



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, April 20, 2011

6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

II. REVIEW OF MINUTES:

Public Hearing of August 30, 2010 (Dutton O’Neil)

CCM 8-30-10			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Public Hearing of August 30, 2010 (2011 Capital Plan)

CCM 8-30-10			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III. READING OF ITEMS by the City Chamberlain of any resolutions not listed on the printed agenda.

ADD:

VII. MOTIONS AND RESOLUTIONS:

4. FROM ASSISTANT CORPORATOIN COUNSEL ACKERMANN, Resolution R11-40, entering into an Inter-municipal agreement with the Poughkeepsie City School District for the City Recreational Basketball League.

5. FROM CITY ADMINISTRATOR LONG, Resolution R11-41, supporting a grant application for Hudson River Housing for the New York Main Street Program.

IV. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.

Constantine Kazolias 47 Noxon Street – We are going to me missing the little one, but the big in spirit. I wish to address the resolution R11-37. Ulster is not in the Metro North tax district but they get all the benefits, parking, and shuttle bus. But these towing rules, being the business is done in Dutchess County should stay in Dutchess County. Keep the business here, let it be taxed here. I could have bought my Honda in Kingston but I bought it here to keep the taxes here and that is my main concern because we are being taxed out of our houses.

Richard Primo 17 Greenhouse Lane – I just wanted to comment specifically to Councilman Herman, I want to publically acknowledge the effort that he put forth in taking care of situations in the ward, particularly in our neighborhood.

Ken Kraft 15 Rosalind Road – One of Sir Isaac Newton’s laws of motion is that for every action there is an equal and opposite reaction. This Law of Physics does not apply in this chamber. But one of his laws of motion is working here, that is that matter in motion remains in motion until acted upon by an external unbalanced force. This council is moving freely about its business, it is about time for Newton’s law action and reaction to reenter this room. There does not appear to be equal and opposite reactions to the policies of this council from administration, our local officials or the press, this chair is

the only place is the only place that that equal and opposite reaction can come from. Chairman Klein, in your letter to the editor dated March 25th, you apologized for the way you handled one particular commenter. I agree there should be no personal attacks directed at any council member; however I do not agree that challenging the actions of this Mayor or this board or any member of the council is personal, should be allowed. What other form do we have? This is the only public forum we the taxpayers have. You are going to have to sit and listen to our complaints about the way you have been running the city for the past few years. You call yourselves the leaders of this city I submit to you that you are not leading. You have this special group of people that does what it takes to get their way. And if we don't like it get out of the way. That is what has occurred on many of the volunteer boards, the WAC, the planning board, the ZBA have seen long standing and outstanding members be replaced by, as the Mayor has said, 'my people.' The city has never been as partisan as it is right now. I find it curious that the common council has 3 registered republicans, 4 registered democrats, 1 independent but the republican caucus claims a 5 to 3 majority. How is that? You know, I know, it is about time the people in the city of Poughkeepsie know too. In a letter to the editor a couple weeks ago Chris Silva of the Bardavon thanked the Mayor for cleaning the streets around the Bardavon for their Gala with Diana Ross. The thanks were warranted we all want a clean and beautiful city. I understand that taking care of the business city is critical for the revival of this city; however you must not and cannot forget the residential areas. The residents, the tax payers, we are the ones who elected you, not the commercial businesses. We are the major stakeholders in all you do, it is our city. It is not just those who contribute to the proper campaign funds, but that is how you have been conducting business recently. In future public comment periods you will hear from me again our streets, on improving the recycling effort, and ask on the changes in the zoning code, and push for once a week sanitation collection. The city wastes time and money.

Ken Stickle 118 Catherine Street – I don't understand why when the cost of gas is driving everyone out of business, we are going to be throwing a new towing thing in. I can see giving them an increase, but not for everything that was in the PKJ. A lot of people are really hurting, and all of sudden you are going to raise this fair to this amount? Let's be fair to the people of Poughkeepsie. The tow truck drivers don't want to come into the city of Poughkeepsie and do business in here, so be it. I see 6 or 7 towing companies coming into the city of Poughkeepsie, if they are going to impound cars in the city let's get a certain amount of money. But \$125 as soon as they put it in the lot? That is a little outrages and it is not good business that is what we thought with the towing law not too long ago, with the unfair practices that were going on. I hope you can reconsider this and bring the prices within check, we have too many people struggling and out of work.

