

numbers are in, but, we've certainly been moving in that direction in the last three or four years.

Doreen Tignanelli: Ok, so there is not a specific budget line for that deficit? (No) Ok, then, there was also another finding that said "The Town has not repaid back it's borrowing of monies before the end of the fiscal year and the Town may be borrowing money from different tax basis without charging interest." So, the recommendation was that the Town should approve a formal resolution for borrowing between funds in order to pay it back. So, a previous response from the Town was that there would be no more borrowing and that a plan would be in formulated to insure repayment. So, is repayment of those funds part of the 2016 budget?

Supervisor Tancredi: Not that I'm aware of, no. Interfund transfers that happened a number of years back aren't taking place any longer. There isn't a number in the 2016 Budget to repay those. It is our feeling, for the most part, and the Comptroller is here and can comment if he disagrees with me, but, I think any inter fund transfers that had taken place, were Town wide funds and so it's more of an accounting issue than I think an issue that we would be upset about or concerned with. But, I don't think we've talked about that formally.

Doreen Tignanelli: Ok, the last one was, I didn't see it in the budget and so I'm not sure it's happening. There was a repayment agreement between the Town of Poughkeepsie, which was brought up in a prior audit, and HUD funds were to be repaid because of salary costs for Town employees, HUD money was used for that, and it wasn't allowed, so, is there a specific budget line item to pay that back.

Supervisor Tancredi: Yes, it's being paid back each year. I think the agreement with HUD was five years and this is going to be the third year of that agreement and it's, I think, \$50,000 a year. So, it is in the budget, yes.

Doreen Tignanelli: I couldn't find it, do you know what Budget Line?

Supervisor Tancredi: Jim, you have to come up and we can point to the Budget line.

Town Comptroller Wojtowicz: The A fund got in trouble, believe it or not, it was a mortgage tax issue and it goes back to 2008. Our mortgage tax was coming in to about 2 million dollars a year. The bottom fell out and we've been recovering every year since 2008 and so we are chipping away and hopefully will be in a surplus by 2016. We are budgeting and we make a payment of \$4200 every month to HUD. It is budgeted in two different places. A13150482 and in the General B Fund under B13150482 \$25,680. The Budget calls to pay back \$51,000 over five years each year.

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

CARRIED: 7-0

Supervisor Tancredi: Councilman Baisley is the Chairman for the Finance Committee and so I am going to turn it over to him for the recommendations that the Finance Committee is making concerning the Supervisor's Budget.

Councilman Baisley: First of all, we've met with probably 75% of the Department Heads over the last couple of weeks. Some of them two and three times and, as Todd and most of the Board Members know, and most of the people that come to these meetings, that we take this Budget every year down more and more and just about in every spot we possibly can and it's no longer chipping away at thousands, it's chipping away at hundreds and Todd started his budget early on in the year and every year it makes it harder. He does a good job and we had a hard time going through this, but we went through and we made some changes and moved some around, but basically it leaves his budget a thousand dollars different out of the whole thing. We just moved some numbers around and put some things in different spots, cut back on a couple of little spots and changed a couple of permit fees and hardware for Courts and different things like that, not a lot of big items. Jim Wojtowicz will read through them all, there is not a lot of big changes at all.

Jim Wojtowicz: First one is Town Clerk expenditure reclass, we are going to decrease A1410.0410 Permits, \$100. We are going to increase Town Clerk A1410.1404 Books, literature, publications by \$100. I believe the Clerk wanted to be sure we had enough money to pay the Poughkeepsie Journal. #2 is Supervisor and is an expenditure reclass and also a salary adjustment. We are going to decrease A 1220.0404 dues and association fees \$200. We are going to decrease A 1010.0481 contracted services \$1,000 and we are going to reduce A12200422 Travel reimbursement \$192.00. Then we offset that with increases to A1220.0101 Regular Pay \$1200 and increase A1220.0811 Social Security \$92.00 and then also increase A1220.0402 Office Supplies \$100. That's a neutral entry.

Councilman Baisley: The initial was to give the Supervisor a raise and put a raise in his budget to keep his position semi-competitive. He should be working along the same percent increases as everyone else.

Jim Wojtowicz: Number three is our Courts. It's an expenditure reduction. After review, we decided to decrease A1110.0204 Computer Hardware \$1000 and that decreases the A1315.1001 the Real Property Tax by \$1,000. #4 Tax Receiver Salary adjustment. We are going to increase A1330.0101 Regular pay \$3,420 also increase A1330.0811 Social Security by \$262.00. Offsetting decrease to A1620.0461 Telephone billing \$2000.00. A1620.0481 Contracted Services Building \$1,000. A1355.0112 Part time in Assessing Department \$600 and A1355.0811 reduction of social security in Assessing by \$62.00.

