



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, August 22, 2011 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All present

II. REVIEW OF MINUTES:

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| Re-Organizational Meeting of January 3, 2011 | 8/0-H/P |
| Common Council Meeting of January 3, 2011 | 8/0-H/P |

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

None

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

Kevin J. Gallagher 9 Dwight Street: Vice Chairman of the Historic District and Landmarks Commission. I was one of the two members of the commission who meet with members of the council two months ago. We appreciated the opportunity to meet with Mr. Klein, the Mayor, Mr. Morgan, and Mr. Long. This process has gone on for quite some time, and I am happy to hear that the public will have more time to address this. It should be done right. One of the things I would like to comment on a positive thing is that following our meeting this draft I think has better language concerning the definition of economic hardship. I think there has been some

confusion about that. I think the Historic District Commission at times has been criticized for not taking that into consideration with individual properties. Personally I believe that such criticism is entirely unjustified and a reading of our minutes would show that. Also following our meeting powers of the commission have been added to this draft. They were not present in the earlier draft. There are some things that I want to bring to your attention that I do think need some more work. There are clear definitions for the qualifications and desired abilities for members of the Historic District and Landmark Commission that is largely carried over from the current ordinance. However there is a new provision that allows for the appointment of up to four alternate members. There are no such requirements for anyone appointed as an alternate member none what so ever, and I think that if you looking for interest, expertise, and public commitment on the part of members of the commission. I think the same standard should be held if there are going to be alternate members. I think they should apply to those people as well. There is also a process for appeals to the city council which is appropriate you are the elected representatives of this community. One thing though that I do have some trouble with is that the council can reverse a ruling of the Historic District Commission, which is suppose to use objective criteria based on the building, the history of the property, or whatever it might be. There does not seem to be any requirement for this same kind of objectivity on the decision of appeal by this body. Also there is a provision that allows the building inspector, and this was touched on to some degree by demolition of neglect with dangerous conditions. I would just like to say that I hope that is very carefully and clearly administered whenever this is finally adopted. There have been a couple of instances during my tenure on this body where I think that provision was used inappropriately to circumvent the Historic District ordinances that are in place. The last thing that I would like to say as a procedural thing we at the Historic District Commission did not get copies of the provisions, and I just hope that going forward we receive them directly.

Candice Lewis 2 Logerman Avenue: President of the Board of the County's Historical Society. We run a museum in the Glebe House, which is also a city owned property. We are coming fresh to this issue we have not been included in this process, and not only until last week did we start to become aware of this as an issue. So I have come up with a statement that is a very simple statement. This evening I would like to urge the common council to delay the vote on the current historic provision ordinance until you have had more time for review. Ultimately we would like to see a law that brings Poughkeepsie into the CLG Certified Local Government Status thus presenting us with the opportunity to apply for grant monies. The Historic Preservation Commission should be more than an advisory only body, and should use historic preservation standards in its work. This has great significance for us as a historic non for profit, because we are working with one of your buildings. So we are very interested in what happens with this law.

Ken Stickle 118 Catherine Street: In 2009 we passed a very good historical bill. In 2010 the new city council came in and rescinded it. I never understood why we rescinded that law. Economical hardships when people talk about “Oh you cannot do an economical hardship”. The thing that everyone needs to realize is that when you are looking at a historical house over on Academy Street a lot of those houses have a slate roof. When those slate roofs go it is very expensive to replace. They do have substitute materials that will make it look like a slate roof but at a fraction of the cost. We need to go back and look at the law that the city council in 2009 put in effect. That law was a good law and I was opposed to doing anything to it. I have worked with the historical commission on a couple of jobs on Academy Street. Answers came quickly, and the people put in a lot of time and effort into that law. I think that we need to go back and put that law back on the books.

Constantine Kazolias 47 Noxon Street: I have not read the ordinance, but after listening for an hour I can reflect back on my history of Poughkeepsie. My historic structure was Urban Renewal. I would just like to say one thing to this council this is not Urban Renewal or the Arterial project where we lost many houses that way. We need to listen to these people. I think it is best to go back to the drawing board because it is their houses. My advice to the council after living through Urban Renewal is to listen to these people because they are fighting for their survival. Go back to the drawing board, work out the kinks, and do not rush to judgment.

Holly Wahlberg 35 Garfield Place: I would like to start by saying that as far as I know this law is not Shippo approved. I called Adams at Shippo on August 15th to ask that question directly, and he stated that it was not Shippo approved. Let’s be clear about something else there have been significant deviations from the language recommended in Shippo’s model ordinance. We should not accept a law that does not ensure that at least one seat on the commission is reserved for a resident of a historic district. These are our homes and our property values on the line, and we deserve representation. This law sets up a system of commissioner alternates that Mr. Gallagher discussed, but without qualifications required for these alternates and that is wrong. This law does not allow the commission to conduct city wide historic resource surveys, and usually you see a limitation like this when a local government is trying to impede the commissions ability to propose new designations to the local register. This ordinance introduces confusion and arbitrariness into something as simple and straight forward as what constitutes ordinary maintenance and repair. Instead of defining this concept with the typical one sentence language used in almost all ordinances Poughkeepsie’s law would allow the commission to setup up some sort of vague undetermined waiver system with definitions and criteria based on what no one actually knows. Most ordinances include a requirement that historical homes be properly maintained so that they do not fall into serious and costly disrepair, but in Poughkeepsie’s ordinance there is no maintenance requirement even mentioned, and the city would only intervene at the desperate eleventh hour of imminent collapse when it could be very well too late to save the building at a reasonable cost. In the