V. MAYOR'S COMMENTS:

Mayor Tkazyik – Thank you all and thank you for the moment of silence at the beginning of the meeting for our citizen and friend Mr. Anspach sp? I'm sure it means a lot to his loved ones and he will be missed, he was a regular attendee here at the council meetings. He loved the city and he loved everything about it. I would like to wish everyone a happy Passover, a happy Easter and holiday. We will be having the annual Easter egg hunt at Waryas Park, Saturday the 23rd 8am to 3pm. For those 80 and over that begins at 11am. We have all age groups participating, and John Flowers and his elves will be ready for everyone. The city in collaboration with the school district will have its 3rd annual SWAG event (society at war against guns). Also, tonight on the agenda is an amendment that will allow the zoning code for convenience stores with gas stations in the neighborhood commercial districts as we have heard a lot of support for the corner store on Cedar, how this is really a neighborhood mainstay. A little clarification, I know this will come up later, however I would like to touch on the tow list rules and regulations. These amendments do not apply to private property. The council set those changes about 2 months ago. These regulations apply to the police department when they need to call out for assistance. I know there was some discrepancy for the amounts. It is \$95 for a normal tow, but between the hours of 9pm and 8am it is \$125, the storage is only \$50 per day. I just wanted to make certain that this does not pertain to private property as I know we had so many problems with the booting that had been going on.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Klein – I want extend Passover and Easter greetings. I wanted to thank my colleagues on the council and staff for accommodating Mrs. Solomon's and my observance of the Passover holiday which began Monday night in moving the scheduled meeting from the 18th to the 20th. Thank you for that. I am also deeply saddened by the loss of Phil Anspach, there is no question he would be here, and he never missed a meeting. This loss is very keenly felt by all of us here; he was truly a model citizen here.

VII. MOTIONS AND RESOLUTIONS:

- 1. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.**

Assistant Corp. Counsel Ackermann – Introduced the resolution R11-37 that would amend the City Police Department's tow rules and regulations.

Councilman Mallory - Thanks Mr. Ackermann and the Mayor for clarifying the resolution. Further inquires about #6 on the rules of towing, \$75 for winching authority by the police.

Councilman Herman – Explains that when the police go to an accident scene if a vehicle goes over an embankment and a winch is needed.

Councilman Mallory – Further inquires about what had been talked about back on December 20th with private property, are the companies on both lists? And is storage in the city?

Assistant Corp. Counsel Ackermann – Clarifies that they may or may not be. Currently the city of Poughkeepsie maintains 6 companies on a rotating list and some that do towing on private property may be on that list. The companies need to maintain a facility in a certain radius of the city stated by the police department that is 5 miles.

Mayor Tkazyik – Wanted to point out the issue of the list and operators on the list. Corporation counsel has been reviewing the legality of naming the operators to being only Dutchess County operators. There are regulations with business licenses from the state that legal needs to look into. But does agree that if the accident is in Dutchess County the body shop should be getting the work in Dutchess County and the sales tax should stay in Dutchess County and not be sent to Ulster, and that is under review that if it can be enforced legally.

Assistant Corp. Counsel Ackermann – Gives an overview of the case law: There is a disfavor of regulating commerce between municipalities. However, the county's law would say that there is rational, legitimate reason limiting the radius. The courts have said you can set a radius that is rationally related to the service and here it is the time of the response of tow trucks. 5 miles has been seen as a rational radius to keep response to 15 minutes. The courts don't recognize any municipality based on the line that divides us with say Town of Poughkeepsie, since a town tow service may be able to respond as quickly if not quicker as a city tow service given the location of the incident. Therefore we are reviewing those lines, cross-county, cross-municipality. We are reviewing if we can keep the service in Dutchess County and if we feel comfortable we can do that we will come back to the council with an amendment.

Chairman Klein – Inquires if corporation counsel has found in the case law any authority regarding cross county tows.

Assistant Corp. Counsel Ackermann – States that there is no case law that can be determined right now that deals with that specific issues, however they are looking into issues regarding tax revenues, and if that is a legitimate reason to limit the lines in that way.

Councilwoman Flowers – Inquires that since there are 5 companies on the list, what do the companies have to do to get on the list?

Assistant Corp. Counsel Ackermann – States that the Police Department sets a list to what is workable for them. All companies are free to apply to be on the list, there is a waiting list. The list needs to be workable in that there are not too many companies but that there are enough to handle the load. There is a due process if any company were to be removed from the list.

Councilwoman Johnson – Asks how long the current list has been in effect. And would like to have a list of the companies and how long they have been on the list, because there are a lot of towing companies in the city and does not want them to feel left out or that there are favoritism.

Assistant Corp. Counsel Ackermann – Does not want to speculate but believes, in accordance with Administrator Long it to be 25 years. And that a list would be provided to Councilwoman Johnson, and that those on the list would have been there for a long time. New companies could be on the waiting list indefinitely.

Mayor Tkazyik – Tells Councilwoman Johnson that a meeting with the traffic division could be set up to go over the parameters of the list.

Councilwoman Johnson – Interjects that this matter should then be tabled.

Mayor Tkazyik – States that it is not worth tabling, and Chairman Klein agrees that this particular resolution is not about the list but the structure of the ordinance.

Assistant Corp. Counsel Ackermann – Tells the council that the common council does not have jurisdiction over who can and cannot be on the list.

Councilwoman Johnson – Inquires what on here is new?

Mayor Tkazyik – New regulations for the exorbitant storage fees and the wincing costs, etc. there are no regulations.

Councilwoman Johnson – Asks how long the regulations have been in place.

Mayor Tkazyik – States to the council that there has been no response when serious incidents are taking place, where no help is responding. This is why his is coming before you between the late hours of the evening.

Assistant Corp. Counsel Ackermann – This was redeveloped at the request of the Police Department and with Councilman Herman.

Councilman Herman – States that a number of companies on the list come from the police department and sub 14 if they are suspended 3 times they are removed from the list.

Assistant Corp. Counsel Ackermann – Another reason they don't want to expand the list beyond the workable list is there is a lot of work inspecting the tow trucks, the facilities that they operate out of, and keeping up with the paperwork for the insurance.

Councilwoman Flowers – States that it is her understanding that premise of this ordinance is to be structured that before they were able to charge different amounts so now this \$50 per day is a set amount whereas before the company could take it to their place and charge whatever want as soon as it hits their property, not that is regulated. And the same for the winching too.

**R- E- S- O- L- U- T- I- O- N
(R-11-37)**

INRODUCED BY COUNCILMEMBER HERMAN

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves the amended Tow List Rules and Regulations in form and substance as attached hereto.

SECONDED BY COUNCILMEMBER PARISE

R11-37			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallo	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.

Commissioner of Finance Bunyi – Introduces the agreement that the city plans to enter into with the town to operate the sprat pool park. There are no changes except, the student rate would be eliminated and that it would be children under 13 and adults. In addition, with Casper kill closing it is anticipated that budget that is here is very conservative. The use should go up tremendously and predict anywhere from 25% to 30% increase in usage.

Councilman Mallory – Asks if the city is maintaining data about the usage of residents and that if we weren't can we do it? Also, that where it says the parties will share in any profits is that 50/50, and this is always an annual contract?

Commissioner of Finance Bunyi – States that the city will make sure the data is tracked. Also the split in profit is 50/50 and the contract needs to be approved every year. Last year we lost \$476. It is likely that this year that the city may make a profit, since the revenue we anticipate will overcome the additional expenses.

Councilwoman Flowers – Asks about the season fees, the family \$85. The commissioner tells her that if you are a family you can purchase that pass for the whole family for the entire season.

Commissioner of Finance Bunyi – The city and the town have already met on numerous occasions to address all the issues and improve on everything.

R E S O L U T I O N

(R-11-38)

AUTHORIZATION TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH TOWN OF POUGHKEEPSIE TO OPERATE THE SPRATT PARK POOL FOR THE 2011 SUMMER SEASON

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the Common Council of the City of Poughkeepsie wishes to enter into a written agreement with the Town of Poughkeepsie, Dutchess County, New York, to formalize the terms of their partnership in the operation of the Spratt Park Pool and related facilities for the 2011 summer season;

NOW, THEREFORE, BE IT

RESOLVED, that the Agreement, in the same form and substance as annexed hereto be, and the same hereby is authorized and approved; and be it further

RESOLVED, that the Mayor is authorized to execute the Agreement on behalf of the City; and be it further

RESOLVED, that this resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER PARISE

R11-35			Yes/Aye	No/Na	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Malloy	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.

Commissioner of Finance Bunyi – Introduces the resolution stating that he had researched the best rate with multiple banks on a lease to own for items that the city needs as far as equipment. This is for the Fire Department radios, 6 police cars and 2 parking lot automated toll equipment. Advised by our bond counsel we should take lease option 2 which includes semi-annual lease payments of \$44,000 and that is at a rate of 3.96% the next rate was 4.16% and the other at 4.3%.

Fire Chief Johnson – Discovered that by leasing the radios the department was spending a high amount of money on something that is outdated and hadn't addressed safety concerns that the department had for some time. Nycom Co. has agreed to let us out of that lease for new upgraded radios; in addition it will save the city money over the course of the 5 years.

**R-E-S-O-L-U-T-I-O-N
(R-11-39)**

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the Common Council of the City of Poughkeepsie has previously adopted a Capital Projects Plan, approving the purchase of patrol vehicles, fire department radios and parking lot toll equipment; and

WHEREAS, the Commissioner of Finance has recommended that the City abandon the practice of financing the purchase of major equipment through bonding and instead purchase such equipment through municipal leasing; and

WHEREAS, the City has obtained a commitment from Real Lease, Inc. to purchase new Fire Department Radios, automated toll collection equipment and (4) patrol vehicles and (2) unmarked detective vehicles; and

WHEREAS, the purchase of this equipment will not result in a funding increase in the 2011 Budget for the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves and authorizes the purchase of four (4) patrol vehicles, two (2) unmarked detective vehicle, fire department radios and automated toll equipment; and

BE IT FURTHER RESOLVED, that the Common Council approves and authorizes the City to enter into a municipal lease agreement with Real Lease, Inc. in the amount of \$251,770.52 at an interest rate of 3.96%; and

BE IT FURTHER RESOLVED, that the Mayor, City Administrator or Commissioner of Finance is hereby authorized and directed to do all things necessary to give effect to the terms of this resolution, including but not limited to executing an Agreement with Real Lease, Inc.

SECONDED BY COUNCILMEMBER PARISE

R11-39			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.

Asst. Corp Counsel Ackermann – Introduces the resolution which is a municipal agreement with the Poughkeepsie city school district for a basketball league. The agreement will allow for the city to utilize facilities in the school district. The school district supplies the locker facilities for use, will provide security during the games and a cash contribution of \$500 to use toward the basketball program.

Councilwoman Flowers – States that this particular basketball league is an excellent program, the current budget that had be voted on in December included this as an amendment, and the students are very excited to play in these games. This was collaboration from Councilman Coates and Councilwoman Flowers working with the school district to give the students something to do. The funds that come from the city are paying for the uniforms as well as the \$500 from the school district. The

school district is also providing the gym, and those who work in this program are volunteers. All money is going directly to the kids. It is not just basketball for the boys but there is also cheerleading for the girls.

Councilman Mallory – Notes that where it says the city will pay all costs for uniforms, is that a budget line?

Mayor Tkazyik – States that is in the recreation summer line item of the budget, and was an amendment to the budget.

Councilwoman Solomon – Asks if there are only boys playing basketball? She is answered by Councilwoman Flowers that girls are also on the basketball teams.

Councilwoman Johnson – States that the city has funded for a few years a summer basketball program with unity 2 at the middle school and if this will interfere with that program monetarily or otherwise. She is assured by the Mayor that that program is separate.

R E S O L U T I O N

(R-11-40)

AUTHORIZATION TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT WITH CITY OF POUGHKEEPSIE SCHOOL DISTRICT FOR THE CITY RECREATIONAL BASKETBALL LEAGUE

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the Common Council of the City of Poughkeepsie wishes to enter into a written agreement with the City of Poughkeepsie School District, Dutchess County, New York, to formalize the terms of their partnership in the operation of the City Recreation Basketball League and for the 2011 summer season;

NOW, THEREFORE, BE IT

RESOLVED, that the Agreement, in the same form and substance as annexed hereto be, and the same hereby is authorized and approved; and be it further

RESOLVED, that the Mayor is authorized to execute the Agreement on behalf of the City; and be it further

RESOLVED, that this resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER PARISE

R11-40			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.

Administrator Long – Introduces the resolution stating that NYS has offered through the office of community renewal a grant allocation in which Hudson River Housing has applied and been successful for rehabilitation of buildings on Main Street totaling \$900,000 over the last 3 rounds. They are requesting the city’s support for another application and will be a \$500,000 matching grant program. It is anticipated that \$60,000 will go towards streetscape improvements, but primarily will be used to rehabilitate buildings in the Main Street downtown area. Up to \$150,000 match for private properties and if qualified as an anchor building up to \$250,000 could be assessed. 25% match from local property owner 75% grant and they have a lot of interest, last year they applied and they had a significant number of properties and this would allocate much needed funds to that area.

Councilwoman Solomon – Asks what part of Main Street, and she is answered by Administrator Long ‘Middle Main’.

Councilwoman Flowers – Asks if indeed they were successful last year for \$500,000, and that is correct. Further what that money was used towards, and is answered with that they are in the planning and implementation stage now as the common council passed the same application resolution last year.

Councilwoman Solomon – Informs the council on the last middle main meeting she had attended where they begged to have garbage pickup on Saturday, since one of the things that makes that section of Main Street look bad is the accumulation of litter, in addition to the work of those who live and work there.

Mayor Tkazyik – Informs Councilwoman Solomon that when there is a city event the city makes an effort to make sure everything is cleaned up.

**RESOLUTION
(R-11-41)**

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the City of Poughkeepsie recognizes and supports the importance of revitalizing the Main Street Corridor for the economic and social well-being of its residents, businesses and visitors; and

WHEREAS, the New York State office of Homes and Community Renewal (HCR) is making available funds to assist New York communities in Main Street/Downtown revitalization efforts under the New York Main Street Program; and

WHEREAS, Hudson River Housing, Inc. (HRH) is eligible to apply for \$500,000 in matching grant funds under the HCR New York Main Street Program, and has proposed a project which will assist in the revitalization of the Main Street corridor between Academy Street and Pershing Avenue (“Middle Main”); and

WHEREAS, such funds are available for building renovations, substantial renovation of downtown cultural buildings, and streetscape improvements subject to approvals and permits issued by the City of Poughkeepsie as may be required; and,

WHEREAS, there are numerous properties in this target area that could benefit from physical improvements, resulting in an overall benefit to the City’s Main Street Corridor; and,

WHEREAS, HRH will administer the Main Street Program, including all coordination with HCR and public outreach to property owners in the target area; and,

WHEREAS, the local match is provided by the individual property owners who stand to benefit directly from this grant, and with which there is no monetary obligation placed on the City of Poughkeepsie;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and the Common Council of the City of Poughkeepsie wholeheartedly support Hudson River Housing’s application to the New York State Division of Housing and Community Renewal for a grant under the New York Main Street Program and its intent to administer this worthwhile program.

SECONDED BY COUNCILMEMBER PARISE

Official Minutes of Common Council Meeting of April 20, 2011

R11-41						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.

Asst. Corp. Counsel Ackermann – Introduces the resolution currently the zoning ordinance states that interior signs cannot cover more than 10% of the total window. There is an issue with the new grocery store on Main Street, where Councilwoman Johnson was afraid the store owner was unable to place signage in the windows and asked for an amendment to the ordinance that would allow the store to place signage in the window. Pertaining to that this shall not apply to a retail store consisting of more than 10,000 square feet when the sign is used for advertising the store’s goods. The action of the council at this time would be to set a public hearing given that it is a zoning change. Also, the city would have to notify the county and zoning for their input under the law.

Councilwoman Johnson - States that it has been a long time coming and the people in the city have needed a supermarket. There are seniors, and this super market is centrally located, very nice, and they have everything all at reasonable prices. The city should embrace them and try to help them in any way that it can. 10,000 square feet can only apply to a super market, for them to be able to put the signage that they do just like all other supermarkets. This would be a plus for the residents and the owner to know what they are advertising. Food is a huge bill and to have a store locally, finally, that is paying taxes where that property had been vacant for years. The city needs to make sure this super market is successful; we do not want an empty space.

Councilwoman Flowers – Also went to the super market to talk to the owner, and this is about setting a public hearing, as far as a retail store there should be some type of restriction. Had seen the signs, and the signs that were taken down based on the current ordinance, they were large and has windows, but should he utilize every window in the store? Although the owner would like to compromise and the city needs to work with him as much as it can.

Mayor Tkazyik – The city has worked very hard to attract this new one of two supermarkets that has opened on Main Street with Associated, and had a chance to meet with the owner. It is a profound presence and energy there on Main Street; however there are concerns regarding Councilwoman Johnson’s proposal being safety with clear axis of view for pedestrians going in or police in the neighborhood. There

are other stores throughout the city beyond 10,000 square feet, where this will be called into question. The current ordinance calls for 10% and the tentative zoning code calls for the same space with actually stricter conditions for signage. The building department has been going door to door to work with businesses to comply with the sign ordinance in the city. The need to advertise is understood, however changing this limit could send signs in the wrong direction than to revitalize the downtown area. The development department should look at, instead of amending said ordinance, leave the powers with the planning board or ZBA appeals for supermarkets since that is the concern, so that variances can be granted and limits can be set.

Councilwoman Johnson – There are not that many stores that are 10,000 square feet in the city, and there is only 1 supermarket with possibly 2. If there is a concern there is a way of compromising say 50% every other window. There are ways to compromise with the advertising, but to just eliminate it all together is not in good favor with this business, where the city wants this business to be successful. If is only requesting a public hearing so that there could be more dialog on the matter, since it is important. There are a lot of single families and single moms, people may have other options, cars, but there are a lot of people walking to the super market, and this supermarket is very much needed.

Mayor Tkazyik – Where the other supermarkets exist (outside of the city), they are not on Main Streets, you do not see today currently the proliferation of signs and advertisements in the window and those supermarkets are not along main streets of downtown.

Chairman Klein – The mayor is proposing a different process.

Mayor Tkazyik – Have it remain within the powers of the zoning and planning board where these issues and requests come before. Amending the ordinance at this level will send the sign proliferation in the city in the wrong direction (**Councilwoman Johnson disagrees**).

Director Wojtowicz – Agrees that this is very important and that the city has worked for over a year with the owners and Davis Furniture trying to get agreements going before they even came before the planning board. The supermarket was welcomed and it was needed but having signs in windows may not be the right thing to do. We want to go forward and not backwards. In planning we are trying to be more progressive and this is not the right thing to do. And the supermarket already has more signs than the code allows, the board has reviewed their application and has allowed above the code. Signs in windows look cluttered and it is cluttered and the city would have no way to regulate how those signs look.

Chairman Klein – Councilwoman Johnson has proposed this particular measure, the mayor has suggested instead of an amendment to the ordinance that the discretion would remain in the planning department for decision upon application.

Director Wojtowicz – It would be like any sign application, it would be talked about with the planning board as to how many windows they would want to cover, which ones they would want to cover but the applications are scrutinized and they are best board to look at something like this. Across municipalities it would be hard to find an ordinance that would allow more than 10% of windows to be covered by signs.

Councilwoman Flowers – States that Director Wojtowicz mentioned about the stores application for signage and that the planning department has already worked with them and the signage exceeds what should have been in the store. In this particular case if they were to come back to the planning board about the signage in the window it would not matter since they have already exceeded the limit in their application and they don't have much room to work with. From what is understood, upon talking to the store owner, she did not know that was the case that the signs which state what is in the aisle are considered and in the application as a limitation. (**Councilwoman Flowers is corrected by director Wojtowicz telling her that not the aisle signs are not considered but the signs outside whether they say 'produce,' 'fish,' or 'dairy.'**) The concern that is posed is that if the ordinance remains the planning board can't go any further than it.

Director Wojtowicz – No, the planning board listens to people, it has made exceptions in certain cases for many different businesses. In particular, Mid-Hudson Medical Center.

**RESOLUTION INTRODUCING AMENDMENT TO
THE CITY OF POUGHKEPSIE CODE OF ORDINANCES ENTITLED
“ZONING AND LAND USE REGULATION
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-11-42)**

BE IT RESOLVED that an introductory ordinance amending Section 19-4.9 of the City of Poughkeepsie Code of Ordinances, entitled “Signs,” adding an exemption for retail stores under the interior sign regulations; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed ordinance be laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council hold a public hearing for public comments on said proposed ordinance at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:15 o'clock P.M., on May 2, 2011; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least ten (10) days prior thereto.

On a motion by **COUNCILMEMBER HERAMAN**, seconded by **COUNCILMEMBER PARISE**, the resolution was adopted on a vote of **5 Ayes, 2 Nays**.

The Mayor declared this resolution adopted.

Dated: April 4, 2011

R11-42						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

1. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.

Director Wojtowicz – Introduces the ordinance to change the property 11 Park Place from R-4 (High Density Residential) to I-1 (Light Industrial). Across the street from this property is all zoned light industrial and is surrounded by both residential and light industrial.

Councilman Mallory – States that a month ago the council discussed this and that the lot was not conducive to building. What were the measurements you gave? Director Wojtowicz answered 43 feet by 90 feet; the lot is 3870 square feet. Also to answer an inquiry from Councilwoman Solomon, the neighbors have no objection to the rezoning.

Councilwoman Flowers – This property is on the boarder of ward 5 and 3. The residential is in the 3rd ward and the business in the 5th.

ORDINANCE AMENDING CHAPTER XIX, SECTION 19-3.2 OF THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES

ENTITLED ZONING MAP

(0-11-4)

INTRODUCED BY COUNCILMEMBER HERMAN

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie as follows:

SECTION 1: The official Map of the City of Poughkeepsie as adopted by the Common Council on February 20, 1979 and as amended thereof is further amended as follows:

Parcel # 6162-71-324213- 11 Park Place from R-4 (Medium High Density Residence District to I-1 (Light Industrial).

SECTION 2: That the Common Council of the City of Poughkeepsie as lead agency has determined that there are no other involved agencies, that the action is an unlisted action and upon the short form Environmental Assessment Form and the examination of 6 N.Y.C.R.R §617.7 of the State Environmental Quality Review Act the attached Negative Declaration is adopted because no Negative impacts anticipated will occur by reason of this text amendment.

SECTION 3: that the City Chamberlain be and she hereby is directed to amend the official Zoning Map in accordance with this Ordinance.

SECTION 4: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER PARISE

O-11-4			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.

Director Wojtowicz – Introduces the ordinance to amend the zoning code to allow convenience stores in the C-1 district (Neighborhood Commercial). Right now only small mini-marts with gas pumps, what we are asking for are to allow convenience store that would be about 16,000 square feet with gas pumps.

Councilwoman Solomon – Inquires about amending the code, yet in the prior motion the council only agreed to a zoning variance for one property. Are there any more mini-marts that would want this type of zoning? And is wondering why this is generalize.

Director Wojtowicz – States that she did not see any. The amendment allows to put a use in the zoning that previously was not allowed.

Councilman Mallory – Wants to make sure that this is a special permit to allow this in the C-1 districts, and Director Wojtowicz assured him that is correct. It is not just site plan approval but a special use permit would be needed, where there needs to be a public hearing etc.

**ORDINANCE AMENDING CHAPTER XIX, SECTION 19-3.22 OF
THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED NEIGHBORHOOD COMMERCIAL DISTRICT**

(0-11-7)

INTRODUCED BY COUNCILMEMBER HERMAN

SECTION 1:

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie the Chapter XIX, Section 19-3.22 of the Code of Ordinances of the City of Poughkeepsie is hereby amended as provided in the text which is attached hereto and made a part hereof.

SECTION 2: That the Common Council of the City of Poughkeepsie as lead agency has determined that there are no other involved agencies, that the action is an unlisted action and upon the short form Environmental Assessment Form and the examination of 6 N.Y.C.R.R §617.7 of the State Environmental Quality Review Act the attached Negative Declaration is adopted because no Negative impacts anticipated will occur by reason of this text amendment.

SECTION 3: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER PARISE

Additions are denoted by **BOLD** and **UNDERLINE**

Official Minutes of Common Council Meeting of April 20, 2011

O-11-7						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.

Introduced by Councilman Mallory

Resolution 0-11-8

Changing parking around Mansion Square Park

Asst. Corp. Counsel Ackermann – Introduces the ordinance as a change to the parking around Mansion Square Park, between N. Hamilton and N. Clinton Streets. Currently there is 2 hour parking on the north and south sides of the park and this would be to remove the 2 hour limit and the only periods of no parking would be on Fridays between 9 and 12 when street cleaning is scheduled for that area. There was no consensus to why the 2 hour parking was put in place, and the Police Department has no objection to removing the 2 hour limit.

Councilman Mallory – Adds that he spoke with the Police Department about the 2 hour parking and why it came about, and confirmed there was no consensus why the 2 hour limit was ever enacted.

Councilwoman Flowers – States that the 2 hour limit was a big issue for residents in that area, and that the residents could not understand why the ordinance was like this. They would like to see it changed.

NEED RESOLUTION!!

O-11-8						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1) **FROM COMMISSIONER OF FINANCE BUNYI**, March 2011 financial report.

Commissioner of Finance Bunyi – Introduces the expense budget performance report, one for total general fund and the other for specifically public works. The reason only the expense report is available is due to being the first quarter some things are yet to be accounted for. The revenue portion will be available in another month or 2. Additionally, based on projections sales tax is projected to be around \$11.8 million, the highest ever for the city. Unfortunately most of this is due to high gas prices.

- 2) **FROM MARY ANN BAGATTA-STUGATZ**, a notice of property damage sustained on March 22, 2011. **Referred to Corporation Counsel.**
- 3) **FROM THERESA RODDEN**, a notice of property damage sustained on March 30, 2011. **Referred to Corporation Counsel.**
- 4) **FROM LOUIS T. EMICKE**, a notice of property damage sustained on March 18, 2011. **Referred to Corporation Counsel.**
- 5) **FROM COURTESY CARWASH**, a notice of property damage sustained on March 16, 2011. **Referred to Corporation Counsel.**
- 6) **FROM TRAVELERS INSURANCE**, a notice of property damage sustained on January 2, 2011. **Referred to Corporation Counsel.**

X. UNFINISHED BUSINESS:

Councilmember Solomon – Asks about the status of the letter from Riverkeeper. She is answered by the Major that the letter is with Corporation Counsel. Other than that letter no other legal action has been taken.

Councilmember Mallory – Asks if there been anything new from NYS parks and recreation? He is answered by Asst. Corp. Counsel Ackermann that it was recently received and had spoken to the council chair to get it wrapped up and the city is prepared to present the seaway navigation amended agreement. A special meeting was set for this issue Saturday, April 23rd, 10am. Inquires also about the taxi inspections and how that is going along. He is answered by the City Chamberlain that the taxi inspections will start in may everything is in order. Inquires also about the temporary parking permits for landlords. He is answered that it is in the works with Corporation Counsel.

Councilmember Johnson – Inquires about tree planting, and how many the city has gotten this year. She is answered by the City Administrator; DPW is preparing the bid to see exactly how many the city can get.

Mayor Tkazyik – Will soon inform the council regarding the trade’s apprenticeship program.

XI. NEW BUSINESS:

Councilmember Mallory – Asks if questions that have been asked before council meeting such as in emails or in person before a meeting, if they may be admitted into the minutes. He is answered by the City Administrator that the city needs to be careful with what goes into the minutes and what is actually required for the minutes.

Also that committees are being filled, and asks for a list of all current members serving on the committees. The Mayor answers that his office will get those out shortly.

Additionally, there has been located a leak at Pulaski pool, and is it troublesome. He is answered by the City Administrator that it is not serious. Thanks the city for working with CTC for those who need to do community service.

Councilmember Flowers – Inquires further about the CTC program and who is organizing the program. She is answered by the City Administrator that they have gotten to Spratt Park, but does not have a specific schedule for the other parks. The councilwoman is concerned about College Hill and would like to know when CTC will be there so that she may coordinate other groups to help. City Administrator Long assures her he will get that for her. Also there will be a walk for MS at the CIA on May 1st at 9am.

Councilmember Johnson – Would like to know when they will be getting to King Street Park and also that there is being soccer played on the tennis courts. She is assured by the Mayor that that will all be taken care of. She would also like a list of city sponsored and co-sponsored events and she will receive that.

Councilmember Solomon – States that she went to the gardening meeting and was wondering what happened to planting vegetables. The Mayor states that all of that is in the works there have been many proposals and Councilman Mallory will be looking over specifically Earline Patrice Park and the vegetables there.

Mayor Tkazyik – The Hooked on Fishing event at Morgan Lake with be on April 30th and May 1st starting at 8am.

XII. ADJOURNMENT:

A motion was made by Chairman Klein and seconded by Councilmember Herman moved to adjourn meeting at 8:55 p.m.

Dated:

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, April 20, 2011, 2011 at 6:30 p.m.

Respectfully submitted,

City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers

Wednesday, April 20, 2011

6:30 p.m.

6:15 p.m. Public Hearing regarding proposed amendments to the zoning code allowing convenience stores with gas in the neighborhood commercial district.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

III. REVIEW OF MINUTES:

Public Hearing of August 30, 2010 (regarding Dutton O'Neil)
Public Hearing of August 30, 2010 (regarding 2011 Capital Plan)

IV. READING OF ITEMS by the City Chamberlain of any resolutions not listed on the printed agenda.

V. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.

VI. MAYOR'S COMMENTS:

VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VIII. MOTIONS AND RESOLUTIONS:

1. **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, Resolution R11-37, amending towing rules and regulations for the Police Department.
2. **FROM COMMISSIONER OF FINANCE BUNYI**, Resolution R11-38, approving an Inter-municipal Agreement with the Town of Poughkeepsie for the operation of Spratt Pool.
3. **FROM COMMISSIONER OF FINANCE BUNYI**, Resolution R11-39, approving Lease to Own financing for Fire radios, Police cars and Utility Software upgrade.

IX. ORDINANCES AND LOCAL LAWS:

- 1) **FROM DEVELOPMENT DIRECTOR WOJTOWICZ**, Ordinance O-11-4, amending Section 19-32 of the Code of Ordinances, entitled "Zoning Map", rezoning property know as Grid No. 6162-71-324213 (11 Park Place).
- 2) **FROM DEVELOPMENT DIRECTOR WOJTOWICZ**, Ordinance O-11-7, approving proposed amendments to the zoning code allowing convenience stores with gas in the neighborhood commercial district.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1) **FROM COMMISSIONER OF FINANCE BUNYI**, March 2011 financial report.
- 2) **FROM MARY ANN BAGATTA-STUGATZ**, a notice of property damage sustained on March 22, 2011.
- 3) **FROM THERESA RODDEN**, a notice of property damage sustained on March 30, 2011.

- 4) **FROM LOUIS T. EMICKE**, a notice of property damage sustained on March 18, 2011.
- 5) **FROM COURTESY CARWASH**, a notice of property damage sustained on March 16, 2011.
- 6) **FROM TRAVELERS INSURANCE**, a notice of property damage sustained on January 2, 2011.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: