes and whether they go through the expense to care for their homes or they pay someone to do it, it's taken care of. I would like to approve this tonight as written and I would like to give you two weeks to get the work done. I'm not willing to give you 30 days. If it's not done in two weeks, from my point of view, I would authorize us going in and getting done what needs to be done.

Town Attorney Nelson: You are authorizing, including the Public Hearing and authorizing Sarah to act and asking Sarah to hold off the acting for two weeks so the bank can get in there and finish what it seems to be they are intending to do, is that right? (Yes)

At the end of this, if somebody just makes a verbal motion to authorize Sarah to wait two weeks.

Motion to close Public Hearing #3: Supervisor Tancredi/W. Carlos

CARRIED: 7-0

10:07-03 PUBLIC HEARING Property Maintenance – 45 Pleasant Lane

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 7, 2015 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 45 Pleasant Lane, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6259-01-183966, owned by Michael and Marissa Veaudry is in violation of Chapter 159; and

BE IT FURTHER RESOLVED, that the Legal Notice of Public Hearing was posted on September 22, 2015 and published in the Poughkeepsie Journal on September 25, 2015; 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 45 Pleasant Lane 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: J. Conte/J. Baisley

SUPERVISOR TANCREDI: I would like to amend the resolution to authorize Sarah to wait two weeks before any enforcement action, and that would be until October 21st.

Seconded by Councilman Conte

**TWO WEEK GRACE PERIOD TO WAIT BEFORE
ACTION BEING TAKEN**

**ROLL CALL ON AMENDMENT: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

**ROLL CALL ON AMENDED RESOLUTION: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

Motion made to open Public Hearing #4: Supervisor Tancredi/J. Conte

CARRIED: 7-0

Fran Landau (neighbor of the property) spoke, and there was brief discussion.

Supervisor Tancredi: I make a motion to close this Public Hearing #4. Seconded by Councilwoman Shershin

CARRIED: 7-0

10:07-04 PUBLIC HEARING

**Property Maintenance – 14 East
Dogwood Drive**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on October 7, 2015 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 14 East Dogwood Drive, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6160-03-001097, owned by Deutsche Bank National Trust Co. is in violation of Chapter 159; and

BE IT FURTHER RESOLVED, that the Legal Notice of Public Hearing was posted on September 18, 2015 and published in the Poughkeepsie Journal on September 24, 2015; 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 14 East Dogwood Drive 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: M. Cifone/J. Conte

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

CARRIED: 7-0

Motion made to open Public Hearing # 5: Supervisor Tancredi/J. Conte

CARRIED: 7-0

Wayne Cichon, Deputy Building Inspector: As you know, we took some unilateral action based on an immediate need at this property to get an exterminator company in there. We brought Craig Thomas in. I spoke at length to the inspector and he reinforced what really needed to happen at the location and they were willing to do this and we ordered it and had it done. The property was treated outside and inside and that was before the removal of the property by the eviction process that went on there. So since that happening, there has been other communications that Todd and I have both received from a company that is going to be performing maintenance on the property. They have been there, they have removed the hot tub and the pool out of there. As Sarah told you, they promised to cut the grass within 48 hours. Securing the building was certainly one of the things that concerned the Town Building Department because anyone could litterly just walk in the door. I have not been back to verify other than when the treatment was done, whether or not this maintenance company has actually secured the building which is why I am here tonight to make sure that we can at least get this enacted to just ensure and safeguard the Town that we can take action if needed, just like we had to do with the extermination process.

Supervisor Tancredi: I agree with you Wayne and I agree with Joe. You did a great job on this. We tried to act quickly and we did and I appreciate your thorough work on this. Is there anyone here to speak to this Public Hearing?

Motion made to close Public Hearing #5: Supervisor Tancredi/J. Conte

CARRIED: 7-0

10:07-05 PUBLIC HEARING

**Unsafe Building – 14 East
Dogwood Drive**

RESOLUTION

WHEREAS, by Resolution 9:16-#SC 2 of 2015 adopted on September 16, 2015, the Town Board of the Town of Poughkeepsie has determined that the building on the premises (“Building”) located at 14 East Dogwood Drive, Town of Poughkeepsie, County of Dutchess, State of New York, bearing Grid No. 6161-03-001097 (the “Premises”) owned by Deutsche Bank National Trust Co. Trustees, SW 3815 Temple, Salt Lake City, UT 84115, is dangerous and unsafe to the general public, open at the doorways and windows, infested with insects, accessible to and a haven for vagrants, trespassers, crime suspects and illegal activity, and that they are unsanitary and present a health, fire and public health hazard and

WHEREAS, the Town Board adopted the Report regarding the Building and directed the issuance of an Order and Notice requiring the demolition of the Building and the setting of a Public Hearing regarding the Order and Notice; and

WHEREAS, said Order and Notice of a Public Hearing has been served and posted, which Order included a direction that the required work begin immediately and must be commenced not later than thirty (30) days from service of the Order and Notice and be completed no later than sixty (60) days thereafter, and gave further notice that on failure to timely comply, the Town Board is authorized to secure or demolish and remove the Building and assess the expense thereof against the Premises as a special ad valorem levy under Town Law Article 15 and to institute a proceeding to collect the expenses of such work, and

WHEREAS, the Town of Poughkeepsie has in the Order and Notice reserved its right to proceed more rapidly with the remediation of this site if it is required pursuant to Town Code Section 71-12, and

WHEREAS, that the Legal Notice of Public Hearing was posted on September 18, 2015 and published in the Poughkeepsie Journal on September 24, 2015; and

WHEREAS, said Public Hearing has been held this day, now therefore

BE IT RESOLVED, that in the event that the owner has not timely commenced or completed the demolition, the Town Board of the Town of Poughkeepsie authorizes and directs the Building Department to demolish and remove the Building by Town employees or by the contractor making the lowest price proposal to the Town consistent with Town Code Section 71-10, and to thereafter assess against the Premises and levy and collect the expenses of same as provided in Article 15 of the Town Law for the levy and collection of a special ad valorem levy, and

BE IT FURTHER RESOLVED, that this work is enforcement proceeding and is therefore a Type II Action which is exempt from environmental review under 6 NYCRR 617.5(c)(29).

SO MOVED: J. Lepore/J. Baisley

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

Nays: None

CARRIED: 7-0

**Supervisor Tancredi: I'd like to make a motion to open Public Hearing # 6:
Seconded by J. Conte**

Supervisor Tancredi: This is a community block grant that we typically, this line for these programs used to be drawn down the middle of Main Street and so if you drive down Main in Arlington, you find the south side had relatively new sidewalks, lighting and some trees and the north side never received any funding, that's because we couldn't access this program for that work but now they have now since, based on a new assessment moved that line so we can apply for the north side and so we are going to apply for \$150,000.00 grant and sometimes we get the full amount and sometimes we don't get anything and sometimes in between, but we will keep our fingers crossed and our plan is to do work along the north side in terms of sidewalks, some decorative lighting to match what has been done in Arlington elsewhere and some trees where we can put them in.

Motion made to close Public Hearing # 6: Supervisor Tancredi/J. Conte

CARRIED: 7-0

10:07-06 PUBLIC HEARING

**Community Development Block Grant
Program**

RESOLUTION

**A RESOLUTION AUTHORIZING THE SUBMISSION OF THE
FISCAL YEAR 2016 DUTCHESS COUNTY
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION**

PROJECT: "Main Street Sidewalk Improvements"

WHEREAS, the Town of Poughkeepsie is participating in the Dutchess County Community Development Consortium for Fiscal Year 2016, and

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

WHEREAS, an application has been prepared that addresses our community concerns; and

WHEREAS, that the Legal Notice of Public Hearing was posted on September 18, 2015 and published in the Poughkeepsie Journal on September 24, 2015; and

NOW THEREFORE BE IT RESOLVED, that the Dutchess County Community Development Consortium Fiscal Year 2016 application for the Town of Poughkeepsie including the certifications included therein by and hereby is approved, 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 work involved is part of the Town’s ongoing administration and a Type II Action requiring no SEQR review.

SO MOVED: A. Shershin/J. Conte

Councilwoman Shershin: Yes, this is actually working, moving in a very positive direction. We are having some new businesses coming in and there is going to be some renovations to the buildings in sections of Main Street. This is all moving in a positive direction to make this a more inviting community to new businesses and attract people into the area.

Councilman Conte: Yes, definitely!

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

CARRIED: 7-0

Motion made to open Public Hearing #7: Supervisor Tancredi/M. Cifone

CARRIED: 7-0

Nine residents spoke and two letters were read.

10:07-07 PUBLIC HEARING

**Town Code Amendment – Chapter
195 Lindbergh Place/Darrow
Place**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 7th day of October, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Town Code, Chapter 195, entitled “Vehicles and Traffic”, specifically Sections 195-51. Schedule XVI: “Parking Prohibited Certain Hours”, 195-41. Schedule VI: “Prohibited Turns at Intersections”, and 195-39, Schedule IV: “One-Way Streets”, as follows:

DELETE: Section 195-51. Schedule XVI: “Parking Prohibited Certain Hours”:

NAME OF STREET	SIDE	HOURS	LOCATION
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Lindbergh Place	North	7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m./Monday to Friday	From Innis Ave. to North Grand Ave.
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DELETE: Section 195-41 Schedule VI: "Prohibited Turns at Intersections":

NAME OF STREET	DIRECTION OF TRAVEL	PROHIBITED TURN	HOURS	AT INTER-SECTION OF
Lindbergh Place	West	Left	7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m./Monday to Friday	Innis Ave.