law being proposed applicants to the commission would be required to provide “pricing alternatives” for materials when actually it is none of the commissions business how much applicants spend. Their job is to evaluate whether new materials are compatible with the historic character of the building. The economic hardship review is always kept strictly separate for very good reasons. This law would require a mandatory full blown public hearing for every homeowner application to the commission this is completely unnecessary government red tape, and will at least double the amount of time it takes a homeowner to get an approval for work, and will burden the city financially. This law has a section where the building inspector can override the commission if he deems that a building is “dangerous to the public”. Without proper safe guards this type of clause can be and has been abused. If someone does not like a commission decision suddenly a dangerous condition appears. The building inspector is instructed to override the commission. There needs to be added language that limits any emergency work to only what is reasonably necessary to correct the dangerous conditions. Writing into this law that the City of Poughkeepsie will not seek authority over city landmarks owned by the county is obviously designed to help further plans to demolish the Nelson house, which is the only county owned local landmark in the city. That is undoing a designation by the back door, and that is just plain irreprehensible, but the most fundamental change being proposed is giving the city council the authority to overturn any commission decision on appeal without using any professional objectives or criteria for doing so. We need to have a law where the preservation specialists are allowed to do their jobs. We do not want the city council trying to be the shadow representative commissioners and getting sued for subjective readings that are not legal. That is why other cities do not structure their appeals process in this way. The CLG cities of Newburgh, Kingston, and others all have an appeal process where the applicant either appeals to the court directly, or the common council does a procedural review only. The last few fragile pockets of character and beauty that remain in the city will survive only if we can convince potential buyers that their investments are protected by good law. This proposed new law has too many obvious problems that still have to be fixed before can be effective enough to stabilize and evaluate properties and neighborhoods.

Eileen Haden 10 Gaspin Road: Preservation of the City’s historic fabric is an important concern for me, many others, and I am sure the council as well. In light of Mr. Morgan and Mr. Long’s comments some of my concerns may or may not still apply. The ordinance under review is one of the most ambiguous and contradictory documents I have read in a long time. I believe that it adversely effects plan full development, growth, and change. Just a few thoughts the commission as described would be advisory only. The council with the advice of staff who might not be conversant with Historic Preservation procedures or policies can override commission decisions, and will become final arbiter for applicants. Membership on the commission does not require representation from each historic district, and the role of the alternate is very unclear. Ambiguity abounds for instance the common council

decides on landmark designations as it deems appropriate, but does not have to follow the same criteria as the commission. Later in the document it states that the common council shall use the same criteria as the commission. Perhaps this has been changed we shall see. Authorization for substitution of non-complying materials and hardship situations will diminish the historic viability of a structure when it flies in the face of established preservation concepts. On a whole any erosion of federal and state historic standards provides wide latitudes for decisions to demolish structures that might stand in the way of future development. Shippo clearly recommends early intervention before a building is demolished. Federal standards also have a relationship to community development block grants. As written the city would be ineligible for CLG status and thus put federal and state granting funds in jeopardy. I am pleased to hear that new wording had been changed. I think that you have to sit down and clarify the language, close the loopholes, and create a workable, equitable, and enforceable ordinance, and publish the results noting the changes that have been made. It was very difficult parse the proposed amendment as I looked all over the website for it. Our heritage is a key part of our vitality as a city. Cities that have protected their historic structures and districts have seen an economic return. As the walkway continues to draw great numbers the view space should include a vibrant city with its historic landmarks and districts properly preserved. Yours is a public trust to govern for all of the citizens of Poughkeepsie and protect our legacy.

Virginia Hancock 26 Lockerman Avenue: My concern is the fact that we are allowing our downtown to dissipate, and as you well know because I have spoken before you other times the importance of our historic landmarks and structures. We should all be working together for the best possible plan to protect. This document does not do that it is not a professional document. Please go back and look at what you have written, and think about what people are saying tonight. We come here to work with you for the best for our community, and the historic fabric is so much a part of this city. Other cities do not have what we have, but if we go with this kind of ordinance we are not going to have much left.

Roger Christenfield 103 South Hamilton Street: I think Poughkeepsie is a splendid city, and I believe that two of its greatest features are the riverfront, which is in danger of being sequestered, and its historic architectural heritage, which is always in danger. I have counted on the local historic preservation commission as a shield, but I fear that the proposed ordinance will be corroding that shield by undermining the authority of this commission, which those of us who live in historic houses have relied on. For one thing to remind the city that any addition to the tax rolls gained by obtrusive development inappropriate to historic districts and houses is sometimes more than depleted by the devaluation of the surrounding properties. As the owner of perhaps the most recently designated historic property I think. I would have to say that I probably would not have applied for that had I known that these changes were in store. Among the most worrying are the ambiguities in the requirement for a certificate of appropriateness where I use to think that if one simply maintained the

external appearance of the house that was sufficient, but now one is faced uncertainly with the prospect of a potential team of architects producing not only photographs, but perspective elevation drawings, and public hearing. I am delighted to hear that you have decided to postpone the vote on this. I understand it took a year to be presented in the first place, and I think perhaps just a little more time might improve what re now clearly worrying imperfections.

Nicholas Caligress 14 Maryland Avenue: I think as I mentioned at the last public hearing I was at that the point is being missed here. Keeping the current historic designation ordinance is really the best way to go until we do further study and planning on the issue. We have to look at the importance of the historic buildings for bringing sales tax revenues to Poughkeepsie. A lot of people visit cities just to see the architecture does it not make sense to protect the remaining historic buildings that we have if not for anything, but to bring in more business into the City of Poughkeepsie. With sales tax revenues we can improve the quality of life for the City of Poughkeepsie. For me it makes sense to keep the historic designation the way it is currently until we do more study, and that may take a little more time than just a couple of weeks. What we need to do is look at the matter more carefully to see how historic structures can improve the economic vitality of the City of Poughkeepsie. Once more study is done you will see that increased tax revenue just from tourism and people who want to see the historic structures and the walkway. This is a great way of increasing sales tax revenue in the City of Poughkeepsie.

Susan Buck 78 Innis Avenue: Thank you for postponing the vote this evening. I think that I would help if the public could be presented with a side by side comparison of the new and old ordinances. So that everyone can know exactly what is being proposed. I felt that I was shy in knowing that I don't have a computer, and although I subscribe to the news paper I somehow missed the boat. I would hope that the community could learn more about what is being proposed by the new ordinance, and perhaps how other communities have created good ordinances. The first step is giving the community some background and explanation so that we can participate in a meaningful was, and so that we know what is to come for these special places in Poughkeepsie. I think that if we have another hearing after an information session is held it would help the community members who do not have all the facts.

