

MINUTES OF TOWN BOARD MEETING
HELD ON JUNE 21, 2017 AT 7:00 PM
AT TOWN HALL, ONE OVEROCKER ROAD
POUGHKEEPSIE, NEW YORK

CALL TO ORDER
SALUTE TO THE FLAG
ROLL CALL OF TOWN BOARD:

PRESENT: Supervisor Baisley
Councilman Renihan
Councilman Carlos
Councilman Conte
Councilman Cifone-arrived at 7:08 PM
Councilman Lepore
Councilwoman Shershin
Town Attorney Nelson
Town Clerk Salvatore

*Please note all attachments to the Resolutions, along with a copy of the original Resolutions are attached to the full Summary copy available by clicking on the red underlined meeting date located in the Board Agenda section on our meetings page at townofpoughkeepsie.com

MOTION TO OPEN PUBLIC HEARING # 1: J. Baisley/J. Conte Carried 6-0

Doreen says once again that she is in favor of this Local Law for the exemption to allow the Town Board to incur taxes for Solar Farms. People complain about unfunded mandates by the State and this is the State allowing you to collect taxes for Solar Farms- She is in favor.

MOTION TO ADJOURN PUBLIC HEARING TO AUGUST 9th, 2017: J. Baisley/J. Conte Carried 6-0

RESOLUTION

6:21- # 1 of 2017

PUBLIC HEARING-CHAPTER 183
TAX EXEMPTION FOR
SOLAR/WIND/FARM

ADJOURNED TO THE AUGUST 9th, 2017 TOWN BOARD MEETING

Jay read through the agenda

SUSPEND THE RULES FOR AGENDA ITEMS: J. Baisley/ J. Lepore

Doreen speaks on a few items:

Item #18-Angelo Balbo for the Board of Ethics, she would like to see these items posted on the Town's Website, and also the TV Channel - how are residents supposed to know that there are openings?

Item #21-Wasn't this position abolished years ago? Jay stated that it was not, it just was not filled.

Item #10-Doreen mentioned she spoke to Jay about the job for Assessing at 17.62 an hour and it does not need to be off a list because it is part time. I would also think these type of jobs should be posted as she is related to the Comptroller, and I do not know her or her qualifications but it would appear that you need to know someone at Town Hall to know of job openings - these should also be posted for all of the public and then a decision should be made.

RESUME THE RULES: J. Baisley/J. Conte

6:21- # 2 of 2017 WAS WITHDRAWN AT THIS TIME

RESOLUTION

6:21 - # 3 OF 2017

AUTHORIZE-PROMOTION
JOSEPH R. CAVALIERE, JR.

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the promotion of Detective Sergeant Joseph R. Cavaliere, Jr. to the position of Police Lieutenant at the yearly salary of \$110,318.00, subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law, effective June 26, 2017, and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: J. Renihan/W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: Councilman Cifone

CARRIED: 6 -0

RESOLUTION

6:21 - # 4 OF 2017

APPOINT POLICE OFFICER
HARLEY L. CURLESS

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Harley L. Curless to the position of full time Police Officer under the provisions of Civil Service Law, at the yearly salary of \$58,072.00, effective July 3, 2017, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: W. Carlos/J. Conte

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: -0-

CARRIED: 7 -0

RESOLUTION

6:21 - # 5 OF 2017

**APPOINT POLICE OFFICER
DOMINIC G. MILLS**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Dominic G. Mills to the position of full time Police Officer under the provisions of Civil Service Law, at the yearly salary of \$58,072.00, effective July 3, 2017, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: J. Conte/J. Renihan

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin**

Nays: -0-

Absent: -0-

CARRIED: 7 -0

RESOLUTION

6:21 - # 6 OF 2017

**APPOINT POLICE OFFICER
MATTHEW G. NORTH**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Matthew G. North to the position of full time Police Officer under the provisions of Civil Service Law, at the yearly salary of \$58,072.00, effective July 3, 2017, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: M. Cifone/J. Conte

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin**

Nays: -0-

Absent: -0-

CARRIED: 7 -0

RESOLUTION

6:21 - # 7 OF 2017

**APPOINT POLICE OFFICER
GUY F. PROPER**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Guy F. Proper, Jr. to the position of full time Police Officer under the provisions of Civil Service Law, at the yearly salary of \$58,072.00, effective July 3, 2017, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: J. Lepore/M. Cifone

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore, Councilwoman Shershin
Nays: -0-
Absent: -0- CARRIED: 7 -0**

RESOLUTION

6:21 - # 8 OF 2017

**APPOINT POLICE OFFICER
JONATHAN TIERNAN**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Jonathan Tiernan to the position of full time Police Officer under the provisions of Civil Service Law, at the yearly salary of \$58,072.00, effective July 3, 2017, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: A. Shershin/J. Conte

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore, Councilwoman Shershin
Nays: -0-
Absent: -0- CARRIED: 7 -0**

RESOLUTION

6:21 - # 9 OF 2017

**APPOINT POLICE OFFICER
DANIEL A. REGG**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Daniel A. Regg to the position of full time Police Officer under the provisions of Civil Service Law, at the yearly salary of \$51,199.00, effective July 3, 2017, which appointment is subject to a probationary period of not less than 26 nor more than 52 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: J. Baisley/W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,

Councilwoman Shershin

Nays: -0-

Absent: -0-

CARRIED: 7 -0

RESOLUTION

6:21 - # 10 OF 2017

**APPOINT-ASSESSOR AIDE PERM PT
CHARLEIGH LAFRONZ-EMBERGER**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Charleigh LaFronz - Emberger to the position of Permanent Part-Time Assessor's Aide, at the Grade 4 Step 1 salary of \$17.62 per hour, which appointment will be effective June 26, 2017 and which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law; and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: J. Renihan/W. Carlos

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin**

Nays: -0-

Absent: -0-

CARRIED: 7 -0

RESOLUTION

6:21 - # 11 OF 2017

**APPOINT-COURT CLERK
LINDSAY VAN NORSTRAND**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Lindsay Van Norstrand to the exempt position of permanent full time Court Clerk, Grade 3, Step 3, with the Town Court, at the salary of \$17.60 per hour, effective June 26, 2017, which appointment is subject to a probationary period of not less than 8 nor more than 26 weeks per Civil Service Law, and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute and file all documentation required by the Dutchess County Department of Human Resources in connection with this appointment.

So Moved: W. Carlos/J. Conte

**Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin**

Nays: -0-

Absent: -0-

CARRIED: 7 -0

6:12- # 12 of 2017 PRESENTATION (Fundamental Business Service, Inc.)

Presentation given by Dennis J. Farrell of FBS Justice Solutions

You may view their website at www.fbsnet.com
Please view entire presentation on our You Tube Channel
Starting at around the 17 minute mark

RESOLUTION

6:21 - # 13 OF 2017

**AUTHORIZE TAX CERTIORARI
MACY'S**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the settlement of the tax certiorari proceedings instituted by Macy's Retail Holdings, Inc., for the tax assessment rolls for 2015-2016, as shown on the attached Order and Judgment and Stipulation of Settlement; and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby authorize the Supervisor or his designee, Town Assessor and Kyle Barnett of Van DeWater & Van DeWater, LLP, to sign such papers as are necessary to effectuate said settlement.

So Moved: J. Conte/W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: -0-

CARRIED: 7 -0

6:21- # 14 of 2017

WTHDRAWN

**BY SARAH DAVIS, ZONING
ADMINISTRATOR**

RESOLUTION

6:21 - # 15 of 2017

**SET DATE FOR PUBLIC HEARING
MOBILE HOME PARK**

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending an amendment to Chapter 210, entitled "Zoning", specifically Section 210-83 entitled "Mobile home park district", and

WHEREAS, 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 they, in fact, had been read verbatim; and

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

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

WHEREAS, the 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 amendments for July 19, 2017, at 7:00 PM, or as soon thereafter as the matter may come to be heard, in the Town Hall, One Overocker Road, Poughkeepsie, New York; and
3. The Town Board refers this matter to the Dutchess County Department of Planning and Economic Development for a recommendation pursuant to GML 239-m; and
4. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.
5. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

So Moved: M. Cifone/J. Conte

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore, Councilwoman Shershin

Nays: -0-

Absent: -0-

CARRIED:7- 0

RESOLUTION

6:21 - # 16 of 2017

SET DATE FOR PUBLIC HEARING AMEND SPECIAL USE PERMITS

WHEREAS, the Town Board has received a communication from the Director of Municipal Development recommending an amendment to Chapter 210, entitled "Zoning", specifically Sections, as outlined in the attached, referring to Special Use Permits, and

WHEREAS, 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 they, in fact, had been read verbatim; and

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

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

WHEREAS, the amendment requires a public hearing.

NOW, THEREFORE BE IT RESOLVED THAT:

6. 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
7. The Town Board hereby sets a public hearing on the proposed amendments for July 19, 2017, 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
8. 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

9. The Town Board refers this matter to the Planning Board for an advisory report pursuant to Town Code Sections 210-154.
10. The Town Board directs the Town Clerk to notify the Town Clerks of each of the surrounding municipalities of the public hearing pursuant to GML 239-nn.

So Moved: J. Lepore/M. Cifone

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: -0- CARRIED: 7 -0

**AMENDMENT
RESOLUTION**

6:21- # 17 OF 2017

**SET DATE FOR PUBLIC HEARING
STREETS AND SIDEWALKS**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby set the 19th day of July, 2017 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, in substantially the form attached, to Town Code Chapter 174, entitled "Streets and Sidewalks", which amendments would read as follows:

REPEAL: §§ 174-21 through 174-35, Streets and Sidewalks, Article IV Excavations.
ADD: §§ 174-21 through 174-36, Streets and Sidewalks, Article IV Excavations.

SEE ATTACHMENT

AND BE IT FURTHER RESOLVED, that the Town Board does hereby waive the verbatim reading and does direct that said amendments be spread across the record as if it, in fact, they had been read verbatim; and

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

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

So Moved: A. Shershin/ W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin
Nays: -0-
Absent: -0- CARRIED: 7 -0

RESOLUTION

6:21 - # 18 OF 2017

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby appoint Anthony C. Balbo to the Board of Ethics to fill the unexpired term of Ann Bollmann, which term expires on February 28, 2021.

So Moved: J. Baisley/J. Conte

Jay mentions that we are still looking for one more spot to be filled representing Ann's Ward, and we will make sure it's posted on the website with the qualifications for that.

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: -0-

CARRIED: 7 -0

RESOLUTION

6:21 - # 19 OF 2017

**APPROVE-LOCUST GROVE
CAR SHOW**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby approve the request submitted by Locust Grove, The Samuel Morse Historic Site, to hold an Antique Car Show on Sunday, July 9, 2017 on the site at Locust Grove, 2683 South Road, Poughkeepsie, NY; and

BE IT FURTHER RESOLVED, that a Certificate of Liability Insurance naming the Town of Poughkeepsie as an additional insured has been filed in the Town Clerk's Office.

So Moved: J. Renihan/W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: -0-

CARRIED: 7 -0

RESOLUTION

6:21 - # 20 OF 2017

**CONCUR/RATIFY - JOINT LANDFILL
LAND CLARING AND VEGETATION
BID**

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby concur with the Joint Landfill Board of Governors bid award to Neave Landscaping, Inc. in regard to the Dutchess County Airport Joint Landfill Land Clearing and Vegetation Removal contract, and

BE IT FURTHER RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby ratify the Supervisor's execution of a contract with Neave Landscaping, Inc., a copy of which is attached.

So Moved: W. Carlos/J. Conte

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore,
Councilwoman Shershin

Nays: -0-

Absent: -0-

CARRIED: 7 -0

RESOLUTION

6:21 - # 21 OF 2017

WITHDRAWN AT THIS TIME

RESOLUTION

6:21 - # 22 OF 2017

ACCEPT MINUTES OF TOWN BOARD

BE IT RESOLVED, that the Town Board of the Town of Poughkeepsie does hereby accept the minutes for the following 2017 Town Board Meetings, to wit:

- March 1, 2017 - Special/ Regular Town Board Meeting
- March 8, 2017- Special/ Committee of the Whole Meeting
- March 15, 2017 - Regular Town Board Meeting
- April 5, 2017- Regular Town Board Meeting
- April 13, 2017-Special Meeting (Delio Hearing)
- April 19, 2017-Regular/Committee of the Whole Meeting
- May 3, 2017-Regular Town Board Meeting
- May 10, 2017- Special/ Committee of the Whole Meeting

So Moved: J. Conte/W. Carlos

Roll Call: Ayes: Supervisor Baisley, Councilman Renihan, Carlos, Conte, Cifone, Lepore, Councilwoman Shershin

Nays: -0-

Absent: -0-

CARRIED: 7 -0

06:21-23 NOTIFICATION (TOWN CLERK SALVATORE)

The Following Claim Has Been Referred To Legal: 1. Elone/Rohwer V. Town REFERRED TO LEGAL

SUSPEND THE RULES FOR ANY PUBLIC COMMENT ON TOWN ISSUES: J.Baisley/J.Conte

Doreen mentions that on several of the resolutions it stated that the Deputy Supervisor would be filing the Civil Service paperwork-Jim Nelson mentions that it was a typo out of legal and some were corrected verbally. She also brought up the Macy's Tax Cert and mentions again that the residents end up having to pick up these taxes.

Doreen also stated to Jay that she disagrees with the comments that were made in response to her comments on the Stormwater Annual Report and that she will again submit comments to the DEC in response to those comments- The Silk Fencing was not being properly maintained at Vassar and she also commented on Zacks Way. She also let Jay know that she appreciates that he will start posting positions available on the website, so that all residents can see what's out there and Jay mentioned that we are listening to concerns and are trying to do better. She also appreciates that the Public Hearings are now posted on the website.

Mr. Casement asks the Board if we have any rules on dead trees- Joe Conte let him know that our Zoning Administrator has been out and that we are looking into getting someone to look at the

issues that he brought to Joe's attention in his neighborhood. Mr. Casement also had some questions about the storm drains and repairing them before paving the roads and also about a ditch running down his road etc.

Marc Pfeifer, Highway Superintendent came up to answer some of the questions and spoke with the Board for several minutes on different road projects that they hope to work on in the Town. Marc mentioned that some roads he will wait on paving since Central Hudson has come thru and put in lines for Natural Gas and not everyone on certain streets sign up right away and he does not want to spend the money to repave a road just to have Central Hudson come in right after and dig it up.

MOTION MADE TO RESUME THE RULES: J. Baisley /J. Conte

TOWN BOARD ENTERED EXECUTIVE SESSION AT 8:12 PM

06:21-ES EXECUTIVE SESSION

Be it Resolved, the Town Board of the Town of Poughkeepsie is hereby adjourned to Executive Session to consider the following matters to wit:

- 1. Real Estate Matters-to the extent that public disclosure of the discussion would substantially affect the value of the property.**
- 2. Confidential Communications between the attorney and his client, the Town Board, based on the attorney/client privilege.**
- 3. Matters leading to the hiring of a particular person, firm or corporation.**

TOWN BOARD RETURNED TO TOWN BOARD MEEETING AT 8:58 PM

NO ACTION TAKEN IN EXECUTIVE SESSION

TOWN BOARD MEETING ADJOURNED AT 8:59 PM