Councilman Baisley: Now in there is just a raise for the tax receiver being that her position many years ago when Catherine Crane was here and replaced, they cut Geoff Patterson's position by over \$5,000 and being it is one of the lowest paid department heads in the Town Hall and probably carries the most money in Town

Hall, we felt in order to make this a competitive position, try to get it back up to what it was is part of the \$5,000.

Jim Wojtowicz: Number 5 is a Sewer adjustment permits. He was able to decrease the permits S8110.0410 permits reducing that \$400 and then we are also going to decrease the S1315.2680, insurance recoveries by the same \$400. Number 6 is the Highway Salary adjustment. We are going to increase DB5110.0101 regular pay \$12,865.00 increase in associated social security DB5110.0811 \$985.00. We are going to decrease DB5110.0432 gas and oil by \$6,000. DB5110.0201 Equipment by \$3,000 and DB5110.0431 materials and supplies \$2500. DB5110.0429 EELC compliance by \$500. DB5110.0425 Uniforms by \$1,000 DB5110.0409 Miscellaneous reduced by \$500. To balance it, our last reduction DB5110.0481 we are going to reduce contracted services by \$350.00.

Councilman Baisley: This is for a salary adjustment to Marks employees down in the Highway Department and that's all we have right now. Do anyone have any other questions?

Councilman Lepore: I have a couple of questions for Mark and his budget and since I'm new here, I would like to know about overtime. Mark, how do we call the staff in when an emergency and snow removal and all that, like on weekends and overnight. Do you call the staff in?

Marc Pfeifer: Yes, we have contractors that work with us during a snow event for salting and plowing. We generally do it ourselves unless it's a major major winter like last year. I call them in after I watch the weather and see how bad it is out.

Councilman Lepore: Is that all overtime when you call them in? How many do you call in?

Marc Pfeifer: All my guys with CDL licenses which is everyone but one of us, we are all in. It takes everyone to take care of the Town with 148 miles of road, it takes us all.

Councilman Lepore: Is that all on overtime?

Marc Pfeifer: After our normal hours, yes.

Councilman Lepore: Do some of them take comp time? (Some do)

Councilman Lepore: Let's say the weatherman was wrong, what do you do with the staff? Do you prepare for equipment?

Marc Pfeifer: I don't bring them in hours before the storm. If they predict it's going to snow at 6, it's me watching it and if it's not snowing yet, we're not there

yet. I'm there a lot watching the radar and making sure it's there, but I don't bring them in until it's time.

Councilman Lepore: Do you have some kind of policy or procedure that is just on standby?

Marc Pfeifer: We don't allow vacations from November thru April, my guys know they are on call and expect to be called in.

Councilman Lepore: The reason I'm asking these questions is because the most expensive thing whether a municipality or a business, it's labor and in these days an hour of labor, there is a lot of attachment to it. You've got the MTA tax, the workers compensation, the pension plan and there is just so much attached to it and so what I'm asking is, not only Marc's Department, you all do an excellent job, it's cold at night and in the summer it's hot and you guys in general need to run your department like your own business because for us it's tough to look and see if we get an increase and all. It's tough to cut and so I don't want to wait until the eleventh hour when we do the budget next year, I like you guys to be proactive and to make sure that when we do revise the budget, it's easy for us and so I'm asking for every department in the Town to run your business like your own business and it's going to be critical. Things are coming up, ACA, Obama Care and things like that, and as a business owner, it's very critical and the Town is a business and we have to watch for our residents. We don't want any more of our residents to leave the Town and so this is my pet peeve. I'm asking every department to do so.

Councilman Conte: Through the years of me working with the Finance Committee, it does feel to me that they do care about their departments. Every year we are asked to make cuts and it's been cut before and it's getting harder and harder and these are small but we appreciate your circumstances because we know it's overtime and if those roads are not cleared, the liabilities could be tremendous and so I certainly understand where we are coming from and we appreciate how well you run your department.

Marc Pfeifer: One of the other things we've done also to help with it as part of our shared service grant was getting new systems for the truck and we are trying to get the pre-treating underway and we will have that up and running this year and I think that will help us so we won't have to be here right at the first minute it snows, we will have the roads pre-treated and it will help a lot.

Supervisor Tancredi: Hopefully not only in man hours, but in salt usage. It will be a year to test that theory.

Marc Pfeifer: Another thing the system does is to let us salt while we plow so that at the end of the storm when we finishing plowing, we always have to treat the road to be sure they are going to be good. When we finish plowing we have to come back,

load up and retreat them. This way, as we are plowing, we can turn our controllers' way down. That should save us at least two hours at the end of a storm.

Councilman Baisley: We met with most of the department heads in Town Hall and everyone on the committee can probably attest to this, that it was amazing that everybody really wasn't looking for anything, which is really great, because we aren't getting anything, but too, everybody up here on this floor, seems to be a team effort, whether it's Felicia's office, when the tax receiver needs help, they go over there, Jim's office is short, Todd's secretary was over there. They have to put something together in the clerk's office or receiver of taxes office, Tom's girl was available for that. If everybody in the Town realized how efficient this top floor is, everybody seems to work together as a team and I guarantee it probably saved a lot in overtime and a lot to outsource and bring someone in. I think this is really good, because you don't always hear that.