John Mylod 101 Beachwood Avenue: It was disconcerting in the preparation of some comments to participate in a public hearing when you looked at the agenda for the common council that included a resolution approving the historic preservation ordinance. I applaud the council for deferring the decision on this very important and unfinished document. There is new information that has come out tonight, and it is very difficult to come to a public hearing, and then suddenly find out new information, but not seeing a document that you can actually read what is being proposed, and there were some very important comments made regarding whether we are or are not acceptable to Shippo, whether we are or are not a CLG eligible

community, comments on city owned property with respect to how to maintain the historic structures that are City owned, and also some very troubling comments regarding finances. It seems to me that the ordinance should not be based on what our particular finances are at this moment. It seems to me that comments such as not really wanting to maintain, or looking at historic building that the city owns based on whether the city might have to borrow some money to maintain them. Is not the direction that we want to go to in terms of how the city treats historic preservation in general, and specifically the buildings that it owns. I am glad that you are not going to vote tonight, but I would encourage you not to vote next week or the following week until there is a substantial document put forward. As other members of the community has suggested. That clearly state what the latest city position is, a clear understanding of where the changes have been made, and one that is available in the library. Do not make a rush to judgment weigh everything, and create some workshops where everyone can see and hear that which is being recommended.

John Fisher 149 Academy Street: I am a resident of a historic district and I am also a chairman of the historic commission. I am pleased to find out that you will not be voting on this legislation tonight. I feel that there are a lot of issues that need to be addressed. Some have been addressed by other members of the public already. This has been a long drawn out process. I was upset that the first draft of this was proposed back in October without any input from the commission members and there were no requests. It was reintroduced in June of this year having been revised although it was very difficult finding anything that was changed in that version of the ordinance. I was happy to have met with Mr. Long, Mr. Morgan, The Mayor, and members of the council. We had made some request and I do not believe that they have been fully addressed after that meeting that we had some other concerns that have not been made to the ordinance, or have granted a response why they were rejected. There are a few things that are troubling. The public hearing for certificate of appropriateness is a big issue I do not feel that any homeowner should have to go through publishing for a public hearing and having that level of difficulty just to have a minor thing like a paint color, or small alternation done to their house. It creates a much more difficult process not only for the homeowner, but for the commission, and the city staff. The appeals process should be in place there certainly should be an appeals process, but it should not be on the substance it should be on the procedure. That would require a lot of extra work for the council to come up to speed on preservation issues, and what the department of the secretary of the interiors guidelines are. In short the purpose of the historic preservation is to protect the city's assets. It also shows the owners of these properties that the large investment in time and money that they takes to preserve a part of history and a part of our city which is a huge attraction that their investment is going to be protected. Knowing that the other house in your neighborhood will not be drastically altered, or fall into disrepair gives some sense of security. There is a lot of talk about the financial burden on the city, but there are a lot of finances that affect the owners of these properties, and their investments should be protected and preserved. I look forward to addressing more of these concerns in the future.

Brian Doyle 3 Kimble Road: I am asking that the proposed revised ordinance be reworked as to provide a strong commitment to the preservation of our important historic properties and districts. A strong historic preservation ordinance is not only for the purpose of preserving history for its own sake although that is important, but it reflects the fact that the economic wellbeing of this city is tied to the city's commitment to preserve our historic properties and districts. Communities that commit to preserving its historic properties are better off in its economic development efforts. Some of my concerns regarding the ordinance as proposed the alternate members as permitted by this ordinance would not have to meet the same criteria that the regular members have to meet. This is a problem that could easily be fixed by changing the ordinance to require that the alternates do need to meet the same criteria as regular members. As proposed the ordinance's definition of demolition by neglect would allow for a neglected property to go too far in terms of its deterioration to the point where it is irretrievable before the city's intervention would take place. We want the city's ability to enforce the prohibition of demolition by neglect to be earlier on when it can count and can save the property. In part D2A I believe there is an unintentional error in that there is reference made to designation rather than what that section pertains to, which is the process for issuance of certificate of appropriateness I hope that will be corrected. The proposed ordinance requires that only one of its members be a resident of a historic district. It would be far better that there be a resident from each of the city's historic districts. The most serious problem I see with the proposed revised ordinance is that it makes the commission in essence advisory only. In that it can only recommend to the common council. Furthermore while the commission's recommendation of historic properties and districts abide by certain criteria and standards. The common council would not be obliged to abide to criteria, but could ignore the commission's recommendations for any reason what so ever without regards for any standards. I would suggest that this be revised to reflect that the common council overrules of the commission's ruling be simply based on what they have determined that the commission has been arbitrary and capricious in their decision. The proposed ordinance requires a public hearing for all applications for city certificates of appropriateness this is far too cumbersome as some of these applications are routine and have no complications about them what so ever. This requirement causes unreasonable red tape for the property owner, and unnecessary work load for the commission and city staff. Prior to passing this ordinance I think it is important for the council to get a clear reading from Shippo so that the ordinance will qualify the city as a certified local government with all that designation brings in terms of accompanying benefits. They provided that insurance when the 2009 council passed its historic preservation ordinance such assurance should be secured now. I would also like to speak briefly to the underlying tone of parts of the ordinance, which essentially imply or explicit in indicating what a financial hardship historic preservation is. It is also troubling that only a piece of the overall zoning is being considered in isolation rather than the long promised but yet to be delivered ordinance overhaul.