ADD: Section 195-39. Schedule IV: "One-Way Streets":

NAME OF STREET	DIRECTION OF TRAVEL	LIMITS
Lindbergh Place	East	From Innis Avenue to North Grand Avenue and eastbound only

ADD: Section 195-51. Schedule XVI: "Parking Prohibited Certain Hours"

NAME OF STREET	SIDE	HOURS/DAYS	LOCATION
Darrow Place	Both	8:00 a.m. to 5:00 p.m./Monday to Friday	East side and west side including the cul-de-sac

AND BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on September 18, 2015 and published in the Poughkeepsie Journal on September 24, 2015; and

BE IT FURTHER ENACTED, 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 ENACTED, that said local law shall become effective immediately upon filing with the Secretary of State.

SO MOVED: T. Tancredi/J. Conte

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

Nays: None

CARRIED: 7-0

A brief discussion on Resolution #7 commenced.

Supervisor Tancredi read the rest of the Agenda.

Motion made to suspend the rules for public comment. S/B. Carlos

Joe Armstrong spoke re: 10:07-24 (Country Club Estates Sewer Plant)

Doreen Tignanelli spoke re: 10:07-23 (Town Code Amendment/New Hamburg)

**A discussion ensued for clarification purposes. See the video on You Tube at
approx. 1:07-1:12.**

**Mark Pfeifer (Highway Superintendent) spoke regarding earlier speaker's concern
about her well. (Rochdale Rd.)**

Motion made to resume the rules: Supervisor Tancredi/J. Conte

CARRIED: 7-0

10:07-08 AUTHORIZE

**Dutchess Community College –
Traffic Control Agreement
Extension**

THIS ITEM WAS ADJOURNED TO A MEETING IN THE FUTURE

**10:07-09 SET DATE FOR
PUBLIC HEARING**

**Town Code Amendments-
Chapter 154 And Chapter 105 –
Plumbing**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of October, 2015 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 amendments to the Town of Poughkeepsie Code, relating to plumbers' licenses at Chapter 154, specifically, Article IV, Section 154-27, entitled "Examination of applicant", and Chapter 105, specifically Section 105-4, entitled "Fee schedule", which amendments are as follows, with the words underlined to be added, and those words stricken to be deleted:

Section 154-27. Examination of applicant.

A person desiring or intending to conduct the trade, business or calling of plumbing as set forth in this Article shall be required to submit to an examination as determined by the Building Inspector before the administrative authority as to his or her experience and qualifications for such trade, business or calling. ~~Examinations will be scheduled three times annually.~~

Section 105-4. Fee schedule.

...

O. Chapter 154, Plumbing.

(2) Plumber's examination fee: \$200 (\$100.00 payable to examining company.)

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie determines that this action is a Type II Action and does further determine that no further environmental action is required; and

BE IT FURTHER RESOLVED, that said local law, if adopted, shall take effect immediately upon filing with the Secretary of State.

SO MOVED: J. Baisley/W. Carlos

Councilman Cifone: I think this is a good thing the Plumbing Board has done. You made it easier for plumbers to get their license going through a company and you can get it on a weekly basis.

Councilwoman Shershin: Yes, it is available weekly, you just have to be able to go to White Plains or to Albany and Piersonview is the Company we are using now and also the company that the heating contractors have been taking the test and we've had several heating contractors successfully complete tests there and nobody has had any complaint. We now have four applicants lined up to take the test. This also clarifies some of the concerns Todd had and we are going to leave the actual decision of what tests to use up to the Building Inspector.

Supervisor Tancredi: The fee is whatever the company is charging?

Councilwoman Shershin: The company is charging \$100 for the test.

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

Nays: None

CARRIED: 7-0

**10:07-10 AUTHORIZE
SUPERVISOR
TO SIGN**

**Liturgical Publishers Agreement –
Senior Center Newsletter**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee to sign a two (2) year agreement with Liturgical Publications, Inc. (LPI) for the publication of the Town's Senior Center newsletter at no cost to the Town, with LPI to be compensated based on the advertising revenue it generates, which agreement shall be in a form acceptable to the Supervisor and shall provide that the content will be exclusively within the Town's control, the Town will not be required to solicit advertising, and that it may be cancelled by the Town on one (1) year's notice or upon the giving of notice in the event that advertising which is unacceptable to the Town is carried, and

BE IT FURTHER RESOLVED, the Town Board accepts the recommendation of the Recreation Director that it would not be in the best interest of the Town to solicit alternative proposals or quotations for such service; and

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

SO MOVED: W. Carlos/J. Baisley

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

Nays: None

CARRIED: 7-0

10:07-11 NOTIFICATION

**The Following Claim Has Been Referred
To the Legal Department**

- 1. Fairview Fire V. Town/Dalia**

REFERRED TO LEGAL DEPARTMENT

10:07-12 RATIFY

**Retain Van DeWater & Van DeWater –
Fairview Fire V. Town/Dalia**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the retaining of Van DeWater & Van DeWater, LLP at the hourly rate of \$185.00 for Partners, \$155.00 for Associates and \$65.00 for Paralegals, to represent the Town's interest in a proceeding instituted by the Board of Fire Commissioners of the Fairview Fire District, et al.

SO MOVED: J. Conte/M. Cifone

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

CARRIED: 7-0

10:07-13 ACCEPT/AUTHORIZE

Roslyn Realty/Easement/Sale

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute such documents as are required to agree and effect the acquisition from Roslyn Realty, LLC of a certain temporary easement (\$97.00 per year), plus related costs and tax proration's, which acquisition is part of the Country Club Sewer District Decommissioning Improvement Project; and

BE IT FURTHER RESOLVED, that this is a part of an ongoing improvement project which has previously been the subject of a SEQR review.

SO MOVED: M. Cifone/W. Carlos

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

CARRIED: 7-0

**10:07-14 ACCEPT/AUTHORIZE
SUPERVISOR TO SIGN**

Kerr Road, LLC/Easement/Sale

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute such documents as are required to agree to and effect the acquisition from Kerr Road, LLC of a certain easement (\$2,005.00) and temporary easements (\$418.00 per year) plus related costs and tax proration's, which acquisitions are part of the Country Club Sewer District Decommissioning Improvement Project; and

BE IT FURTHER RESOLVED, that this is part of an ongoing improvement project which has previously been the subject of a SEQR review.

SO MOVED: J. Lepore/M. Cifone

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

CARRIED: 7-0

**10:07-15 ACCEPT/AUTHORIZE
SUPERVISOR TO SIGN**

**MVK/Easements/Sale/Advanced
Payment Agreement**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor to execute such documents, including but not limited to the attached Advance Payment Agreement, as are required to effect the acquisition from MVK Enterprises, Inc. of two (2) certain permanent utility easements (\$4,524.00) and temporary easements (\$150.00 per year pro-rated), plus any related costs and tax proration's, which acquisitions are part of the Country Club Sewer District Decommissioning Improvement Project; and

BE IT FURTHER RESOLVED, that this is part of an ongoing improvement project which has previously been the subject of a SEQR review.

SO MOVED: A. Shershin/M. Cifone

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

CARRIED: 7-0

10:07-16 ACCEPT

**Certificate Of Attendance
A. Carl Whitehead
B. John Weisman
C. Benedetto Paganelli
D. Richard Davison**

10:07-16A Carl Whitehead

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificates of Attendance for Carl Whitehead from the Dutchess County Planning Federation, for the courses entitled "Land Use Planning for Solar Energy" and "Zoning for Solar Energy", copies of which are attached, and

BE IT FURTHER RESOLVED, the Town Board confirms Mr. Whitehead's attendance of an eight (8) hour course at Pace on form based codes (FBC 101).

SO MOVED: Supervisor Tancredi/J. Conte

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

CARRIED: 7-0

CERTIFICATE ATTACHED

10:07-16B John Weisman

Certificate of Attendance

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for John Weisman from the Dutchess County Planning Federation, for the course entitled "Zoning for Solar Energy", as copy of which is attached.

SO MOVED: J. Baisley/W. Carlos

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

CARRIED: 7-0

CERTIFICATE ATTACHED

10:07-16C Benedetto Paganelli

Certificate of Attendance

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Benedetto Paganelli from the Dutchess County Planning Federation, for the course entitled "Zoning for Solar Energy", a copy of which is attached.

SO MOVED: W. Carlos/J. Conte

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

CARRIED: 7-0

CERTIFICATE ATTACHED

10:07-16D Richard Davison

Certificate of Attendance

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Richard Davison from the Dutchess County Planning Federation, for the course entitled “Zoning for Solar Energy”, a copy of which is attached.

SO MOVED: J. Conte/W. Carlos

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

CARRIED: 7-0

CERTIFICATE ATTACHED

**10:07-17A NOTIFICATION
CONSENT**

**Notice of Lead Agency – Dutchess
Golf Club**

Attached please find a SEQR Lead Agency Declaration of Intent Notice dated September 21, 2015 as authorized by the Planning Board for the above referenced project.

This notification is for information only and no response is required. No required action of the Town Board has been identified for this project in the Planning Board application for Minor Subdivision approval dated August 21, 2015.

The Town Board may comment on relevant areas of environmental concern to be considered during SEQRA review of the proposed action.

Please place this item on the next available Town Board agenda. Optional comments are requested by October 14, 2015.

NOTED BY TOWN BOARD

10:07-17B CONSENT OF LEAD AGENCY-BMW OF THE HUDSON VALLEY

RESOLUTION

BE IT RESOLVED, the Town Board of the Town of Poughkeepsie does hereby consent to the Town of Poughkeepsie Planning Board acting as SEQR Lead Agency for the project known as BMW of the Hudson Valley – Parking Lot Improvements Site Plan, 2064 and 2068 South Road, Poughkeepsie, New York, Tax Parcel Nos. 6159-03-418429 and 445442.

SO MOVED: M. Cifone/J. Conte

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

CARRIED: 7-0

**10:07-18 AUTHORIZE
SUPERVISOR
TO SIGN**

**Route 9D Office Park Documents
a/k/a Socker Spring Park, Inc.**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Stormwater Maintenance Easement in regard to the project known as the Route 9D Professional Park; 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, Sidewalk Easement and Maintenance Agreement and any supporting recording documents in regard to the Route 9D Professional Park, in substantially the form attached; 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 Town Attorney, Planning Board Attorney, Town Engineer and the Director of Municipal Development for the Town of Poughkeepsie.

SO MOVED: J. Lepore/M. Cifone

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

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

10:07-19 AUTHORIZE

**Croft Corners Halloween Parade
To Be Held On October 31, 2015
At 3:00 PM (Line-up at 2:30)**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the application submitted by Gerard Philipp and does hereby grant approval to the Croft Corners Volunteer Fire Company to hold its annual Halloween Parade on Saturday, October 31, 2015 at 2:30 PM, which parade will start at Spackenkill Todd Middle School parking lot, and proceed South on Croft Road, West onto Schoolhouse Lane and end at the Croft Corners Firehouse at 7 Spackenkill Road; and

BE IT FURTHER RESOLVED, that the Town Clerk is in receipt of a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured.

SO MOVED: A. Shershin/M. Cifone

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

CARRIED: 7-0

**10:07-20 SET DATE FOR
PUBLIC HEARING**

**Town Code Amendment – Chapter
210-33 Neighborhood Business
Districts**

RESOLUTION

WHEREAS, the Town Board has received a communication from the Director of Municipal Development regarding an amendment to Section 210, specifically 210-33, Article VI, entitled “Neighborhood Business (B-N) District” of the Town Code; and

WHEREAS, a copy of the proposed amendment is attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendment and does direct that said amendment be spread across the record as if it, 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 amendment requires 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 amendment for November 4, 2015, 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 Town Planning Board for an advisory report pursuant to Section 210-154 of the Town Code.**
- 5. The Town Board directs the Town Clerk to notify the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: Supervisor Tancredi/J. Baisley

Supervisor Tancredi asked Neil Wilson to give an overview.

Neil Wilson: These are actually some items that we discussed back in the May meeting that the Memorandum Board recommended. We have a number of these small properties scattered around Town. They are small commercial properties like delicatessens and pizzerias and diners and things like that. They've been whatever they've been for many, many years. For the most part, they are all zoned for R-20 and a number of attempts to restart some of these uses. There was a use variance submitted for 131 Route 9G, Violet Avenue that was actually successful and there were a couple of other ones that were never pursued, but these are also properties that at some level were also providing a commercial service to people in the surrounding residential neighborhoods, they are not large commercial operations. So, we had made a recommendation that these properties be sort of collectively rezoned to Neighborhood Business, which is exactly what they are functioning as for the most part. So, we are sort of doing them in en masse and that was the recommendation that was discussed back at the main meeting. One that fell off the list from the main meeting was the Fairview Men's Club. I talked to Councilman Cifone, we were going to just leave that as R20 and so that is the only one of that original group that came off.

Supervisor Tancredi: We have these broken out into two resolutions and you are speaking of

Neil Wilson: Right. So, that is the Zoning Map change. Now, the text change to the Neighborhood Business District, right now we don't allow outdoor dining facilities within the B-N District and it's something we've kind of wrestled with over time and the Planning Staff feels that there are certainly instances where this is desirable where you can have outdoor seating without being disruptive of the residential neighborhood around it, so, the recommendation is, to allow for outdoor seating in the B-N Zones and of course it's all subject to the standards of outdoor seating that we added a couple of years ago to our Code. The other thing is the Code right now for B-N allows for accessory apartments, but its archaic language in the sense that it has to be owner occupied. Probably the best case is 22 Delaval Avenue on the corner of North Grand. It was purchased several months ago and the fellow has been making a lot of improvements to it and has done a very nice job, but there are apartments up overhead that, under the Code he could only occupy them as the owner and I'm sure this is language that was carried over from a prior code we never updated that language in 2007. There is certainly demand for these small apartments. Of all the properties on this list, there are only three that are actually multi-story, 22 Delaval and two on Salt Point and again, they are subject to the standards for the accessory apartments in terms of the size of the units and how they get occupied, appropriate parking, etc. We believe that the owner occupant requirement should come out and I think that would certainly help address some of the need for these small accessory apartments. So, that's the text change portion of the B-N we are talking about. I broke them out into two resolutions and you will be voting on them separately.

Councilman Cifone: The reason Fairview Men's Club was taken out, in case you forgot- it's definitely a residential neighborhood and I didn't want a grocery store going in there and selling alcohol and all college kids next door and that's the reason why.

CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None

CARRIED: 7-0

AMENDMENT ATTACHED TO FINAL BOOK COPY

**10:07-21 SET DATE FOR
PUBLIC HEARING**

**Town Code Amendment – Chapter
210-11 Neighborhood Business
Districts**

RESOLUTION

**WHEREAS, the Town Board has determined that pursuant to Article III,
Section 210-11 of the Town of Poughkeepsie Zoning Code certain zoning**

designations currently applied to town properties as outlined in the attached amendment should be changed to Neighborhood Business (B-N) District; and

WHEREAS, the action to amend the Zoning Map 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, amending the Zoning Map requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

- 1. The Town Board hereby sets a public hearing on the proposed zoning map amendment for November 4, 2015, 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**
- 2. 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**
- 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 clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: J. Baisley/W. Carlos

**CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

**10:07-22 SET DATE FOR
PUBLIC HEARING**

**Town Code Amendment – Chapter
210-60 Business Parks**

RESOLUTION

WHEREAS, the Town Board has received a communication from the Director of Municipal Development regarding an amendment to Section 210-60, entitled “Business Parks” of the Town Code; and

WHEREAS, a copy of the proposed amendment is attached hereto and incorporated herein and the Town Board does hereby waive a verbatim reading of said amendment and does direct that said amendment be spread across the record as if it, 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 amendment requires 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 amendment for November 4, 2015, 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 Town Planning Board for an advisory report pursuant to Section 210-154 of the Town Code.**
- 5. The Town Board directs the Town Clerk to notify the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn.**

SO MOVED: W. Carlos/J. Conte

Neil Wilson explained that this pertained to signage at Business Parks. Members of the Board asked questions for clarification.

**CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

10:07-23 SET DATE FOR
PUBLIC HEARING

Town Code Amendment – Chapter 195-50
No Standing – To Allow For the Delivery/Pick-
Up to New Hamburg Residents

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of October, 2015 at 7:00 p.m. 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 amendments to the Town Code, Chapter 195, entitled “Vehicles and Traffic”, specifically “Section 195-50. Schedule XV: No Standing”, which amendments are to add to Section 195-50. Schedule XV the underscored language and delete the ~~stricken~~ language, as follows:

Schedule XV

All Town owned streets and roads west of the westerly terminus of the Bridge Street Bridge between Reed Road and River Road from 6:01 p.m. to 7:59 p.m. Monday through ~~Saturday~~, Sunday. This restriction shall not apply to passenger vehicle parking as otherwise permitted, or to otherwise legally operated commercial vehicles which are standing while engaged in the pick up or delivery of merchandise or property at a Residence, Restaurant or Café, Place of Religious Worship, Marina, or a Retail Business which primarily provides merchandise or property to retail customers at the Retail Business site. Capitalized terms are as defined in the Town Zoning Law.

AND BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does determine that pursuant to 6 NYCRR 617.5C(20) and (27) this action is a Type II Action requiring no environmental review; and

BE IT FURTHER RESOLVED, that said local law, if adopted, shall become effective immediately upon filing with the Secretary of State.

SO MOVED: J. Conte/W. Carlos

Councilman Baisley moved to make an amendment it be changed to put that back to Saturday, not Sunday.

Amendment Moved by Jay Baisley Seconded by Councilman Cifone

CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi

Nays: None

CARRIED: 7-0

Councilman Carlos: The clarification starts with the next word **THIS** where we list through the different things that can happen, so that's the clarification that we are originally talking about.

Supervisor Tancredi: Yes, I agree, I don't have a problem including Sunday at some point, if we want to do that, but that is the clarification we are talking about.

CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None

CARRIED: 7-0

10:07-24 BID AWARD

Country Club Estates Sewer Plant

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby award the bid for the "COUNTRY CLUB ESTATES SEWER SYSTEM CONNECTION AND TREATMENT PLANT ABANDONMENT" to the low bidder, Clove Excavators, Inc., at the bid price of \$764,250.00, with the alternate bid of \$10,000 to cover additional expenses, pursuant to the recommendation of the Town Engineer; and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute a contract agreement with Clove Excavators, Inc.

SO MOVED: M. Cifone/W. Carlos

CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None

CARRIED: 7-0

MEMORANDUM ATTACHED TO FINAL BOOK COPY

10:07-25 RATIFY

**Supervisor's Signature – Dutchess
County Public Transit Agreement**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Supervisor's execution of the Bus Stop Sign Amenities Inter-Municipal Agreement with the County of Dutchess, copies of which are attached.

SO MOVED; J. Lepore/J. Conte

**CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

AGREEMENT ATTACHED TO FINAL BOOK COPY

10:07-26 RETAIN

**Morris Associates-Country Club Sewer-
Construction Inspection**

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; STP Facility Elimination and Force Main Connection – Construction Inspection Services, at its stated hourly rates, with the total cost not to exceed \$67,000 for engineering tasks for Construction Inspection Services, 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: A. Shershin/W. Carlos

**CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

CONTRACT ATTACHED TO FINAL BOOK COPY

**10:07-27 SET DATE FOR
PUBLIC HEARING**

**Property Maintenance – 15 Wilmar
Terrace**

RESOLUTION

WHEREAS, Orders to Remedy, copies of which are attached hereto, have been issued for property located at 15 Wilmar Terrace, Town of Poughkeepsie, State of New York, pursuant to Chapter 159 of the Town of Poughkeepsie Town Code; and

WHEREAS, said Orders to Remedy have not been complied with, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of October, 2015 at 7:00 p.m. 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 a recommendation from the Zoning Administrator that the Town or its contractor remove and as needed continue to remove all garden waste and fallen tree limbs, cut and continue to cut the grass to a height not to exceed 6 inches, and remove and continue to remove all solid waste, debris and litter, all at the above property, so it will not become overgrown and unsightly, the cost of which work shall constitute a lien and charge on the above real property until paid, satisfied or discharged and shall be collected in the same manner as other Town charges.

SO MOVED: Supervisor Tancredi/M. Cifone

Councilman Baisley: I would just like to say that this property is very overgrown. I know we've passed them without a problem in the past. I won't be here on the 21st but I hope you will pass this. The next door neighbor just got Lymes Disease from this property. There was never an issue with any of the neighbors over there, but the property owner had some bad times and he just abandoned the house and the grass is as high as the fence.

**CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

ORDERS TO REMEDY ATTACHED TO FINAL BOOK COPY

**10:07-28 SET DATE FOR
PUBLIC HEARING**

**Property Maintenance-
11 Darlene Drive**

RESOLUTION

WHEREAS, Orders to Remedy, copies of which are attached hereto, have been issued for property located at 11 Darlene Drive, Town of Poughkeepsie, State of New York, pursuant to Chapter 159 of the Town of Poughkeepsie Town Code; and

WHEREAS, said Orders to Remedy have not been complied with, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of October, 2015 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 a recommendation from the Zoning Administrator that the Town or its contractor remove and as needed continue to remove all garden waste and fallen tree limbs, cut and continue to cut the grass to a height not to exceed 6 inches, and remove and continue to remove all solid waste, debris and litter, all at the above property, so it will not become overgrown and unsightly, the cost of which work shall constitute a lien and charge on the above real property until paid, satisfied or discharged and shall be collected in the same manner as other Town charges.

SO MOVED: J. Baisley/W. Carlos

**CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

ORDERS TO REMEDY ATTACHED TO FINAL BOOK COPY

10:07-29 SET DATE FOR PUBLIC HEARING Property Maintenance – 40 Rochdale Road

RESOLUTION

WHEREAS, Orders to Remedy, copies of which are attached hereto, have been issued for property located at 40 Rochdale Road, Town of Poughkeepsie, State of New York, pursuant to Chapter 159 of the Town of Poughkeepsie Town Code; and

WHEREAS, said Orders to Remedy have not been complied with, now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 21st day of October, 2015 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 a recommendation from the Zoning Administrator that the Town or its contractor remove and as needed continue to remove all garden waste and fallen tree limbs, cut and continue to cut the grass to a height not to exceed 6 inches, and remove and continue to remove all solid waste, debris and litter, all at the above property, so it will not become overgrown and unsightly, the cost of which work shall constitute a lien and charge on the above real property until paid, satisfied or discharged and shall be collected in the same manner as other Town charges.

SO MOVED: W. Carlos/J. Conte

**CALL: Ayes: Councilmen Baisley, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin, and Supervisor Tancredi
Nays: None**

CARRIED: 7-0

ORDERS TO REMEDY ATTACHED TO FINAL BOOK COPY

**10:07-30 AUTHORIZE Intermunicipal Agreement With
SUPERVISOR TO SIGN Spackenkill School District**

RESOLUTION

WHEREAS, the Town of Poughkeepsie applied for and received a \$63,000.00 shared services grant from the County of Dutchess for the purchase of a light snow and ice control truck with necessary equipment, the use of which will be shared for ice control (salting) by the Town of Poughkeepsie and the Spackenkill School District; and

WHEREAS, the Town of Poughkeepsie has executed a Grant Agreement with the County of Dutchess and a Purchase Order for the truck and equipment, and is required under the Grant Agreement to enter into an Intermunicipal Agreement with the School District, and to conduct public information sessions, and report on the outcome of the grant to Dutchess County; now therefore

BE IT RESOLVED, that the Supervisor is authorized to enter into an Intermunicipal Agreement with the Spackenkill School District consistent with the terms of a the Grant Agreement with Dutchess County and in substantially the form annexed hereto as Exhibit A; and

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

SO MOVED: J. Conte/J. Lepore

Councilman Lepore: Who is going to drive for the School District if they need it? Are they going to drive it themselves?

Supervisor Tancredi: No, it will be Town personnel. This is to salt their parking lots.

Councilman Lepore: So, we share the truck expense and then---

Supervisor Tancredi: Yes, and in the winter months, we are going to salt their lots. They need the truck at times in the summer months to move soil for their fields and things like that and that will also be shared at that point.

**10:07-SC 1 SET DATE FOR
PUBLIC HEARING**

Unsafe Building – 83 Marple Road Ext.

RESOLUTION

WHEREAS, the Building Department of the Town of Poughkeepsie has pursuant to Town Code Section 71-5 submitted an Unsafe Building Investigation Report dated October 1, 2015 to the Town Board of the Town of Poughkeepsie regarding 83 Marple Road Extension, Town of Poughkeepsie, County of Dutchess, State of New York, Tax Grid No. 6162-20-972068 (“the Premises”), the owner of record being Zoological & Ecological Research Foundation, Inc., 740 Stepney Road, Easton, CT 06612, showing that the Premises and the building on it are dangerous and unsafe to the general public, open at the doorways and windows, infested with insects and animals, accessible to and a haven for vagrants, trespassers, crime suspects, and illegal activity, and that they are unsanitary and present a health, fire and public health hazard; now therefore

BE IT RESOLVED, that the Town Board of Poughkeepsie does hereby waive a verbatim reading of the attached Report and does hereby adopt said Report and directs that they be spread across the record as if they, in fact, had been read verbatim; and:

**BE IT FURTHER RESOLVED, that a Public Hearing on the Order and Notice, including the recovery, levy and collection of Town expenses as an ad valorem levy will be held before the Town Board on October 21, 2015 at 7:00 p.m. at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY.
SO MOVED: J. Baisley/W. Carlos**

Councilman Conte: I don’t know if you got this packet, you can see some of the pictures and one of notes he puts in here it says it’s been vacant for more than ten years and so, obviously Tim has done a great job with this and I’m appreciative of him.

Supervisor Tancredi: We’ve gotten, of late, in particular, been getting calls from the neighbors and so that’s kind of what has moved this along and so we will keep this moving forward as quickly as we can.

Councilman Conte: I won’t be here, but I totally support it for October 21st.

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

Nays: None

CARRIED: 7-0

Supervisor Tancredi: Motion made to suspend the rules for public speaking on Town issues. Seconded by J. Conte

CARRIED: 7-0

Jim Greaves, Peter Mack & Roy Stengel-residents of Overocker Rd. spoke at length about their concerns regarding the Malabar/Vic's Garage/Arlington Farms -Zoning Variances and Special Use Permits.

Joe Armstrong spoke regarding Agenda Item #17-BMW and the proposed Hardee's.

Doreen Tignanelli commented on previous comments regarding the Zoning Board of Appeals.

Supervisor Tancredi made a motion to resume the rules and then to adjourn the meeting. Seconded by Councilman Carlos

CARRIED: 7-0

MEETING CLOSED AT 9:24 PM

FS:lkm