Jim Wojtowicz: Basically the ultimate end result of all our adjustments is our tax levy that most folks will see is 00.1764 that's less than 2.10ths of 1% increase. As far as the Comptroller for the .73% we maintain that at .007024, so the Comptroller said you can't grow more than .73 for the 11 levies' that the Town Board controls and so we are in compliance on both of those.

Councilman Lepore: I would like to personally thank Jim, he was my guidance with the Budget and Todd and the Committee and it's not easy when it comes to doing a budget.

Councilwoman Shershin: Also, I hate to bring this up, but there is one other thing I would like to point out while our budget is under control, the residents aren't going to see a difference in the Town taxes, the Arlington Fire Districts Budget went up 5%. So, even if ours go down a little bit, it's going to be overshadowed by the large increase in their taxes. Just so people are aware they are not going to see their whole tax bill go down.

Supervisor Tancredi: Well, they will on their Town tax.

Councilwoman Shershin: But we collect everyone's together and it's one big bill they see and that's the problem.

Town Clerk Felicia Salvatore: I just wanted to say one thing, too. Jay was saying about working together. I work with a lot of the girls downstairs, especially when it comes to FOIL requests and they are wonderful. I just wanted to throw that in there because they are really helpful and very, very good.

Supervisor Tancredi: Ok, if no one objects, do you want to vote on the changes as one or separately?

Council agreed to vote on all at once.

Councilman Carlos: Can we do that?

Town Attorney: I don't know of any reason why they can't be voted on at once. I know that Jay wants to ask that the document that Jim presented be made as part of the record and then the 6th amendments detailed in the ledger be put in the record and read by Comptroller Wojtowicz be adopted.

Councilman Cifone: So moved. Seconded by Councilman Carlos

CARRIED: 7-0

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

Nays: None

CARRIED: 7-0

BUDGET AMENDMENTS ATTACHED TO FINAL BOOK COPY

11:04-01 PUBLIC HEARING

Budget – 2016

RESOLUTION

WHEREAS, the Town Board of the Town of Poughkeepsie adopted its Preliminary Budget for the year 2016 on October 21, 2015; and

WHEREAS, that the Legal Notice of Public Hearing was posted on October 23, 2015 and published in the Poughkeepsie Journal on October 24, 2015, and

WHEREAS, a public hearing was held on November 4, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby close the public hearing in regard to the adoption of the Preliminary Budget, as amended adopts the budget modifications to the Preliminary Budget presented by the Comptroller and does adopt the Preliminary Budget as so modified as the Town's 2016 Budget.

SO MOVED: J. Baisley/W. Carlos

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

Nays: None

CARRIED: 7-0

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

CARRIED: 7-0

Doreen Tignanelli: I'm in favor of regulation of ATV's in the Town. Councilman Carlos brought this forward on behalf of his 2nd Ward, but it affects people in other Wards also. I'm in the Sixth Ward and I have issues in the past. It's a quality of life issue and we've seen other changes made to Town laws for quality of life issues in New Hamburg and so whether it be parties at Marist or other such things, so I really think this is something that is needed.

Donna Linehardt: I'm also in favor of regulating of ATV use. I live in the Sixth Ward and we have a neighbor who has two ATV's who used to run them all day long up and down. A neighbor was trying to have a party once, a cookout with his family and he went over to talk to them and they became very belligerent and nasty and it comes down to it is a quality of life issue. It's not just the noise, its air pollution when it's beautiful out and you have to close your windows for the noise and the smell coming in, there is something wrong with that and so we need you to protect us.

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

CARRIED: 7-0

Town Attorney Nelson: I would like to speak for one minute on the process on this. What you will notice is that attached to this are some SEQRA Documents, Part 1, Part 2 and also a copy of the Local Law. This local law varies in a very minor way from what you put up at the original meeting. If you will look at Section 144-13 for exemptions and go down to Subdivision B, in the second line, the words after "For the purpose of preparing or servicing it", those have been added and that's what has come out of a discussion between Mr. Carlos and Mr. Cifone because they were concerned that people who would be servicing these units not have to drag them 700 feet down the road in order to do that. So, I was going to ask if someone could move that modification be made.

Councilman Baisley moved the modification. Seconded by Councilman Carlos

CARRIED: 7-0

Supervisor Tancredi: So we have a motion and a second for the modification of 144-13B

Town Attorney Nelson: The next thing is that the way this goes, it's a little different than many of the resolutions. This will before the Board adopts this ATV law, you need to consider whether there are environmental impacts that might be adverse and so the first thing this asks you to do is to authorize the Supervisor to execute

Part I of the Environmental Assessment Form. It's all in the resolution, but, I'm just kind of walking you through the documents. Then, if, after you have looked at Part 2, it says Short Form Environmental Assessment Form Part II Impact assessment. If it is your opinion that each of those should be answered in the negative, it directs Mr. Tancredi to do that and then to adopt the negative declaration which doesn't mean that there is a black mark on this legislation, it means that by adopting it there will not be any potential for a significant adverse environmental impact and then the rest of it reads like a regular resolution.

Supervisor Tancredi: Ok, so we have a motion to second on one amendment, why don't we vote on that to get that out of the way? Any further discussion? Those in favor of the amendment-

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

11:04-02 PUBLIC HEARING

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

**AMENDED
RESOLUTION**

WHEREAS, having reviewed the annexed proposed Town Code Chapter 144, Article II (Nuisance Vehicles), it is hereby resolved that the adoption of said Local Law is an unlisted action under SEQR requiring the consent of no other board or body, and

WHEREAS, the Town Board of the Town of Poughkeepsie designates itself as the Lead Agency for the SEQR review of said Local Law, and

WHEREAS, having reviewed the Short Environmental Assessment Form Part I as presented, including the annexed narrative Description, and after reviewing Part II of said Short Environmental Assessment Form, in particular the eleven questions presented, the Town Board does hereby direct the Supervisor to answer "No" to each of said questions, does hereby adopt a Negative Declaration for SEQR purposes, and directs the Supervisor to indicate thereon that the proposed action will not result in a significant adverse environmental impact and to thereafter execute said Part II, and therefore,

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to public hearing held on November 4, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt Town Code Chapter 144, Article II, entitled "Nuisance Vehicles", as follows:

SEE ATTACHMENT

AND BE IT FURTHER ENACTED, that the Town Board does hereby waive the verbatim reading and does direct that said adoption of Chapter 144, Article II, be spread across the record as if it, in fact, had been read verbatim; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on October 20, 2015 and published in the Poughkeepsie Journal on October 22, 2015; and

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

SO MOVED: W. Carlos/J. Conte

Councilman Cifone: I would just like to thank Bill and Jim, they put a lot of time in this and we spent considerable time measuring 700 feet property lines with the wheel and Jim was out there in his suit and walking all over the place and we just kept going. We put a lot of time in after hours on this and this is going to help a lot of people. It's not going to prevent people from riding if you have a legal muffler on it, you are not creating a havoc for your neighbor, you can still enjoy your property and enjoy your machines, but you have to do it with respect for your neighbors, so, I think we've been very fair with this. It's a good thing we are moving forward on it and it is something that is long in coming and I think it's definitely a benefit to the Town.

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

AMENDMENT ATTACHED TO FINAL BOOK COPY

Supervisor Tancredi: I would like to make a motion to open Public Hearing #3,
Seconded by Councilman Conte
CARRIED: 7-0

NO SPEAKERS CAME FORWARD

Motion made to close Public Hearing #3: Supervisor Tancredi/J. Conte

CARRIED: 7-0

11:04-03 PUBLIC HEARING

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

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 4th day of November, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt an amendment to Town Code Chapter 210, specifically Section 210-33, Article VI entitled “Neighborhood Business (B-N) District”; and

BE IT FURTHER ENACTED, that the 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 it, in fact, had been read verbatim; and

BE IT FURTHER ENACTED, that the Town Board has previously declared its intent to act as Lead Agency under the New York State Environmental Quality Review Act and does declare said action to be an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) prepared by the Director of Municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in the attached Determination of No Significance and; 3) a Negative Declaration is hereby issued; and

BE IT FURTHER ENACTED, that a written recommendation was received from the Dutchess County Department of Planning and Economic Development dated (Amended date 10/21, 2015) stating that the proposed amendment was a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated October 19, 2015 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein amendments; and

BE IT FURTHER ENACTED, that the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on October 20, 2015 and published in the Poughkeepsie Journal on October 22, 2015; and

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

SO MOVED: J. Conte/M. Cifone

**ROLL CALL ON AMENDMENT OF DATE: ROLL CALL: Ayes: Councilmen
Baisley, Conte, Cifone, Carlos, Lepore,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 7-0**

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

DOCUMENT ATTACHED TO FINAL BOOK COPY

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

CARRIED: 7-0

NO SPEAKERS CAME FORWARD

Motion made to close Public Hearing #4: Supervisor Tancredi/W. Carlos

CARRIED: 7-0

11:04-04 PUBLIC HEARING

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

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 4th day of November, 2015 at 7:00 PM at Town of Poughkeepsie Town Hall, One Overocker Road, Poughkeepsie, New York to consider an amendment to the Town Code, Chapter 210, Article II, specifically Section 210-11, which amendment proposes to change the zoning designation of the attached Town properties to Neighborhood Business (B-N) District; and

BE IT FURTHER ENACTED, the 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; and

BE IT FURTHER ENACTED, that the Town Board has previously declared its intent to act as Lead Agency and the action to amend the Zoning Map is an Unlisted Action under the New York State Environmental Quality Review Act; and

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) prepared by the Director of Municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in Part II of the EAF and; 3) a Negative Declaration is hereby issued; and

BE IT FURTHER ENACTED, that a written recommendation was received from the Dutchess County Department of Planning And Development and that said recommendation stated that the adoption of the herein zoning amendment is a matter of local concern; and

BE IT FURTHER ENACTED, that the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on October 20, 2015 and published in the Poughkeepsie Journal on October 22, 2015; and

BE IT FURTHER ENACTED, said local law shall take effect immediately upon filing with the Secretary of State.

SO MOVED: M. Cifone/J. Conte

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

DOCUMENT ATTACHED TO FINAL BOOK COPY

**Supervisor Tancredi: I make a motion to open Public Hearing #5: Supervisor Tancredi/J. Conte
CARRIED: 7-0**

NO SPEAKERS CAME FORWARD

**Supervisor Tancredi: Motion made to close Public Hearing #5: Supervisor Tancredi/W. Carlos
CARRIED: 7-0**

11:04-05 PUBLIC HEARING

Town Code Amendment – Chapter 210-60 Business Parks

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 4th day of November, 2015 at 7:00 PM at the Town Hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby adopt an amendment to Town Code Chapter 210, specifically Section 210-60, entitled “Business Parks”; and

BE IT FURTHER ENACTED, that the 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 it, in fact, had been read verbatim; and

BE IT FURTHER ENACTED, that the Town Board has previously declared its intent to act as Lead Agency under the New York State Environmental Quality Review Act and does declare said action to be an Unlisted Action under the New York State Environmental Quality Review Act (SEQRA); and

BE IT FURTHER ENACTED, that the Town Board has reviewed the Short Form Environmental Assessment Form (EAF) prepared by the Director of Municipal Development and hereby determines that: 1) the adoption of the herein zoning amendment would not have a significant adverse effect on the environment and; 2) a draft environmental impact statement will not be required for the reasons set forth in the attached Determination of No Significance and; 3) a Negative Declaration is hereby issued; and

BE IT FURTHER ENACTED, that a written recommendation was received from the Dutchess County Department of Planning and Economic Development stating that the proposed amendment was a matter of local concern; and

BE IT FURTHER ENACTED, that a written recommendation dated October 19, 2015 was received from the Town of Poughkeepsie Planning Board in which said Board recommended adoption of the herein amendments; and

BE IT FURTHER ENACTED, that the Town Clerk notified the Clerks of the surrounding municipalities of the public hearing pursuant to GML 239-nn; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on October 20, 2015 and published in the Poughkeepsie Journal on October 22, 2015; and

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

SO MOVED: J. Lepore/M. Cifone

Supervisor Tancredi: There is one amendment that should have been in here in relation to D on Page 5. It says 50 sq. ft. and I would like to make a motion to change that to 100 ft. which is more in line with what has been happening now.

So moved by Councilman Carlos, Seconded by Councilman Lepore

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

**ROLL CALL ON AMENDED RESOLUTION: ROLL CALL: Ayes: Councilmen
Baisley, Conte, Cifone, Carlos, Lepore,
Councilwoman Shershin and Supervisor Tancredi
Nays: None CARRIED: 7-0**

Motion made to open Public Hearing #6: Supervisor Tancredi/Councilman Conte

CARRIED: 7-0

Doreen Tignanelli: When the date was set for the Public Hearing to change the Rec. fees from \$5,000 for each unit, I brought up that I thought there might be a missing section of the Code that needed to be changed, I said that the \$5,000 per lot or dwelling unit from Chapter 177.24 Parks and Playgrounds and Mr. Nelson said he was not aware of that, but would look into it and so is tonight's change—does that include?

Supervisor Tancredi: No, it doesn't include that. If we need to do that, we will do it at a later date, but we wanted to get this on the books and get this changed since this is what we had discussed previously.

Doreen Tignanelli: Ok, but that does say \$5,000 per lot or dwelling unit, so that doesn't cause a problem by having---

Town Attorney Nelson: We are making the changes to these two and Neil and I have spoken about this twice and we met with Todd. There are other sections beyond the once that you mentioned, which need to be amended as to process and so rather than going beyond what the public hearing was noticed for, we wanted to make these changes and then do all the others and try to do them once and we are going to make a great effort to get them right.

Doreen Tignanelli: So, is there a reason why they weren't all the ones that said \$5,000 per unit and why they weren't all done at the same time?

Town Attorney Nelson: This was noted for the two and they were the two that were raised in the resolution that brought it on to this hearing and so rather than expand it, my thought was that we will address that and we appreciate your comment.

Doreen Tignanelli: Well, I'm just wondering if it was mentioned in X number of places in the Town Code that the first time around it didn't say, "We will change it in all X number of places in the Town Code instead of doing it piece meal."

Town Attorney Nelson: What we are trying to do is to do all of them and make sure they all are changed.

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

CARRIED: 7-0

11:04-06 PUBLIC HEARING

**TOWN Code Amendment –
Chapter 105-4 In Regard To
Recreation Fees, Chapter 177 &
Chapter 210**

RESOLUTION

BE IT ENACTED, that the Town Board of the Town of Poughkeepsie, pursuant to a public hearing held on the 4th day of November, 2015 at 7:00 PM at the Town hall, Town of Poughkeepsie, One Overocker Road, Poughkeepsie, NY, does hereby amend Town Code, Chapter 105-4(S)(5), entitled "Fee Schedule, Chapter 177, Subdivision of Land", and Chapter 105-4(V)(5), entitled "Fee Schedule, Chapter 210, Subdivision of Land", and Chapter 105-4(V)(f), entitled "Fee Schedule, Chapter 210, Zoning", so as to repeal subdivision 5 of Chapter 105-4(S) and subdivision 5 of Chapter 105-4(V), and

BE IT FURTHER ENACTED, that the Town Board of the Town of Poughkeepsie does hereby waive a verbatim reading of said repeals and does direct that said repealed subsections, which are annexed hereto, be spread across the record as if they, in fact, had been read verbatim, and that the repeals be incorporated in the Town Code; and

BE IT FURTHER ENACTED, that the Town Board of the Town of Poughkeepsie has determined that this action is a Type II Action requiring no environmental review; and

BE IT FURTHER ENACTED, that the Legal Notice of Public Hearing was posted on October 23, 2015 and published in the Poughkeepsie Journal on October 24, 2015; and

BE IT FURTHER ENACTED, that said local law repealing Chapters 105-4(S)5 and 105-4(V)5 shall take effect immediately upon filing with the Secretary of State; and

BE IT RESOLVED, that pursuant to said public hearing the Town Board of the Town of Poughkeepsie does hereby adopt by resolution the amended Recreation Fee Schedules annexed hereto and directs that they be incorporated in the Town Code; and

BE IT FURTHER RESOLVED, that said amended fee schedules shall take effect immediately upon the effectiveness of the aforesaid repeals.

SO MOVED: A. Shershin/M. Cifone

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

Nays: None

CARRIED: 7-0

REPEALED SECTION ATTACHED TO FINAL BOOK COPY

Motion made to suspend the rules for public speaking on agenda items: Supervisor Tancredi/J. Conte

CARRIED: 7-0

Doreen Tignaneilli: Todd, could you just go into a little detail about the DEC Consent order, because I did check a little bit before four o'clock and I understand those packets were posted around that time and so I didn't get a chance to look at that.

Supervisor Tancredi: Yes, it's a consent order with DEC in relation with, we've been doing a lot of work, as you know, in relation with the Sewer Lines and we have a lot of miles of pipes in the ground and this is in relation to some overflows that we've experienced dating back actually to 2009. DEC had sent a few notices prior to my time I don't think they were addressed and so we've been trying to make an earnest effort to address some of these issues. As you will recall, we bought flow meters we've been doing TV-ing and a lot of work particularly starting down the Country Club removal of the sewer plant there and making some changes. So, this is a consent order, although, even prior to this, we had a seven year plan with DEC in relation to our lines in the ground. A seven year plan to TV lines to remediate any searching for I&I and that really stemmed from some problems we had at Country Club when the Country Club exceeded our permitted limits on flow. It all started with that. We had the seven year plan approved by DEC which was a matter of a formality and then we got into this consent order, DEC being the agency that they are, they haven't been easy to work with.

Doreen Tignanelli: So has the time been exceeded, is that why there is a consent order?

Supervisor Tancredi: No, We are still within time we've actually changed those dates a little bit on our original seven year plan and I think they've been spaced out a little bit more, but this DEC consent order goes out to a 2019 and we are still within the guidelines. We have some concrete dates we need to hold to as far as this consent order and we want to make sure we do as best as we can. That's kind of what has happened over the last number of years.

Doreen Tignanelli: Then I'm assuming that there is something where they say you will be fined if you don't bring it into accordance?

Supervisor Tancredi: Yes, they are talking about a fine of \$30,000, they've suspended twenty three thousand of the thirty upon us meeting a number of dates and so we have a fine of \$7,000 which we will pay, but the 23 has been suspended until I presume 2019 so hopefully we won't miss any of the key dates that are in here. I think the Town is broken up into zones and we have to work our way through the Town doing this. Basically, it comes down to looking for I & I which is basically ground water seeping into our sewer pipes and a couple of problems we had most recently were during Irene and Sandy.

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

CARRIED: 7-0

**11:04-07 RESOLUTION/
PROCLAMATION**

**Childhood Cancer Awareness Week
November 23-29, 2015**

RESOLUTION

WHEREAS, the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc. are working to increase awareness of childhood cancer; now therefore

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby declare November 23-29, 2015 as "Childhood Cancer Awareness Week"; and

BE IT RESOLVED, that the Town Clerk is hereby authorized to forward the attached Proclamation to the American Cancer Fund for Children, Inc. and Kids Cancer Connection, Inc.

SO MOVED: Supervisor Tancredi/J. Conte

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

PROCLAMATION ATTACHED TO FINAL BOOK COPY

**11:04-08 AUTHORIZE
SUPERVISOR
TO SIGN**

**Change Order – Consolidated Ice And
Snow Removal - IMA Extension**

RESOLUTION

WHEREAS, by Resolution 12:3 - #8 of 2014, the Town Board of the Town of Poughkeepsie approved the execution of an Intermunicipal Agreement with the County of Dutchess to participate in the Regional County Highway Snow & Ice Control Program (the “Program”) within the boundaries of the Town, and

WHEREAS, participation in the Program, under the County will supply control materials and reimburse the Town for its labor and equipment use, will result in more prompt inclement weather response times, thereby enhancing the overall safety of Town residents and those who travel through the Town, now therefore

BE IT RESOLVED, the Town Supervisor has been forwarded a Change Order extension to said Intermunicipal Agreement from the County for the Town’s participation in the Program and the Town Board does hereby authorize the Supervisor to execute said Change Order extension.

SO MOVED: J. Baisley/W. Carlos

Supervisor Tancredi: Last winter was the first winter we had this arrangement with the County and basically it means that when Mark’s men come up to a stretch of road that is a County Road like Cedar Avenue, Ann, in your ward, we no longer lift our plows, we keep them down and Marc and his team to the best of their ability track time and equipment usage on the County streets and we get reimbursed for our time to maintain their streets so it keeps us from driving all over the streets that the County ten minutes later come and plows them. It’s ridiculous. Mark, do you think the first year in everything will work well?

Marc Pfeifer: Yes, it did work out well. We were overlapping roads and that’s the practice the County does, we had never done any of the County roads before. We’ve actually taken on Innis Avenue this year also, so we have about 4.5 miles of road we are doing for them, but its roads we were on and they reimburse us for it and they pay for the labor and it works out well for us and we get some money back for roads we are always on. It’s all part of the shared services which we need to do.

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

**DUTCHESS COUNTY DEPT. OF PUBLIC WORKS
CHANGE ORDER FOR TERM CHANGE
ATTACHED TO FINAL BOOK COPY**

11:04-09 ACCEPT Certificate Of Attendance

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the Certificate of Attendance for Carl Whitehead from the Winnakee Land Trust, for the course entitled “Winnakee Land Trust’s 2015 Dutchess Country Trail Conference”, held at the Marist College Cornell Boathouse, a copy of which is attached.

SO MOVED: W. Carlos/J. Conte

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

CERTIFICATE ATTACHED TO FINAL BOOK COPY

**11:04-10 APPROVE Referral To Planning – SEQRA Review
Popeye’s Restaurant**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the referral of the Popeye’s Poughkeepsie, 535 Haight Avenue, project application, received from Tinkelman Architecture, for a zoning amendment from Arlington Town Center District to Main Street Drive-In Overlay District to the Town of Poughkeepsie Planning Board for a recommendation pursuant to Town Code Section 210-154, and hereby consents to the designation of the Planning Board as the Lead Agency for the SEQR review of said project.

SO MOVED: J. Conte/M. Cifone

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

**11:04-11 SET DATE FOR
PUBLIC HEARING**

**Town Code Amendment – Chapter
210-35 Highway Business District**

RESOLUTION

WHEREAS, the Town Board has received a communication from the Director of Municipal Development regarding an amendment to Section 210, specifically 210-35, Article VI, entitled “Highway Business (B-H) 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 December 16, 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: M. Cifone/J. Baisley

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

AMENDMENT ATTACHED TO FINAL BOOK COPY

11:04-12 SUPPORT

**Joint Water Board's memorandum of
Agreement With The United Federation
Of Police Officers**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the memorandum of Agreement, a copy of which is attached, in support of the Joint Water Board Negotiating Committee's decision to accept the proposal outlined in the Agreement, and authorizes the Town Supervisor to execute a Collective Bargaining Agreement on terms consistent with the Memorandum of Agreement for the years 2013 through 2018 with the United Federation of Police Officers, Inc., representing the employees of the Poughkeepsie Joint Water Board.

SO MOVED: J. Lepore/J. Conte

Councilman Cifone: I have one question. Pertaining to this, since it is a joint water board, I would like to know how we could get a member of the Town on this negotiating committee. The City negotiates this, but we are a joint water board. I don't mind that we pay half of this, but I do have a problem with the fact that when we are negotiating with our Town employees, they are going to be looking at this and say "Look, you gave this away, but what we are giving in this contract, negotiating through the City, we pay half, so it doesn't look as bad coming from our side when we're paying half, but I want to be sure, our skin is in the game here, because it's Town money we are paying for it. So, I want to make sure there is someone on that committee.

Councilman Carlos: The whole reason this is set up, is the way the original Inter Municipal Agreement was written twenty some years ago. There is a new draft of the Inter Municipal Agreement which will come before us in the not too distant future. The way it is currently set up is, the City of Poughkeepsie is responsible for this negotiation. The Mayor came in and gave us this. It was quite a debate, it didn't go easy. The new Municipal Agreement is proposed to change that dynamic so the City Water Board employees are not City of Poughkeepsie employees, but are actually employees of the Water Board and then our members on the Water Board would be able to control this. When this came it, it was because everything was on a hold until the City settled its CSEA Contract because they didn't want to have the same problem with CSEA that you are framing. This is the way we have to live with it now, hopefully, and you will see it when you see the draft, that document has change now to be more of an operating document for the next 20 years, and so, as

much as I, believe me, Todd and I at the meeting, this was not a gentle discussion. But, I think it is the best we are going to do right now.

Supervisor Tancredi: I would agree with what Bill just said.

Councilman Baisley: Are they paying medical insurance?

Supervisor Tancredi: Yes, this agreement they are contributing 75% of their Co-pays I think, which under the current arrangement, they don't pay anything, in this agreement they will be paying 25%.

Councilman Baisley: Are they covered under the City Insurance Plan.

Supervisor Tancredi: I believe so. The new IMA which Bill and Bob Malory have been instrumental in working on, if approved, will change that arrangement, but right now they are recognizing the City Employees.

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

MEMORANDUM OF AGREEMENT ATTACHED TO FINAL BOOK COPY

11:04-13 APPROVE **Rejection of Bids – Arlington WWTP
Gravity Thickeners**

RESOLUTION

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby reject all bids for “**ARLINGTON WASTEWATER TREATMENT PLANT GRAVITY THICKENERS EQUIPMENT REPLACEMENT**”, pursuant to the recommendation of the Town Engineer.

SO MOVED: A. Shershin/J.Conte

Councilman Baisley: Is it way too high, or just not designed right?

Supervisor Tancredi: Yes, they came in way to high and we are going to make some adjustments to try and get them within the specks and within guidelines we were anticipating.

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

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

CONSENT ORDER ATTACHED TO FINAL BOOK COPY

**11:04-SC 2 AUTHORIZE Agreement with Van DeWater &
Van DeWater Poughkeepsie Water
Improvement Area**

RESOLUTION

**William Carlos, offered the following resolution, which was seconded by
Councilman Conte, who moved its adoption;**

**WHEREAS, the Town of Poughkeepsie proposes to enter into an agreement
with Van DeWater & Van DeWater, LLP for the purpose of establishing the terms
and conditions under which Van DeWater & Van DeWater, LLP shall render
professional legal services to the Town in connection with the Town of Poughkeepsie
Water Improvement Area VII (“Project”), including but not limited to potential
New York State Environmental Facilities Corporation (“EFC”) financing; and**

**WHEREAS, the purpose of this Agreement is to state by agreement, for
purposes of the New York State Environmental Facilities Corporation financing, the
basis under which Van DeWater & Van DeWater, LLP is compensated on this
capital project so that the Town may include such expenditures in EFC grant or
funding applications.**

**NOW, THEREFORE, BE IT RESOLVED that the Town Board approves,
and authorizes the Supervisor to execute a proposed agreement with Van DeWater
& Van DeWater, LLP, attached hereto, for the purposes described herein, or any
other agreement having substantially the same or similar provisions.**

The foregoing resolution was duly put to a vote which resulted as follows:

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**

AGREEMENT ATTACHED TO FINAL BOOK COPY

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

CARRIED: 7-0

Doreen Tignanelli spoke before the Board in regard to the Arlington Fire Taxes since it was brought up earlier in the meeting during the budget presentation discussion. The original increase was 1.8 million dollars before it was reduced by the current Fire Commissioners to \$927,000. She stated that in prior years the contracts that were negotiated, were done so by a Board of Fire Commissioners made up of mostly volunteer firemen and retired firefighters and in her opinion they did not consider taxpayer interest. Discussion on the subject took place for a few minutes about overtime and benefits as well as the new upcoming regulations with Obama Care.

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

CARRIED: 7-0

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. Litigation: To discuss litigation strategy in a case known as New Hamburg Terminal.**
- 2. Confidential communication between attorney and his client/Town Board based on attorney/client privileges.**

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

SO MOVED: J. Baisley/W. Carlos

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

Nays: None

CARRIED: 7-0

**TOWN BOARD ADJOURNED TO EXECUTIVE SESSION
AT 8:17 PM**

11:04-Ex. Session 1

RESOLUTION

BE IT RESOLVED, by the Town Board of the Town of Poughkeepsie that the Supervisor is authorized to designate counsel, after consultation with the attorney for the Town, in the New Hamburg Terminal litigation if the Town is empowered to do so.

SO MOVED: W. Carlos/J. Conte

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

BOARD BACK FROM EXECUTIVE SESSION AT 8:50 PM

MEETING CLOSED AT 8:51 PM

FS/lkm