Ross Johnson 125 Academy Street: The City of Poughkeepsie according to the 2010 census contained over thirteen thousand resident buildings about 48 are within city historic districts. What we are trying to preserve is a snapshot of Poughkeepsie's history that deserves the highest and best protection that you as council can give so I would like you to adopt the strongest possible ordinance and correct the flaws that have been addressed here tonight. The other is the properties leave a lot of opportunity for economic development. Where people can buy a home, property, or building and develop it development purposes. So you can have both a strong ordinance and abundant opportunities for development. I would also like to ask you to appoint the strongest and have the strongest criteria for people who serve on the historic district and landmark commission. Why would you have an ordinance here where you appoint people on the historic commission and then have a clause in there that allows council's to rethink all that work, and set yourself up as making a secondary judgment? That is a clause where I would just like to say trust your officials and experienced people that you appoint to the commission, and then trust Shippo and their language.

Penny Lewis 28 Harrison Street: My concern is that the public does not know all that has been written about this commission. We need to let them know about it. We have people that do not have the privilege to understand it, and then the youths. You are taking away a lot of the areas where the youths go to after school. The Y's are gone, and Poughkeepsie Day Nursery also almost left us. What is happening to the youths? They are living in these historical homes. What happens when they must move because it is not repaired in time? We seniors and the youths are left out.

Nancy Kozine 115 Hooker Avenue: I have to say this has been a very educational evening for me although I have had different viewpoints in terms of this resolution. One of the things that were troubling to me was who decides whether these buildings have a purpose? The purpose of these homes is evident if you look at how historic these homes are, and if what they provide. Upper landing and other historic sites all have a unique purpose that is attuned to this community. Every historic building has a distinct purpose that is acclimated to making our city a better city not only financially but also in terms of prestige and pride in our community. When you are taking a look at who decides if these buildings have a purpose it needs to be thought of in a very broad sense.

Jeremy Doxi 21 Rosalyn Road: I would like to concur with the comments I have heard today at the public hearing. I am concerned that the city's ordinance on preservation has been in a process of retrograde. It seems as though what was being added to this new ordinance was being disguised. I find that troubling and I hope that next time when new iteration is posted on line that is included. I would also like to point out that as a city planner communities throughout the Hudson Valley that have big economic draws due to their historic districts. What makes Poughkeepsie distinctive is the historic architecture and heritage. I would ask this council to take a

long hard look at this ordinance and find out what Poughkeepsie's distinctive selling points are going to be.

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

Cecilia Nowak 14 Beekman Street: I approached the council to investigate the illegal parking on 16 Beekman Street. As yet I have not heard any information on this. I would like to ask again what is going on in legal. This is where all the answers lie. This is where they tell me I would find knowledge about this illegal parking lot. If I were to move my fence line and put in an illegal parking spot with no permits or inspections. I would surely be fined, summoned, and dragged through the system. The first illegal project took place on 207 Washington Street in the year 2006. A medical office building on R2 property was allowed to be built, and now from 2010 to the present on 16 Beekman Street an illegal parking lot with no action from the City of Poughkeepsie to correct the illegal use of R2 property. I am reminded daily why this was not the correct location for any commercial building. I believe the proper procedure for amendments are to go before the ZBA and neighbors will be notified via certified mail about these amendments. So I will ask again why is 16 Beekman Street and illegal parking lot? I still believe 207 Washington Street was not the right location for a medical building. As we found out I was right. Parking has been an issue from the beginning. This is a self created hardship, and now 16 Beekman Street is being used as an illegal parking lot. This parking lot was never included in the original specs for 207 Washington Street. So tell me who is approving these closed door sessions.

Ken Stickle 118 Catherine Street: The City of Poughkeepsie has the honor of being Tree City USA, well Tree City USA looks pretty sick out here. We are having a bunch of storms this year, and if you go out there and look at our trees there are a bunch of dead in them, and they are becoming a big problem. I think we need to have the parks and recreation out there trimming some of these trees up, and cleaning the dead out of them before someone is injured.

Louis Kaufman O'Neil Group 1 Dutchess Avenue: I had hoped to come back tonight and have some movement on some of the issues that were left outstanding on the development that is before you, yet because of this summer schedule things did not move along as well as we had hoped. We have meetings that will occur in the near future to resolve some of the issues that have been brought forward to our attention through this process, and I hope to be able to see you next month with some positive results. On a personal note you show infinite patience sitting up there, because the people that do not appreciate your efforts.

Constantine Kazolias 47 Noxon Street: I would just like to say a few things, because Mr. Mylod straightened me out about a couple of things. Something that has

irritated me is that in front of the schools sidewalk work is being done. The school board received money for this and it was not suppose to become a tax burden upon the tax payers, but instead they built a sports stadium up there. I do not know where the money is coming from to fix the sidewalks but I bet it is coming from the tax payers. I am very concerned with things in the city, and downtown does not look good right now. I see the cops out there trying to make it better, but let's tell the truth Poughkeepsie has been a dumping ground for the last four years.

Holly Wahlberg 35 Garfield Place: I wanted to take an opportunity to talk to you in a little different way tonight, as an investor, an investor in Poughkeepsie, someone who believes in the city and its potential. My husband and I have put our money where our mouths are when it comes to preservation. Our home on Garfield Place was in horrible condition when we purchased it 16 years ago. The roof was shot, the chimneys were purged, and the windows and doors were rotting. The rear porch had been ripped off and replaced with pressure treated deck that was falling apart. The bathroom and kitchens were 40 years old, and the bedrooms had falling plaster ceilings. Over the generations our house had become a major roosting site for bats. Over the years like those on my street and Academy Street as well we have pretty much seen it all; loitering, public urination, drug deals, graffiti, and prostitution. I have had my car vandalized twice, my tires slashed twice, and two weeks ago someone stole a copper gutter out of my backyard. A homeless person was living in my neighbor's gazebo and spending his day napping on the lawn furniture of my other neighbor's. This past winter there was someone who specialized in robbing your house while you were out snow blowing. Last week there was an undercover drug bust right in front of my house at 5:30 in the afternoon, and last month the police confiscated 236 bags of heroine three blocks from my house. Awhile back a police officer stopped in front of our house and acknowledged how much work we had done to our house over the years, and how beautiful it looked. He said you guys are like the Alamo here. Years ago we would have people drive down our street just to see all the beautiful architecture, and sometimes they would roll down the window and say great house. Now I hardly see any of those people anymore. No one wants to come see declining houses that were once so beautiful. Many of my neighbors have sold their houses and gotten out. They are puzzled why my husband and I choose to stay. They say don't you see that these streets are not going to hold. The city is not doing anything to help. You are just living on an island that is gradually sinking into the sea, but we have refused to give up. A major part of finding and retaining people that will not give up, and are willing to invest is a strong preservation ordinance. This is all that has kept Garfield, Academy, and Dwight from looking like so many other streets in Poughkeepsie that are now just a shadow of what they once were. I urge you to get out of your car and walk these streets, and see what is happening, and how important a good ordinance really is if there is any hope of keeping these houses healthy and beautiful city assets.

VI. MAYOR'S COMMENTS

Mayor Tkazyik – I would like to thank Councilwoman Flowers and Councilmen Mallory for a successful event this past weekend at Mansion Square for their unity and the community block party it was attended by many. It was great seeing the families and young people out enjoying a beautiful day in the park and the support of the council for being able to provide these ward parties in each ward. Also we are planning for the upcoming first weekend in October the 1st and 2nd the annual Kid's Expo event at Orious Park in downtown Poughkeepsie, and secondly in that same weekend down in the 1st ward we kick off the taste of little Italy festival in the Mount Carmel neighborhood for the second year. City Administrator Long and I have been working diligently with the city's 2012-2016 Capital Plan. We will be meeting with the PDCP board as well, and looking at the transportation improvement plans to see how the region may be hit by a decrease in funding to various projects, and to see how that overall agenda will affect our plan as well. So we will be looking into that within the next week so that we can again finalize what will and will not be in the plan, and of course if this is a regional hit as well, and any decrease in funding the larger body the PDCP board will vote as a whole, and then the mayors and supervisors of the other counties and various other appointments will see how this plan fits into our 2012-2016 Capital plan.

VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Klein – I would like to also add to the mayor's congratulations of council members Flowers and Mallory. I also attended with other council members the 3rd and 5th wards event. I had the pleasure of seeing councilwoman Flowers participate as a contestant in a pie eating contest. It made it a truly memorable day in every respect. Congratulations to council members Mallory and Flowers I know you worked very hard to get this event together, everyone was having a wonderful time, and the weather was just right. Secondly I would like to welcome everyone back after our hiatus. It is great to see everyone back and working hard.

VII. MOTIONS AND RESOLUTIONS:

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

**RESOLUTION
(R-11-71)**

INTRODUCED BY COUNCILMEMBER HERMAN

Linda R. MacIssac- Informed the council that the resolution before the council is for the Amended 2011 Community Development Block grant action plan. The funding from the Federal

government was \$125,736 less than I had anticipated. In actuality it is \$181,533 less than last year's allocation. So we had to amend our allocations downward unfortunately, and thank you Mrs. Flowers for pointing out in my cover memo I neglected to indicate that the planning and administration was reduced by \$51,000 and change as well as the other reductions as well.

WHEREAS, in accordance with 24 CFR Part 91, Consolidated Submission for Community Planning and Development Programs, the City of Poughkeepsie submitted a one year Action Plan in 2011 which outlined proposed uses of Community Development Block Grant (CDBG) funds for that year; and

WHEREAS, the Department of Housing and Urban Development (HUD) awarded the City less funding than the amount estimated by the City's 2011 CDBG Action Plan submission; and

WHEREAS, the Social Development Director has recommended the City amend the 2011 Action Plan allocating funding to coincide with monies received pursuant to HUD; and

WHEREAS, the Common Council of the City of Poughkeepsie desires to amend the 2011 Action Plan as approved by the U.S. Department of Housing and Urban Development and in accordance with the Social Development Director's recommendations; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby amends the 2011 Community Development Block Grant Action Plan; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Poughkeepsie hereby authorizes the submission of the amendments to the U.S. Department of Housing and Urban Development.

SECONDED BY COUNCILMEMBER PARISE

| Vote Record – R11-71 | | | | | | |
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| | | | 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 Mallory | 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 Murphy | 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.

**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-11-72)**

INTRODUCED BY COUNCILMEMBER HERMAN

John Morrabito- Informed the council that he has provided an informational letter regarding two parcels on North Hamilton Street, 204 and 208 North Hamilton Street. I spoke a couple weeks ago with councilmen Parise, building inspector Gary Beck, councilmember Mallory, and the owner of those two parcels who also owns some other parcels on North Hamilton Street. He is the owner and Operator of County Carburetors. We had spoken about the possibility of rezoning those two parcels to an I-1 industrial zone. County Carburetors has been there around 60 years or so, and the fact of the matter is that when you look at that use and the potential for the adjacent property. They probably more correctly should be zoned as an I-1 zone. When you check the zoning map you see that the zoning line jogs out there and does not include those in the I-1 zone partially because there are some residential homes there. In looking at this we believe there is good possibility to rezone these parcels. I think it makes sense if you look at that entire location you see that the jail is down the street, and across the street is the beverage station center. I think that in our draft rezoning you might want to go back and look at that. I could imagine that with these other commercial businesses and uses in and around that area. Portions of this area could become a commercial neighborhood hub. Perhaps we should take a look at some of the other allowances. As of right now I am requesting that the council set a public hearing to rezone those two parcels to light industrial districts.

BE IT RESOLVED that an introductory ordinance amending Section 19-3.2 of the City of Poughkeepsie Code of Ordinances, entitled “Zoning Map,” rezoning property known as Grid Nos. 131300-6162-55-266433 and 131300-6162-55-267439 from the R-3A (Central Medium Density Residential) District to the I-1 (Light Industrial) District, be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; 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 September 6, 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.

SECONDED BY COUNCILMEMBER PARISE

| Vote Record – R11-72 | | 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 Mallory | 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 Murphy | 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.

**RESOLUTION
(R-11-73)**

INRODUCED BY COUNCILMEMBER HERMAN

John Morrabito- Informed the council that the resolution before them is in regards to undertaking improvements to Pulaski Park as part of the 2011 New York State Office of Parks, Recreation and Historic Preservation Development and Planning Program Grant. Pulaski park pool, the pool house and the park itself is in need of repair. There are no windows in that building. I believe that help to deteriorate the building in the off season. We looked at a number of things and worked to come up with materials prices. So tonight we are just asking as part of the application that must be submitted before September 1st we do need an authorization from this council authorizing the preparation and submission of the application.

WHEREAS, the City of Poughkeepsie is proposing to undertake improvements to Pulaski Park as part of the 2011 New York State Office of Parks, Recreation and Historic Preservation Park Development and Planning Program Grant; and

WHEREAS, the grant will allow for certain improvements as follows:

- Installation of safety glass panels in existing framed window openings in the pool house;
- Renovation of the concrete floors (scraping and painting);
- Installation of one (1) new entry door at pool house interior area;

- Installation of two (2) awnings on pool house building;
- Installation of six (6) new grills and trash/recycling containers;
- Installation of thirty (30) lockers in changing rooms;
- Repairs/refilling of expansion joints in concrete slabs around pool area; and

WHEREAS, the total project cost is \$21,788.51 and the grant amount requested is \$11,833.51; and

WHEREAS, a total of \$9,955.00 is proposed to be force account labor, which is roughly a 45% match, exceeding the required 25% match; and

WHEREAS, the labor for the improvements is proposed to be undertaken by the City DPW employees as part of ongoing maintenance of the park amenities; and

WHEREAS, the Common Council has determined the application and the proposed improvements to be a TYPE 2 Action under 617.5(c) (7) of SEQRA, as it consists of “construction or expansion of a primary or accessory/appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication, so there is no further review necessary.

NOW THEREFORE,

BE IT RESOLVED, that the Common Council hereby authorizes the Mayor to oversee the preparation of the grant application and submit the application to the OPRHP in accordance with all of the requirements as listed in the application.

SECONDED BY COUNCILMEMBER PARISE

| Vote Record – R11-73 | | | | | | |
|---|-----------------------|-------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | 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 Mallory | 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 Murphy | 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.**

**RESOLUTION
(R-11-74)**

INTRODUCED BY COUNCILMEMBER HERMAN

Chief Knapp- Informed the council that the resolution before the council is an amendment to include the Town of East Fishkill to Dutchess County’s Drug Task Force. Many years ago they were a member of the task force. I do not know the exact reason why they are no longer in those agreements. I believe they had a man power issue at the time so they withdrew. The new agreements that are in place obviously did not include them, and now they actually want to come back and this is a benefit to all of the task forces who are already a member of it. So it is just a simple change to the agreement. The old agreement expires on December 31st of this year. So hopefully we will be coming back with a new agreement and make any changes needed.

WHEREAS, the City of Poughkeepsie, City of Beacon, Town of Poughkeepsie and Dutchess County have previously entered into an agreement dated January 12, 2007 continuing the Dutchess County Drug Task Force (“DCDTF”); and

WHEREAS, the parties wish to amend the agreement to include the Town of East Fishkill as a participate in the DCDTF; and

WHEREAS, all other terms and conditions of the agreement set forth in the agreement and any subsequent amendments shall remain in full force and effect; and

NOW, THEREFORE,

BE IT RESOLVED, that the terms of the original agreement dated January 12, 2007 are extended in all respects except for those amendments provided for in the attached “Amendment Agreement”; and be it further

RESOLVED, that the Mayor and the City Administrator are hereby authorized to execute this Agreement and to do all things necessary and convenient to give full effect to this Resolution.

SECONDED BY COUNCILMEMBER PARISE

| Vote Record – R11-74 | | | | | | |
|---|-----------------------|-------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | Yes/Aye | No/Nay | Abstain | Absent |
| <input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled | Councilmember Johnson | Vot r | <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 Mallory | 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 Murphy | 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 | Vot r | <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.

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-11-75)**

INTRODUCED BY COUNCILMEMBER HERMAN

City Administrator Long- Informed the council that the State of New York through their local home rule legislative process adopts local law that are enacted by the State legislator. One of the programs that they have adopted that has been very effective has been in the assessments, and as many may recall there are several programs that they have identified as economic development initiatives. One of the laws that was adopted is called the 485, and there is a whole series of different legislative laws that can be adopted as part of that program. What we are proposing is that the first one was called the 485A, which was an urban redevelopment proposal that was structured a long time ago. Subsequently it is setup for retail and commercial in downtown areas, and it is really an incentive for developers to put money into urban buildings that are blighted, and put them back keeping the taxes level over a period of time. So that it gives them the ability to recoup their investment. There is a 485B program that is set up just for economic development projects, and one of the programs was expanded back in the late 1980s was called the Empire Zone, which some of you may recall. They had what was called the 485E program after the Empire Zone. The project that we had started over at the corner of Academy and Cannon Street, 23 Academy Street is a project that the city submitted an application with the support of the council, and we received a \$2.395 million dollar matching grant to assist the developer in that particular building. What has happened is when the initial application was submitted the Empire Zone benefits were anticipated as part of the performer that the development had submitted to the bank. So again the opportunity is to try and take the tax level and fix it so that they could then recoup some of their major investments. At this time we are trying to work with the developer on moving that project forward, but because of the 485E it makes that project marginal at best. So what we are proposing is to enact the 485A program, and what we are proposing tonight is to set a public hearing to start that process. We would also like to ask the school district to support the legislation as well as the Dutchess County. So in essence it would freeze the property taxes for that building for eight years and then it will aggregate it over the next several years. This is a 13 year program in its entirety. Tonight the application is just to set the public hearing, and to bring forward as part of the local law. We will then adopt the state mandate.

BE IT RESOLVED, that an introductory Local Law, entitled “Residential-Commercial Urban Exemption Program” be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said

proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:15 o'clock P.M., on August 29, 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 five (5) days prior thereto.

SECONDED BY COUNCILMEMBER PARISE

| Vote Record – R11-75 | | | | | | |
|---|-----------------------|-------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| | | | 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 Mallory | 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 Murphy | 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"/> |

VIII. ORDINANCES AND LOCAL LAWS:

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

**ORDINANCE AMENDING CHAPTER 13, §§13-176 and §§13-175, OF THE
MOTOR VEHICLES AND TRAFFIC ORDINANCE
(O-11-17)**

INTRODUCED BY COUNCILMEMBER HERMAN

Corporation Counsel Paul Ackermann: Informed the council that the Ordinance O-11-17 before them will amend some vehicle and traffic violations surrounding Mansion Square Park. There are two yield signs one at Mansion Square Park and North Clinton Street and the other at Mansion Square Park and North Hamilton Street. By request of the police department those yield signs will be replaced with stop signs.

SECTION 1. Section 13-176 of the Motor Vehicles and Traffic Ordinance entitled “Yield Signs; locations designated”, is amended by the following deletions:

Yield signs shall be erected and maintained at the following locations:

~~[On Mansion Street, on east side of Mansion Square Park, at northeast corner of North Clinton Street]~~

~~[On Mansion Street, on south side of Mansion Square Park, at southwest corner of North Clinton Street]~~

~~[On Mansion Street, on north side of Mansion Square Park, at northeast corner of North Hamilton Street]~~

~~[On Mansion Street, on west side of Mansion Square Park, at southwest corner of North Hamilton Street]~~

SECTION 2. Section 13-175 of the Motor Vehicles and Traffic Ordinance entitled “Stop Signs; locations designated” is amended by certain additions to read as follows:

Stop signs shall be erected and maintained at the locations following:

On Mansion Street, at the southeast corner of the intersection with North Clinton Street

On Mansions Street, at the northwest corner of the intersection with North Hamilton Street

SECTION 3. This Ordinance shall take effect immediately upon adoption.

SECONDED BY COUNCILMEMBER PARISE

Underline and bold denotes **ADDITION**

Bracket and Strikethrough denoted [~~DELETION~~]

| ✓ Vote Record – O-11-17 | | 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 Mallory | 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 Murphy | 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 COMMUNITY DEVELOPMENT DIRECTOR MACISAAC,** a communication regarding reallocating CDBG funds.
- 2. FROM EMILY VAIL,** a notice of property damage sustained on June 27, 2011.

Referred to Corporation Counsel

3. **FROM DINGEES TOWING**, a notice of property damage sustained on January 28, 2011. **Referred to Corporation Counsel**
4. **FROM FRANCES KALLBLE**, a notice of property damage sustained on July 8, 2011. **Referred to Corporation Counsel**
5. **FROM CHRISTINE MOLLICONE-AMEDEO**, a notice of property damage sustained on April 14, 2011. **Referred to Corporation Counsel**
6. **FROM GLENN PINE**, a notice of personal and property damage sustained on May 20, 2011. **Referred to Corporation Counsel**
7. **FROM CORBALLY, GARTLAND AND RAPPLEYEA, LLP**, a notice of intent for Christos Caterers, Inc., d/b/a Christos Restaurant to renew their Liquor License. **Referred to Corporation Counsel**
8. **FROM GLEN F. KUBISTA & ASSOCIATES**, a notice of intent for the Hellenic Center, Inc. to renew its Liquor License. **Referred to Corporation Counsel**
9. **FROM EXEMPT FIREMEN'S ASSOCIATION, INC.**, a notice of intent to renew their Liquor License. **Referred to Corporation Counsel**
10. **FROM CLUB 33, LLC**, a notice of intent to renew their Liquor License. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

Councilmember Johnson: I would like to know what the scattered sidewalks schedule is. Because the 7th ward is always at the end of the season and things don't get done, and then the next year we are still at the end. So is there a schedule?

Answer Mr. Long: They are currently at Clinton school trying to finish up that before school starts up. The contractor has also agreed to increase his work force so that they can get more done in this work year. As you know the city is trying to ramp up the scattered sidewalk program. What the contractors asked us to do is identify neighborhoods to target. So what we are trying to do is group all of the projects in specific neighborhoods. We anticipate moving right along. They have actually gotten a lot more work done in the last couple of weeks than they have throughout the summer. Again we have been waiting for the CDBG funds to be allocated. We could not spend anything up until just a couple weeks ago. So again once we do all the prep

work, we identify the projects to the council, the money is allocated, but we have to wait until the Federal government release the funds or we will not be reimbursed.

Councilmember Flowers: We talked about the Community Day Block Party earlier and I would just like to thank everyone who came out to support it was a great event, and I would also like to thank Officer Sted who was there he interacted with the children and other residents that were there. It was very nice to see someone from our police department interacting with the community, and making the residents feel safe. I also want to thank the DPW staff for preparing the park and getting it ready for the event, and also for the staff members who worked the event. I would also like to thank the residents and the volunteers that were there too, because afterwards there were so many there helping the park was clean, which was very nice because we did not know how that would end up with so many people in the park. So I would like to thank everyone for their contribution in keeping the park clean, and cleaning up after themselves. It was really nice and we had a lot of fun. Again I would like to thank everyone who attended and for the support.

Councilmember Solomon: I have a civil war on Forbus street. There is one city garbage can on Forbus avenue, and one householder insists that it be on his corner, and people from Butternut Park take that garbage can and bring it diagonally across the street and place it by the park, and this has been going back and forth. We need another garbage can before we have blows.

Answer Mr. Long and the Mayor: Garbage cans are in high demand. We have some that are rusted and in the replacement are such. There are issues of cost and amount you have to buy in quantity. We will see if we can work something out.

XI. NEW BUSINESS:

Councilmember Mallory: It was brought to my attention that the city is using royal carting trucks, because our dump trucks are not available. I would just like to know if this is accurate, how long it has been going on, and how long we will be using rental trucks.

Answer Mr. Long: As many of you know we have an aging fleet of garbage trucks. There has been a long process. When a garbage truck is put out of service and we need to provide that service at times what they do is rent a truck for a day. Royal has excess fleet so we are able to work this out with them. Sometimes they drive, and in a way to save money we have city staff drive them as well. A new garbage truck has been ordered and I believe it is coming on Monday the 29th of August. It is expensive to rent these trucks but it is about getting the work done.

Councilmember Solomon: It is my understanding that tour busses for the Empire Cruise Line is not suppose to park in city parking lots, but they are. They interfere with other people using the parks. I think they need to be reminded of their promise.

Answer Mr. Long: I have a call in to the captain to talk about issues and that was one of the issues we are going to talk about.

Councilmember Flowers: I would like to let everyone know that in the Poughkeepsie journal there was a mention about a block party on Winnikee on August 13th, 2011. It was a very successful event. The event was a collaboration with River Management and also Mr. Lions who is part of the Winnikee block association. There are a lot of terrible thing happening on that particular intersection, and they were trying to find a way of getting the community involved, and expand the Winnikee block association in order to bring more peace to the area and promote more unity. It was very nice, and many of the residents that one would not expect to participate helped clean the street. So it was a very successful event and I would like to thank everyone who participated. I would also like to invite everyone to attend the Million Fathers March, which is to help raise awareness for Fathers to play an active role in their child's education.

XII. ADJOURNMENT:

A motion was made by Chairman Klein and seconded by Councilmember Herman moved to adjourn meeting at 8:50 p.m.

Dated:

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, August 22, 2011 at 6:30 p.m.

Respectfully submitted,

Deputy City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers

Monday, August 22, 2011

6:30 p.m.

*6:00 Public Hearing regarding
Historic Preservation Ordinance*

*6:15 Public Hearing regarding
2012-2016 Capital Plan*

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

III. REVIEW OF MINUTES:

**Re-Organizational Meeting of January 3, 2011
Common Council Meeting of January 3, 2011**

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 COMMUNITY DEVELOPMENT DIRECTOR MACISAAC**, Resolution R11-71, approving the amended 2011 CDBG Action Plan.
- 2) **FROM DEVELOPMENT DIRECTOR WOJTOWICZ**, Resolution R11-72, setting a public hearing regarding the rezoning of 2 parcels, 204 North Hamilton Street (6162-55266433) and 208 North Hamilton Street (6162-55-267439) from R-3A to I-1.
- 3) **FROM DEVELOPMENT DIRECTOR WOJTOWICZ**, Resolution R11-73, authorizing the Mayor to submit a grant application to OPRHP for Improvements to Pulaski Pool.
- 4) **FROM POLICE CHIEF KNAPP**, Resolution R11-74, authorizing the Mayor to enter into an agreement with Dutchess County for participation in the Dutchess County Drug Enforcement Task Force.
- 5) **FROM CITY ADMINISTRATOR LONG**, Resolution R11-75, setting a public hearing for local law adopting provisions of Section 485-a of the New York Real Property Tax Law.

IX. ORDINANCES AND LOCAL LAWS:

- 1) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, Ordinance O-11-17, amending Section 13-175 of the City Code to provide for stop signs at the intersections of Mansion Square Park and North Hamilton Street and North Clinton Street.
- 2) **FROM CORPORATION COUNSEL MORGAN**, Ordinance O-11-18, approving amendments to the Historic Preservation Ordinance.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

11. **FROM COMMUNITY DEVELOPMENT DIRECTOR MACISAAC**, a communication regarding reallocating CDBG funds.
12. **FROM EMILY VAIL**, a notice of property damage sustained on June 27, 2011.
13. **FROM DINGEES TOWING**, a notice of property damage sustained on January 28, 2011.
14. **FROM FRANCES KALLBLE**, a notice of property damage sustained on July 8, 2011.

- 15. FROM CHRISTINE MOLLICONE-AMEDEO**, a notice of property damage sustained on April 14, 2011.
- 16. FROM GLENN PINE**, a notice of personal and property damage sustained on May 20, 2011.
- 17. FROM CORBALLY, GARTLAND AND RAPPLEYEA, LLP**, a notice of intent for Christos Caterers, Inc., d/b/a Christos Restaurant to renew their Liquor License.
- 18. FROM GLEN F. KUBISTA & ASSOCIATES**, a notice of intent for the Hellenic Center, Inc. to renew its Liquor License.
- 19. FROM EXEMPT FIREMEN'S ASSOCIATION, INC.**, a notice of intent to renew their Liquor License.
- 20. FROM CLUB 33, LLC**, a notice of intent to renew their Liquor License.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT:



COMMON COUNCIL MEETING

Common Council Chambers

Monday, August 29, 2011

6:30 p.m.

*6:15 Public Hearing regarding
proposed provisions to Section 485-a
of the New York Real Property Tax Law*

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

6. REVIEW OF MINUTES:

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

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

9. MAYOR'S COMMENTS:

10. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

11. MOTIONS AND RESOLUTIONS:

- a. **FROM CITY ADMINISTRATOR LONG**, Resolution R11-76, adopting the 2012-2016 Capital Plan.

- b. **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, SEQRA Resolution R11-50 and Sale Resolution R11-51, approving the sale of a 12' x 80' lot adjacent to 400 Main Street.

12. ORDINANCES AND LOCAL LAWS:

- a. **FROM CITY ADMINISTRATOR LONG**, Local Law LL-11-6, approving proposed provisions to Section 485-a of the New York Real Property Tax Law.

13. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 21. **FROM DANIELE TRETOLA and NATHANIEL LYONS, JR.**, a notice of property damage sustained on August 7, 2011.
- 22. **FROM THE BARDAVON**, a notice of intent to renew their Liquor License.
- 23. **FROM THEODORE VANIKIOTIS**, a notice of intent for the Palace Diner to renew its Liquor License.
- 24. **FROM THE POLISH AMERICAN CITIZENS CLUB**, a notice of intent to renew its Liquor License.
- 25. **FROM GUILLERMINA CRUZ**, a notice of intent for **EL DORADO** to renew its Liquor License.

XVI. UNFINISHED BUSINESS:

XVII. NEW BUSINESS:

XVIII. ADJOURNMENT: