



COMMON COUNCIL MEETING

Common Council Chambers

August 22, 2016

6:30 p.m.

6:00 p.m. IDA Presentation from Chairman Calogerakis

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Meeting of July 5, 2016

Common Council Meeting of July 11, 2016

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

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

V. MAYOR'S COMMENTS:

Presentation of awards to PBA members.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VII. MOTIONS AND RESOLUTIONS:

1. **FROM ASSESSOR TAYLOR**, Resolution R16-69, approving the 2016 Adjusted Base Proportions.
2. **FROM CITY ADMINISTRATOR KNAPP**, Resolution R16-71, setting a public hearing for the 2017-2021 Capital Plan.
3. **FROM COUNCILMEMBER CHERRY**, Resolution R16-72, waiving a condition requiring an owner-occupant for a property previously sold to Nubian Directions located at 23 Hooker Avenue.
4. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R16-73, approving an Inter-Municipal Agreement with Dutchess County regarding the review of certain projects under General Municipal Law 239-M

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM COMMISSIONER OF FINANCE BRADY**, a communication regarding the 2017-2021 Capital Plan.
2. **FROM COMMISSIONER OF FINANCE BRADY**, a communication regarding the authorization of a Grant Agreement with NYS Environmental Facilities Corp., regarding Engineering Planning Grant Agreement for the City of Poughkeepsie Wastewater Improvement Project.
3. **FROM COUNCILMEMBER RANDALL JOHNSON**, a communication regarding the proposed the parking amendments on Grubb Street.
4. **FROM SOCIAL DEVELOPMENT DIRECTOR BULLOCK**, a communication regarding the approval of the 2016 CDBG Draft Action Plan.
5. **FROM CHAIRMAN PETSAS**, a communication regarding an additional stop sign at Henderson and Clark Streets.
6. **FROM CHAIRMAN PETSAS**, a communication regarding the support of the Joint Water Board's opposition to propose anchorage sites.
7. **FROM SCOTT L. JOHNSON**, a notice of property damage sustained on July 15, 2016.
8. **FROM VALARIE PETERKIN**, a notice of property damage sustained on July 1, 2016.
9. **FROM KARLISSA STROMAN**, a notice of property damage sustained on July 26, 2016.
10. **FROM WHITE AND WILLIAMS, LLP**, a notice of property damage sustained on May 4, 2016.
11. **FROM CAPT'N CLIFFY'S RIVER STATION RESTAURANT AND CATERING**, a notice of intent to renew their Liquor License.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:



The City of Poughkeepsie

New York
Municipal Building
62 Civic Center Plaza
Poughkeepsie, N. Y. 12601
(845)451-4039
Fax: (845)451-4181

John Taylor
Assessor

email: jtaylor@cityofpoughkeepsie.com

August 16, 2016

Common Council
City of Poughkeepsie

CC Meeting 8/22/2016
Item# R16-69

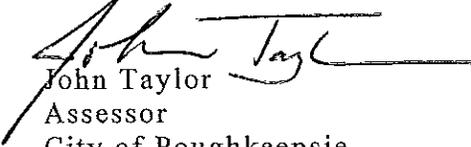
Re: Resolution adopting Adjusted Base Proportions for homestead and non-homestead properties for taxes levied based on the 2016 tax assessment roll.

Dear Chairman Petsas and Councilmembers,

Annexed hereto, please find the above proposed resolution. The base homestead and non-homestead proportions for the 2016 tax assessment roll need to be approved for the Poughkeepsie City School District.

Annual adjustment to the base proportions is required in order to account for changes during the year due to new construction, demolition or destruction, changes in exempt status or class membership. The method of calculating these adjustments is prescribed by Real Property Tax Law and rules and regulations of the NYS Office of Real Property Services which oversees property tax assessing in the State. I will present myself and be available at your Council meeting of August 22, 2016 to discuss the effects of this adjustment in greater detail. Your affirmative action at that time is requested.

Respectfully,


John Taylor
Assessor

City of Poughkeepsie

RESOLUTION
(R 16-69)

INTRODUCED BY COUNCILMEMBER _____ :

BE IT RESOLVED, that the attached certificates of Base Percentages, Current Percentage, Base Proportions and Certificate of Adjusted Base Proportions for the levy of taxes on the 2016 Assessment roll are hereby approved in accordance with Article 19 of the Real Property Tax Law.

SECONDED BY COUNCILMEMBER _____ .

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND
CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL, FOR THE
LEVY OF TAXES ON THE 2016 ASSESSMENT ROLL

Approved Assessing Unit City of Poughkeepsie, 131300
Name of Portion City of Poughkeepsie, 131300

CERTIFICATION

DETERMINATION OF BASE PERCENTAGES

Section I	(A) 2006 Taxable Assessed Value	(B) 2006 Class Equalization Rate	(C) Estimated Market Value A/(B/100)	(D) Base Percentages (C/sum of C)
Homestead	1,663,288,662	100.00	1,663,288,662	70.8173
Nonhomestead	685,416,541	100.00	685,416,541	29.1827
Total	2,348,705,203		2,348,705,203	100.0000

DETERMINATION OF CURRENT PERCENTAGES

Section II	(E) 2015 Taxable Assessed Value including Special Franchise	(F) 2015 Class Equalization Rate	(G) Estimated Market Value E/(F/100)	(H) Current Percentages (G/sum of G)
Homestead	1,046,159,618	100.00	1,046,159,618	64.5622
Nonhomestead	574,229,590	100.00	574,229,590	35.4378
Total	1,620,389,208		1,620,389,208	100.0000

DETERMINATION OF CURRENT BASE PROPORTIONS

Section III	(I) Local Base Proportion for the 2006 Assessment Roll	(J) Updated Local Base Proportion	(K) Prospective Current Base Proportion Column (L) Prorated to 100.00	(L) Adjusted Base Proportion used for Prior Tax Levy	(M) % difference between prior Adjusted Base Proportion and Prospective Current	(N) Maximum Current Base Proportion (L*1.05)	(O) Current Base Proportions
Class		[*(H/D)]	(J/sum of J)				
Homestead	65,20854	59.44892	58.45658	58.51663	-0.10		58.45658
Nonhomestead	34,79146	42.24865	41.54342	41.48337	0.14		41.54342
Total	100.00000	101.69757	100.00000	100.00000			100.00000

I, the clerk of the legislative body of the approved
assessing unit identified above, hereby certify
that the legislative body determined on _____
* base percentages, current percentages, and
current base proportions as set forth herein for the
assessment roll and portion as identified above.

signature

title

date

CERTIFICATE OF ADJUSTED BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPPL
FOR THE 2016 ASSESSMENT ROLL

CERTIFICATION

Approved Assessing Unit: City of Poughkeepsie, 131300
Name of Portion: City of Poughkeepsie, 131300
Reference Roll: 2014
Levy Roll: 2016

DETERMINATION OF PORTION CLASS NET CHANGE IN ASSESSED VALUE DUE TO PHYSICAL AND QUANTITY CHANGES AND EQUALIZATION CHANGES AND COMPUTATION OF CLASS CHANGES IN LEVEL OF ASSESSMENT FACTOR

Section I	(A) Total Assessed Value on the Reference Roll excluding (Special/Franchise)	(B) Total Assessed Value of Physical and Quantity Increases between the Reference Roll and Levy Roll	(C) Total Assessed Value of Physical and Quantity Decreases between the Reference Roll and Levy Roll	(D) Net Assessed Value of Physical and Quantity Changes	(E) Surviving Total Assessed Value on the Reference Roll
Class					
Homestead	1,069,436,487	1,748,912	3,303,172	(1,554,260)	1,056,133,315
Nonhomestead	548,867,762	7,670,100	3,267,300	4,402,800	646,600,462
				(B-C)	(A-C)

Class	(F) Total Assessed Value of Equalization Increases between the Reference Roll and Levy Roll	(G) Total Assessed Value of Equalization Decreases between the Reference Roll and Levy Roll	(H) Net Equalization Changes	(I) Change in Level of Assessment Factor
Class				
Homestead	2,717,440	21,481,343	(18,763,903)	0.98240
Nonhomestead	9,894,695	7,788,180	2,106,506	1.00385
				(F-G)

COMPUTATION OF PORTION CLASS ADJUSTMENT FACTOR

Section II	(J) Taxable Assessed Value on the Levy Roll excluding Special Franchise	(K) Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (J/I)	(L) Assessed Value of Special Franchise on the Levy Roll at the Reference Roll Level of Assmnt	(M) Total Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (K+L)	(N) Taxable Assessed Value on the Reference Roll	(O) Class Adjustment Factor
Class						
Homestead	1,030,011,947	1,048,464,785	59,586,338	1,048,464,785	1,046,159,618	1.00220
Nonhomestead	633,382,898	631,334,913	59,586,338	687,921,249	674,228,590	1.02384
						(M/N)

COMPUTATION OF ADJUSTED BASE PROPORTIONS

Section III	(P) Current Base Proportions	(Q) Adjusted Base Proportions
Class		
Homestead	58.456558	57.89687
Nonhomestead	41.54342	42.08313
		(Q/sum of Q)
Total	100.00000	100.00000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

Signature _____
Title _____

0.9892
1.0074

Local Adjustments to the Adjusted Base Proportions

The municipality may make certain adjustments to the ABPs.
See Subsection 1903-4(c) of the Real Property Tax Law.

City of Poughkeepsie

2016

STEP 1 - Subtract the Adjusted Base Proportion for the Homestead Class from the Current Percentage for the Homestead Class

Current Percentage for Homestead Class (part H of form RP-6701)	64.56224
Adjusted Base Proportion for Homestead Class (part R of form RP-6703)	57.93687
Difference	6.62537

STEP 2 - Take the Difference computed in STEP 1 and multiply it by 10%, 20%, 25%, 30%, 40%, 50%, 60%, 70%, 75%, 80%, and 90%. Add this amount to the Homestead Adjusted Base Proportion.

Select a Percentage	Amount to be added to Homestead ABP	POSSIBLE TAX SHARES WHICH MAY BE ADOPTED	
		Homestead	NonHomestead
		57.93687	42.06313
10%	0.66254	58.59941	41.40059
20%	1.32507	59.26195	40.73805
25%	1.65634	59.59321	40.40679
30%	1.98761	59.92448	40.07552
40%	2.65015	60.58702	39.41298
50%	3.31269	61.24956	38.75044
60%	3.97522	61.91209	38.08791
70%	4.63776	62.57463	37.42537
75%	4.96903	62.90590	37.09410
80%	5.30030	63.23717	36.76283
90%	5.96283	63.89971	36.10029
100%	6.62537	64.56224	35.43776



The City of Poughkeepsie

New York

Ronald Knapp
Acting City Administrator

August 16, 2016

COMMON COUNCIL
City of Poughkeepsie

Re: 2017-2021 Capital Program

Dear Chairman Petsas and Members of the Common Council:

Attached is the 2017-2021 Capital Program as adopted by the Capital Program Committee. This Program is a recommendation to the Common Council from the Committee (comprised of members of City staff). It identifies the projects that are recommended to be undertaken, including their estimated cost, when available, and timing. Projects listed for 2017 are recommended for submission to the Common Council for approval next year. The projects listed for 2018 through 2021 are identified as being necessary; these projects, however, will be reviewed annually to reconcile changing needs, priorities, current costs and funding availability.

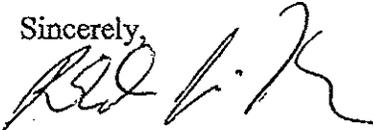
The City's fiscal challenges require careful consideration of long-term financial goals as well as consideration of the immediate needs faced in preparation of annual operating budgets. The capital program establishes project priorities over the five-year period; it is a forecast based on the needs of our City within the context of long-term fiscal restraint and stability.

The projects included herein have been carefully reviewed and discussed with department heads and staff. The overall program cites five-year expenditures for public safety, recreation, physical and technical infrastructure and general service functions. In addition to City expenditures, sources of financing include Federal and State aid, trade-in or resale of equipment to be replaced and additional revenues that may be generated by a project.

While we must be prudent, maintaining the City's facilities, infrastructure, road network and other capital assets must remain a high priority. I wish to thank the members of the Capital Program Committee for participating in establishing this plan for the Common Council's consideration.

Lastly, the City Charter requires a public hearing on the Capital Program. Therefore, attached for your review is Resolution R-16-17 authorizing that hearing to occur on August 29, 2016 at 6:00pm.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ronald J. Knapp', written in a cursive style.

Ronald J. Knapp
Acting City Administrator

RESOLUTION

(R-16-71)

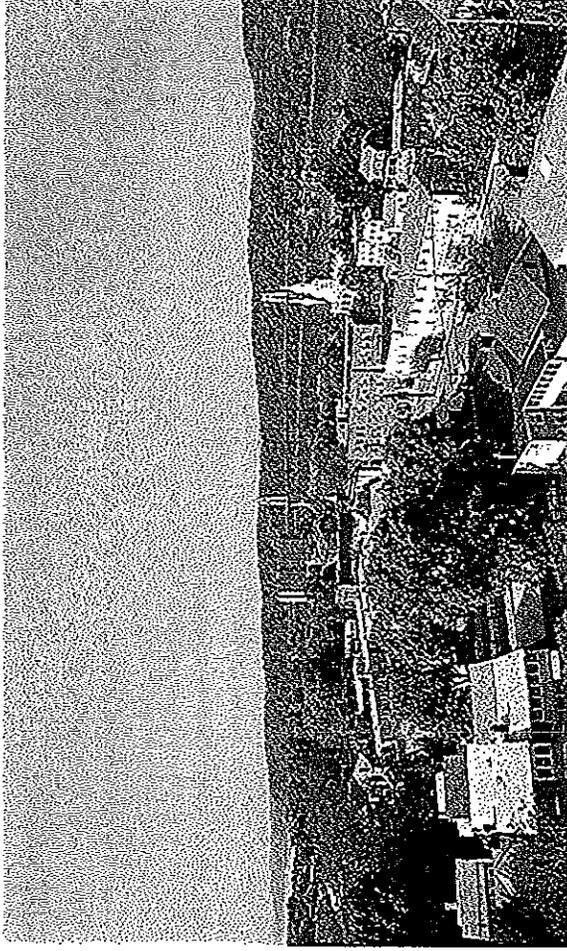
INTRODUCED BY COUNCILMEMBER _____ :

BE IT RESOLVED, that the City Chamberlain be, and she hereby is authorized and directed to publish a Notice of Public Hearing to be held August 29, 2016 at 6:00 p.m. concerning the adoption of the 2017 to 2021 capital plan as submitted to the Common Council.

SECONDED BY COUNCILMEMBER _____ .



The City of Poughkeepsie, NY Capital Plan 2017-2021



- I. Introduction
- II. Debt Payments
- III. Summary
- IV. Transportation
- V. Utilities
- VI. Facilities
- VII. Transit
- VIII. Vehicles

Mayor Robert G. Rolison Acting City Administrator Ronald J. Knapp

City Councilmembers

Christopher D. Petsas, 1st Ward Michael Young, 2nd Ward Lorraine Johnson, 3rd Ward (Council Chairperson)

Lee David Klein, 4th Ward Ann Perry, 5th Ward Natasha Cherry, 6th Ward

Randall A. Johnson II, 7th Ward Matthew McNamara, 8th Ward

Proposed August 22, 2016

The City of Poughkeepsie, NY
Capital Plan 2017-2021

Capital Program Committee:

Robert Rolison, Mayor

Ronald J. Knapp, Acting City Administrator

William Brady, Commissioner of Finance

Thomas Pape, Acting Police Chief

Mark Johnson, Fire Chief

Christopher Gent, Commissioner of Public Works

Joseph Chenier, Assistant Civil Engineer

Greg Bolner, City Planning Consultant

Rocco German, Microcomputer Network Support Specialist

Prepared by:

Ronald J. Knapp, Acting City Administrator

William Brady, Finance Commissioner

The City of Poughkeepsie, NY Capital Plan 2017-2021

The capital program is a statement of major projects that are intended to be undertaken over a specified period of time. It is just a plan. This program of capital expenditures includes spending for the acquisition, improvement or addition to capital assets, which are fixed assets with a useful life of more than a year. The City of Poughkeepsie's capital program covers a five-year period and is revised annually to reflect the City's changing needs and priorities.

The 2017-2021 Capital Program provides for the maintenance of existing levels and quality of City facilities and services. The program responds to mandates or opportunities to promote greater efficiency, while controlling debt service costs and impact on the City's operating budget. Capital expenditures for City departments are divided into projects within departments that will have oversight.

Funding for the various projects can come from several sources. Some funding will be provided by the City itself through its operating budgets or debt issuance. Some will come from New York State in terms of grants, state aid, or low interest loans. Some will come from the Federal grants. It is even possible that some funding could be donated.

Those involved in its compilation have attempted to identify and prioritize the needs of the City in order to maintain the highest level of service to the community, while at the same time, being sensitive to the financial condition and the debt position of the City. Projects in the Capital Plan range from those of an immediate need with regard to safety to those that might be thought of as "nice to have".

The following is a statement of major projects to be undertaken by the City of Poughkeepsie over the five-year period from 2017-2021. It has been compiled with assistance of the City's Department of Public Works, the Engineering Department and various Department Heads. Already in 2016, we have identified and provided funding for several projects; a new roof at City Hall and the Sewer Plant, improvements to the HVAC system at City Hall, structural improvements to the Financial Plaza Parking facility, and the improvements to the Creek Road-Little George St. intersection.

In summary, the Capital Improvement Plan calls for an estimated total expenditure of \$94,937,197 over the five-year period. Of that, the priority established in this plan calls for spending \$41,460,705 in 2017. Of that, \$27,057,705 would fall on the City, while \$9,367,000 would be funded by New York State, \$4,836,000 would be funded by the Federal Government, and \$200,000 would come from other sources.

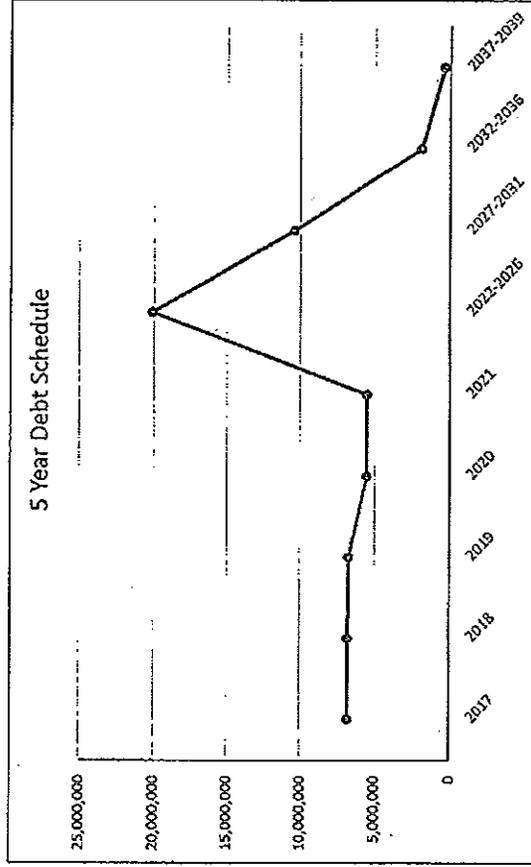
The City of Poughkeepsie, NY Capital Plan 2017-2021

Significant Projects to be undertaken in 2017 are:

- College Hill Reservoir Project: \$11,767,232 with \$3,000,000 from NYS
- CWSRF: \$11,256,000 with \$3,000,000 from NYS
- Main Street Reconstruction: \$3,259,000 with \$511,000 from NYS and \$2,839,000 from Federal Assistance
- Kaal Rock Point: \$3,000,000
- Morgan Lake Dam: \$3,000,000
- Water System Improvements--Market St.: \$2,640,000
- City Hall Generator: \$2,400,000
- 2 Diesel/Electric Buses: \$1,500,000--Federally Funded
- New Tower Ladder Truck: \$1,200,000 with \$500,000 from NYS (\$200,000 other sources)

Long-term indebtedness of the City of Poughkeepsie as of December 31, 2016 will be \$50,466,000. The total amount is subject to the City's constitutional debt limit of \$121,501,916 and represents 41.5% of that limit. As of June 30, 2016, the City had authorized but unissued debt totaling \$37,231,286. The following table represents a summary of the City's long-term debt service obligation as of December 31, 2016. The table does not include any projected borrowing scheduled to occur in 2016.

Year	Principal	Interest	Total
2017	4,815,000	2,017,332	6,832,332
2018	4,997,000	1,818,853	6,815,853
2019	5,147,000	1,615,186	6,762,186
2020	4,127,000	1,433,291	5,560,291
2021	4,266,000	1,272,128	5,538,128
2022-2026	16,069,000	4,026,075	20,095,075
2027-2031	8,945,000	1,504,735	10,449,735
2032-2036	1,740,000	237,816	1,977,816
2037-2039	360,000	18,251	378,251
TOTAL	50,466,000	13,943,667	64,409,667



5-Year Capital Plan Summary

DPW

Project	Description	Total	2017	2018	2019	2020	2021
1	Annual Streets Paving Program	2,500,000	500,000	500,000	500,000	500,000	500,000
2	Main St Reconstruction	3,529,000	3,529,000				
3	Water Sys Improvements - Market St. - HOLDOVER	2,640,000	2,640,000				
4	Water Line at Cedar - Cedar, Arnold, Miller - HOLDOVER	390,000		390,000			
5	Soldiers Fountain	250,000			250,000		
6	General Yearly Valve Replacement Program	1,000,000	200,000	200,000	200,000	200,000	200,000
7	Sanitary & Storm Sewer Spot Rehabilitation	1,250,000	250,000	250,000	250,000	250,000	250,000
8	Sanitary Sewer Rep. Main St (Cherry to S. Clinton) - HOLDOVER	1,020,000			1,020,000		
9	Clark St. Storm Sewer at Flood Area	1,000,000					1,000,000
10	Hooker Ave Storm Sewer at Flood Area	1,000,000					1,000,000
11	Wilson Ave. Storm Sewer at Flood Area	1,000,000					1,000,000
12	Columbia St. CSO - HOLDOVER	1,200,000					1,200,000
13	Montgomery St. CSO - HOLDOVER	2,400,000					2,400,000
14	Beechwood Ave. CSO (Alden to Sharon) - HOLDOVER	1,320,000					1,320,000
15	Old Falkill Trunk Sewer - HOLDOVER	4,800,000					4,800,000
16	Arnold CSO Separate	2,000,000					2,000,000
17	Generator Repl. Sewer Treatment Plant	660,000					660,000
18	STP - Large Odor Scrubber - HOLDOVER	1,620,000					1,620,000
19	Kaal Rock Point - HOLDOVER	3,000,000	3,000,000				
20	Morgan Lake Dam - HOLDOVER	3,000,000				3,000,000	
21	City Hall Generator - HOLDOVER	2,400,000	2,400,000				
22	Automated Parking Collection System at FPD, Liberty, etc - HOLDOVER	288,000		288,000			
23	CDBG - Parks - HOLDOVER	500,000	100,000	100,000	100,000	100,000	100,000
24	CDBG - Scattered Sidewalks - HOLDOVER	1,000,000	200,000	200,000	200,000	200,000	200,000
25	Overhead Doors at DPW Garage	20,000		20,000			
26	Electric Main at DPW	50,000	50,000				
27	Transfer Station Pit Repair	20,000	20,000				
28	Transfer Station Repair	2,000,000		2,000,000			
29	Pool Gunite Repair at Spratt And Pulaski	400,000			400,000		
30	City Hall Parking Garage Repair	200,000	200,000				
31	City Hall Paver (Sidewalk Repair)	200,000		200,000			
32	City Hall Stone Wall Repair	100,000			100,000		
33	DPW Ready Room Repair	50,000				50,000	
34	Spratt Roof Repair	20,000		20,000			
35	Stitzel - Concession Bldg-	30,000	30,000				

5-Year Capital Plan Summary

Project	Description	Total	2,017	2,018	2,019	2,020	2,021
36	Kaal Roc Bathhouse	100,000			100,000		
37	Morgan Lake Bathhouse	100,000				100,000	
38	Pulaski Pool Locker Room	50,000			50,000		
39	Spratt Pool Fence	100,000			100,000		
40	2 Diesel Electric Buses - HOLDOVER	1,500,000	1,500,000				
41	Bus Shelters - HOLDOVER	37,200		37,200			
42	Preventive Maintenance Bus - HOLDOVER	1,350,000	270,000	270,000	270,000	270,000	270,000
43	Operating Assistance for City Transit - HOLDOVER	1,700,000	340,000	340,000	340,000	340,000	340,000
44	Bus Lift	110,000				110,000	
45	Bus Stop Signs	50,000	10,000	10,000	10,000	10,000	10,000
46	Repair Wash Bay	200,000	200,000				
47	DPW Vehicles - HOLDOVER	3,607,800	721,560	721,560	721,560	721,560	721,560
48	Iron Trash Cans for City Streets	50,000	10,000	10,000	10,000	10,000	10,000
49	Sanitation Scale	500,000	500,000				
50	Security Cameras DPW	100,000	20,000	20,000	20,000	20,000	20,000
51	City Owned Parking Lot Repair - General Lot Repair	1,000,000	200,000	200,000	200,000	200,000	200,000
52	Tree Clearing at City Property	125,000	25,000	25,000	25,000	25,000	25,000
53	Tree and Leaf Pile Removal	80,000	80,000				
54	Park Improvements (Spratt and Pulaski)	110,000	110,000				
55	Parks Maintenance Vehicle	40,000	40,000				
58	Monument at College Hill Repair	300,000				300,000	
59	Bathrooms at College Hill	500,000					500,000
Total DPW		54,567,000	16,645,560	6,301,760	4,866,560	6,406,560	20,346,560

FIRE

1	New Rescue Pumper Engine	550,000		550,000			
2	Clover Street Firehouse Window Replacement	79,000	79,000				
3	New Tower Ladder Truck	1,200,000	1,200,000				
Total Fire		1,829,000	1,279,000	550,000	-	-	-

POLICE

1	Police Car Replacement	1,071,000	300,000	150,000	300,000	123,000	198,000
Total Police		1,071,000	300,000	150,000	300,000	123,000	198,000

5-Year Capital Plan Summary

Project	Description	Total	2,017	2,018	2,019	2,020	2,021
IT							
1	Office 365	322,500	64,500	64,500	64,500	64,500	64,500
2	Electronic Document Management System	37,815	7,563	7,563	7,563	7,563	7,563
3	IT Hardware	100,000	100,000				
	Total IT	460,315	172,063	72,063	72,063	72,063	72,063
ENGINEERING							
1	College Hill Dam - Engineering Assessment	19,900	19,900				
2	Financial Plaza Deck - 2016 Project \$1,450,000.00						
3	Grand Ave. HOLDOVER	2,366,000			218,000	12,000	2,136,000
4	Mansion Street Bridge - HOLDOVER	2,579,000			352,000	11,000	2,216,000
5	Washington Street Bridge	2,799,000				318,000	2,481,000
6	Garden Street Bridge	3,000,000		3,000,000			
7	Academy St	3,118,000				365,000	2,753,000
8	College Hill Reservoir	11,767,232	11,767,232				
9	CSWRF	11,256,000	11,256,000				
10	DeLaval Property	104,750	20,950	20,950	20,950	20,950	20,950
	Total Engineering	37,009,882	23,064,082	3,020,950	590,950	726,950	9,606,950
	GRAND TOTAL	94,937,197	41,460,705	10,094,773	5,829,573	7,328,573	30,223,573

**5 Year Capital Plan
Funding for 2017 Projects**

Description	2017			
	City	State	Federal	Other
Annual Streets Paving Program	500,000	500,000		
Main St Reconstruction	3,529,000	511,000	2,839,000	
Water Sys Improvements - Market St. - HOLDOVER	2,640,000	2,640,000		
General Yearly Valve Replacement Program	200,000			
Sanitary & Storm Sewer Spot Rehabilitation	250,000			
Kaal Rock Point - HOLDOVER	3,000,000			
City Hall Generator - HOLDOVER	2,400,000			
CDBG - Parks - HOLDOVER	100,000		100,000	
CDBG - Scattered Sidewalks - HOLDOVER	200,000		200,000	
Electric Main at DPW	50,000			
Transfer Station Pit Repair	20,000			
City Hall Parking Garage Repair	200,000			
Stitzel - Concession Bldg-	30,000			
2 Diesel Electric Buses - HOLDOVER	1,500,000		1,500,000	
Preventive Maintenance Bus - HOLDOVER	270,000	27,000	27,000	
Operating Assistance for City Transit - HOLDOVER	340,000	170,000	170,000	
Bus Stop Signs	10,000	10,000		
Repair Wash Bay	200,000	200,000		
DPW Vehicles - HOLDOVER	721,560	721,560		
Iron Trash Cans for City Streets	10,000	10,000		
Security Cameras DPW	20,000	20,000		
City Owned Parking Lot Repair - General Lot Repair	200,000	200,000		
Tree Clearing at City Property	25,000	25,000		
Tree and Leaf Pile Removal	80,000	80,000		
Park Improvements (Spratt and Pulaski)	110,000	110,000		
Parks Maintenance Vehicle	40,000	40,000		
Total DPW	16,645,560	8,021,560	3,788,000	4,836,000

**5 Year Capital Plan
Funding for 2017 Projects**

Description	2017	City	State	Federal	Other
Clover Street Firehouse Window Replacement	79,000		79,000		
New Tower Ladder Truck	1,200,000	500,000	500,000		200,000
Total Fire	1,279,000	500,000	579,000	-	200,000
Police Car Replacement	300,000	300,000			
Total Police	300,000	300,000			
Office 365	64,500	64,500			
Electronic Document Management System	7,563	7,563			
IT Hardware	100,000	100,000			
Total IT	172,063	172,063			
College Hill Dam - Engineering Assessment	19,900	19,900			
College Hill Reservoir	11,767,232	9,767,232	2,000,000		
CSWRF	11,256,000	8,256,000	3,000,000		
DeLaval Property	20,950	20,950			
Total Engineering	23,064,082	18,064,082	5,000,000		
GRAND TOTAL	41,460,705	27,057,705	9,367,000	4,836,000	200,000

RESOLUTION
(R-16-72)

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, Nubian Direction II, Inc. ("Nubian Direction") is the owner of 23 Hooker Avenue in the City of Poughkeepsie having purchased same from the City by deed dated July 24, 2015; and

WHEREAS, said sale was approved with conditions including the condition, that the premise be owner-occupied for a period of ten (10) years from the date of transfer; and

WHEREAS, Nubian has requested that the City waive the requirement that the property be owner-occupied as Nubian Direction is now desirous of maintaining the property as a rental unit as opposed to rehabilitating the property for sale which was their initial desire; and

WHEREAS, the Common Council is agreeable to waiving the requirement provided that other conditions are maintained; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby waives the condition precedent that the premise located at 23 Hooker Avenue in the City of Poughkeepsie be owner occupied provided such condition is replaced with the following conditions precedent:

- a. If at any-time in the first ten (10) years from the date of this deed, Grantee transfers said property, said property shall be sold with the condition that the premises be owner-occupied.
- b. Grantee agrees that should the premise be tax-exempt pursuant to the Real Property Tax Law Grantee agrees to enter into an agreement with the City of Poughkeepsie in which Grantee shall agree to make a payment in-lieu of taxes in an amount which shall be equal to the property's assessed value multiplied by the amount of the budget of the City of Poughkeepsie which comprise Police, Fire and the Department of Public Works excluding capital projects (but never more than 45%) which shall then be multiplied by the tax rate: e.g. ((assessed value X % of the city budget that comprise police, fire and DPW but no more than 45%) x tax rate).
- c. If Grantee maintains the property for as a rental, it shall restrict rental to low-income families/individuals, veterans or the disabled whose income does not exceed 30% of the area median income (AMI) as determined by HUD.

RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER _____.

PILOT AGREEMENT

NUBIAN DIRECTIONS II, INC.
and
CITY OF POUGHKEEPSIE

This Agreement dated where signed below, between **NUBIAN DIRECTIONS II, INC.**, a New York Not-For-Profit Corporation, with offices for conducting business at 248-250 Main Street, Poughkeepsie, New York 12601; hereinafter referred to as "**OWNER**," and **CITY OF POUGHKEEPSIE**, a New York municipal corporation maintaining its office at Municipal Building, 62 Civic Center Plaza, Poughkeepsie, NY 12601, hereinafter referred to as "**CITY**";

WHEREAS, **OWNER** is the owner of real property situated in the City of Poughkeepsie listed in Schedule "A" which is attached hereto and made a part hereof and is more commonly known as 23 Hooker Avenue, Poughkeepsie, New York (the "Property"); and

WHEREAS, **OWNER** intends to use the parcels in a manner consistent with the provisions of New York Real Property Tax Law, pursuant to which it has been or will be granted an exemption from local and municipal taxes and real property taxation (including **CITY** school taxes) in the manner prescribed by statute and regulation; and

WHEREAS, **OWNER**, as to the parcel listed in Schedule "A", wishes to voluntarily make payments to the **CITY** despite its tax exempt status without acknowledging any legal liability to do so; and

WHEREAS, the **CITY** has agreed to accept such payments as voluntary payments, the receipt of which is acknowledged not to create a continuing legal obligation nor an acknowledgment that the ownership and use of the premises are not otherwise entitled to an exemption pursuant to New York Real Property Tax Law.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed as follows:

1. **Payment.** The annual amount volunteered by the **OWNER** for the Property shall be based on the following calculation:

The assessed value of the Property multiplied by the percentage of the entire budget of the **CITY** (but excluding any capital projects contained in the budget) that is made up of the Police Department, Fire Department and the Department of Public Works as those departments and functions exist as of the date of this Agreement, but in no event greater than forty-five (45%) percent of said budget (excluding any capital projects), then multiplied by the tax rate (City and School).

2. **Subordination.** This Agreement and the obligations arising thereunder shall be

subordinate to any loans encumbering the Property to the extent the proceeds are used to construct improvements on the Property and any other obligation that may become a lien on the Property.

3. **Presentation of Rights.** This Agreement shall not preclude any party from instituting any action it deems appropriate to contest either the assessed valuation or the exempt status of the parcel or any portion thereof.

4. **Term.** This Agreement shall have a term of ten (10) years and shall only be terminated because the Property subject to this Agreement is no longer being used for purposes for which an exemption is obtainable or **OWNER** provides evidence, acceptable to the **CITY**, that the terms of this Agreement will render the **OWNER** insolvent.

5. **Notice to Default; Limitation on Remedies.** (a) In the event **OWNER** fails to perform or observe any of the terms, conditions, covenants or agreements to be performed or observed by it under this Agreement, **OWNER**, upon written notice from the **CITY** (i) shall remedy or cure such failure within ninety (90) days after receipt of such notice, or (ii) if such failure is of such nature that it cannot reasonably be cured within such ninety (90) day period, shall commence to cure the same in such period and diligently proceed to cure the same. If such failure shall not be remedied or cured within a reasonable time, **OWNER** shall be in default hereunder and the **CITY** may, except as otherwise provided, and in full acknowledgement that this Agreement is offered voluntarily by the **OWNER**, institute such proceedings as in its opinion may be necessary or desirable to cure or remedy such default.

6. **Notices.** A notice or communication in connection with this Agreement by any party to the other parties shall be sufficiently given if sent by certified mail, post prepaid, return receipt requested, and

(a) If to, Nubian Directions II, Inc., 248-250 Main Street, Poughkeepsie, New York 12601;

(b) If to, City of Poughkeepsie, c/o Corporation Counsel, Municipal Building, 62 Civic Center Plaza, Poughkeepsie, NY 12601, and City of Poughkeepsie, c/o Mayor, Municipal Building, 62 Civic Center Plaza, Poughkeepsie, NY 12601;

to such other address as any party may from time to time designate by notice given to the other parties as provided herein. Any notice given pursuant to the terms hereof shall be deemed to have been given or served at the time that the same shall be deposited in the United States mail. Any notice given hereunder by any party shall be given to all other parties to this Agreement.

7. **Severability.** If any term or provision of this Agreement or the application thereof to any person or circumstances shall to any extent be invalid and unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances

{00596767}

other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term and provisions of this Agreement shall be valid and shall be enforced to the full extent permitted by law.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed, all as of the day and year first written above.

DATED: _____

Nubian Directions II, Inc.

By: _____
Robert E. Wright
Executive Director

CITY OF POUGHKEEPSIE

By: _____
Robert G. Rolison
Mayor

SCHEDULE "A"

TO FOLLOW

The City of Poughkeepsie

New York

Paul Ackermann
Corporation Counsel
packermann@cityofpoughkeepsie.com



62 Civic Center Plaza
Poughkeepsie, New York 12601
TEL: (845) 451-4065 FAX: (845) 451-4070

August 17, 2016

CC Meeting: 8/22/16
ITEM VII-4

COMMON COUNCIL
City of Poughkeepsie

RE: Approving an agreement with the County exempting certain applications from review under GML 239-m

Dear Chairman Petsas and Councilmembers:

General Municipal Law §239-l & m requires that certain actions considered by the City's planning board be referred to the County's Planning department in order for the County to have an opportunity to weigh in on the greater regional impact the actions may have. However, the County and local governments may enter into an agreement exempting some actions thereby eliminating the necessity for the City to refer and the County to review those actions.

Attached is a proposed agreement consistent with the above. The County and City have identified three categories of actions which do not have an inter-community or county-wide impact and which can be eliminated from a 239-m review. Attached hereto is a copy of an agreement for your information. All other actions required to be referred under 239-m will continue to be referred under 239-m.

Respectfully submitted,

Paul Ackermann, Esq.
Corporation Counsel

PA:kg
Attachment

RESOLUTION
(R-16-73)

**APPROVING AN AGREEMENT WITH DUTCHESS COUNTY REGARDING
CATEGORIES OF PROPOSED ACTIONS THAT SHALL BE DEEMED OF
LOCAL CONCERN FOR PURPOSES OF REVIEW UNDER GML §239-m**

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, pursuant to GML §239-m the City must refer certain actions to the Dutchess County Department of Planning in order to assess its potential for inter-community and county-wide impact and consistency; and

WHEREAS, the City and County are permitted to enter into an agreement exempting categories of actions that are mutually deemed of local concern and thus not subject to referral under GML §239-m; and

WHEREAS, the County and City are desirous of entering into an agreement thereby eliminating the need for the City to refer and the County to review action which are strictly matters of a local concern, do not impact other communities and have no county-wide impact; and

WHEREAS, the Common Council has determined that this agreement will increase efficiency and is in the best interest of the City; and

NOW, THEREFORE

BE IT RESOLVED, by the Common Council of the City of Poughkeepsie approves and supports the agreement attached hereto and made a part hereof as if fully set forth herein as permitted pursuant to GML §239-m; and be it further

RESOLVED, that the Mayor is authorized to execute said agreement if form and substance as attached hereto and do all things necessary to give effect to the resolution.

SECONDED BY COUNCILMEMBER _____.

AGREEMENT

THIS AGREEMENT, made this _____ day of _____, 20____, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as the "COUNTY") and _____, a municipality within the County of Dutchess, whose address is _____, _____, NY 12____ (hereinafter referred to as the "MUNICIPALITY").

WITNESSETH:

WHEREAS, New York State General Municipal Law Section 239 requires local municipalities to refer applications for certain planning and zoning actions to the Dutchess County Department of Planning & Development for review, and

WHEREAS, the New York General Municipal Law Section 239 further requires the County to assess all such applications as to whether the requested action would have a "county wide" or "inter-community" impact and comment on same, and

WHEREAS, the current referral process results in the processing of applications each year from towns, villages, and cities to the County, a portion of which have neither county-wide or inter-community impact, and

WHEREAS, New York State General Municipal Law authorizes the County to enter into agreements with local municipalities in order to determine which, if any, of the local municipal actions subject to referral may be deemed strictly matters of local determination, and therefore, not subject to the referral process, and

WHEREAS, the County hereby proposes to eliminate the necessity of the County's review and comment on such local actions, and

WHEREAS, it is hereby mutually agreed by and between the parties hereto as follows:

1. TERM OF AGREEMENT: This Agreement shall be effective January 1, 2016, and shall terminate on December 31, 2016, unless otherwise terminated as set forth herein. The term of this Agreement shall be extended automatically for a successive year, for a total of five (5) years. If either party decides to terminate this Agreement, either party shall send a written

notice of termination to the other party at least thirty (30) days before the end of any term. This Agreement shall terminate upon thirty (30) days written notice by either party to the other.

2. PAYMENT: None.

3. REFERRALS TO BE ELIMINATED: The following actions shall be eliminated from the referral and review process:

- a. administrative amendments (zoning amendments regarding fees, procedures, penalties, etc.);
- b. special use permits, use variances and area variances for residential uses; and
- c. renewals/extensions of site plans or special permits that have no changes from previous approvals.

4. REFERRALS NOT TO BE ELIMINATED: The following actions shall not be eliminated from the referral and review process:

- a. comprehensive/master plans;
- b. zoning amendments (standards, uses, definitions, district regulations, etc.);
- c. rezonings;
- d. other proposed local laws and/or other authorizations adopted pursuant to zoning (wetlands, historic preservation, affordable housing, architectural review, etc.);
- e. site plans (all); and
- f. special permits, use variances, and area variances for all non-residential uses.

5. NOTICES: Except as otherwise provided in this Agreement, notice required to be given pursuant to this Agreement shall be made in writing and addressed to the following or such other person as the parties may designate:

Commissioner of Planning & Development
Dutchess County Dept. of Planning & Development
27 High Street
Poughkeepsie, NY 12601

Municipality
Street Address
City, State, Zip

6. ENTIRE AGREEMENT: The term of this Agreement, including any attachments, represent the final intent of the parties. Any modifications, rescission or waiver of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded in this Agreement.

APPROVED AS TO FORM:

ACCEPTED: COUNTY OF DUTCHESS

County Attorney's Office

BY: _____
Marcus J. Molinaro, County Executive

APPROVED AS TO CONTENT:

MUNICIPALITY:

Eoin Wrafter, Commissioner of
Planning & Development

Name:
Title:



Item IX-2

William Brady
Commissioner of Finance

The City of Poughkeepsie
New York

August 22, 2016

To: Chairman Chris Petsas
Common Council Members

From: William Brady, Commissioner of Finance

WJB

Re: Engineering Planning Grant – City of Poughkeepsie Waterfront Development

Attached is a resolution that I will submit to the Common Council for adoption at the August 29 meeting.

In 2014, the City was awarded \$30,000 for the Engineering Planning Grant through the New York State Clean Water Revolving Fund. This grant will be utilized to develop a conceptual design for the proposed City of Poughkeepsie Wastewater Improvement project. The estimated cost of this planning project is \$50,000. The City will be obligated to appropriate funding of at least 20% of the project cost but not to exceed \$20,000. The first of the two documents authorized the Mayor or the City Administrator to execute the grant agreement with the NYS Environmental Facilities Corporation and any and all related contracts, documents, and instruments as necessary to bring the project to a conclusion.

The second part of the resolution affirms that the project can be classified as a Type II action under Environmental Conservation Law, and as such requires no environmental review or further action by the City under SEQRA.

(R-16-XX)

INTRODUCED BY COUNCILMEMBER _____

WHEREAS, the City of Poughkeepsie has been selected to receive up to \$30,000 for the Engineering Planning Grant through the New York Clean Water State Revolving Fund program. Further this grant will be utilized for conceptual design for a Clean Water State Revolving Fund (CWSRF) project. Award of the CWSRF project is expected in October 2016. The proposed project is divided into 6 sub projects. Sub project 1 is Riverview CSO Elimination. Sub project 2 is a City wide, Cured in Place Pipe (CIPP) rehabilitation of VCT sewer pipe. Sub project 3 is the Meyer Avenue Pump Station Rehabilitation. Sub project 4 is the Pine Street Pump Station Rehabilitation. Sub project 5 is WPCP Improvements. Sub Project 6 is the Cedar Avenue Pump Station.

BE IT RESOLVED, that the City Administrator OR Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City of Poughkeepsie's obligations under the Engineering Planning Grant Agreement.

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the CITY OF POUGHKEEPSIE WASTEWATER IMPROVEMENT PROJECT. Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the

Commissioner of Finance shall not exceed \$20,000 based upon a total estimated maximum project cost of \$50,000. The Commissioner of Finance may increase this local match through the use of in kind services without further approval from the City of Poughkeepsie.

SEQR Type II Determination Resolution

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie hereby determines that the proposed CITY OF POUGHKEEPSIE WASTEWATER IMPROVEMENT PROJECT can be classified as a Type II action under Environmental Conservation Law 6 NY CRR 61 7. 5 (c)(2) as a "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading building to meet building or fire codes ... " A "facility" by definition is "something that is built, installed, or established to serve a particular purpose" (Merriam-Webster) which would include all sewer piping and appurtenances. Furthermore, 6 NYCRR 617.5(c)(1) includes "maintenance or repair involving no substantial changes in an existing structure or facility" as a Type II action as well. As a Type II, no environmental review is required and no further action is required by the applicant under SEQRA.

RESOLUTION
(R-16-XX)

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the United States Coast Guard is considering establishing new anchorage grounds in the Hudson River from Yonkers, New York to Kingston, New York, suggesting that anchorage grounds may improve navigation safety along portions of the Hudson River, allowing for a safer and more efficient flow of vessel traffic; and

WHEREAS, The Poughkeepsie Joint Water Project is the single biggest water project drawing water from the Hudson River and supplying more than 80,000 residents with drinking water; and

WHEREAS, The Poughkeepsie Joint Water Project Board met to discuss and consider said United States Coast Guard's plan of the new anchorage grounds; and

WHEREAS, the Poughkeepsie Joint Water Board, in summary, opposes said new additional anchorage grounds, for the safety of the entire areas drinking water should there be any spills from said barges at these newly established anchorage grounds;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council concurs with the Poughkeepsie Joint Water Board opposition to the United States Coast Guard's proposed new additional anchorage grounds; and

BE IT FURTHER RESOLVED, that the Common Council does hereby authorize the Mayor or his designee to forward this resolution to the United States Coast Guard, our local U.S. Senators and U.S. Representatives.

SECONDED BY COUNCILMEMBER _____.

Poughkeepsies' Joint Water Project Board

3431 North Road
Poughkeepsie, New York 12601



Friday, August 5, 2016

Public Comments – Hudson River Anchorages
United States Coast Guard
Sector New York
212 Coast Guard Drive
Staten Island, New York 10305

Subject: In the matter of public comment on the plan: U.S. Coast Guard proposes ten more anchorage grounds on the Hudson River between Yonkers and Kingston (July 15th 2016).

This comment is from the Poughkeepsies' Joint Water Project (PJWP), and is being made by the Joint Water Project Board (JWPB), which is the administrative part of the jointly owned Poughkeepsie Water Treatment Facility. The City of Poughkeepsie and the Town of Poughkeepsie joined in an Inter-municipal Agreement to operate the Water Plant to supply people in the City and Town with drinking water - over twenty years ago. The Project now serves more than 80,000 people living in the two communities with water. Over the years, the PJWP has sold water to other public and private entities including in Hyde Park, Fishkill and East Fishkill.

We draw our drinking water from the Hudson River. We are the single biggest water project drawing water from the Hudson River. Any petroleum spill in the Hudson, within the tidal flow, both north and south of our plant location will cause the shutdown of the water plant. While we have a small standby capacity, a petroleum product spill into the Hudson River causing our plant to shut down will immediately and significantly interrupt drinking water to more than 80,000 residents and even more people in hospitals; nursing homes, public and private colleges, public and private schools, shopping malls, apartment buildings, private houses. The list goes on and on. Plus businesses, from the very large like the IBM facility on South Road, Poughkeepsie and the Global Foundries in Fishkill, employing thousands of people, to all the businesses in the City and Town of Poughkeepsie, shopping malls, food stores too many businesses to name. Now consider the City of Poughkeepsie is our county seat. Think of the impact to County Courts, County Social Services, County Probation, County Office building, County Executive Offices, County Legislature. The greater Poughkeepsie area is the center of Dutchess County and it would be without drinking water.

If our water plant is forced to shut down, and we exhaust our reserve capacity, there will be no water in the water mains, no water to flush toilets and put out fires.

In preparing for this public comment we found an item in the Federal Register titled: **Anchorage Regulations; Port of New York, a rule by the US Coast Guard** Rule effective May 2, 2016; Citation: 81 FR 18496; 33 CFR 110; Document # 2016-07307:

Summary

*"The Coast Guard is **disestablishing** thirteen anchorage grounds and one special anchorage area that are now obsolete in Newark Bay, the East River, Western Long Island Sound, Raritan Bay, and Lower New York Bays."*
(Emphasis added by author)

We also found the following on the Federal Register: **Anchorage Grounds, Hudson River; Yonkers, NY to Kingston, NY. Proposed Rule June 9, 2016** Comments Close 09/07/2016 Citation" 81 FR 37168; 33 CFR 110; Document # 2016-13701

Summary

*The Coast Guard is considering **establishing** new anchorage grounds in the Hudson River from Yonkers, NY, to Kingston, NY. We are considering this action after receiving requests suggesting that anchorage grounds may improve navigation safety along an extended portion of the Hudson River, which currently has no anchorage grounds, allowing for a safer and more efficient flow of vessel traffic. The Coast Guard is seeking comments and information about the operational need for new anchorage grounds and what form possible regulations should take.* (Emphasis added by author)

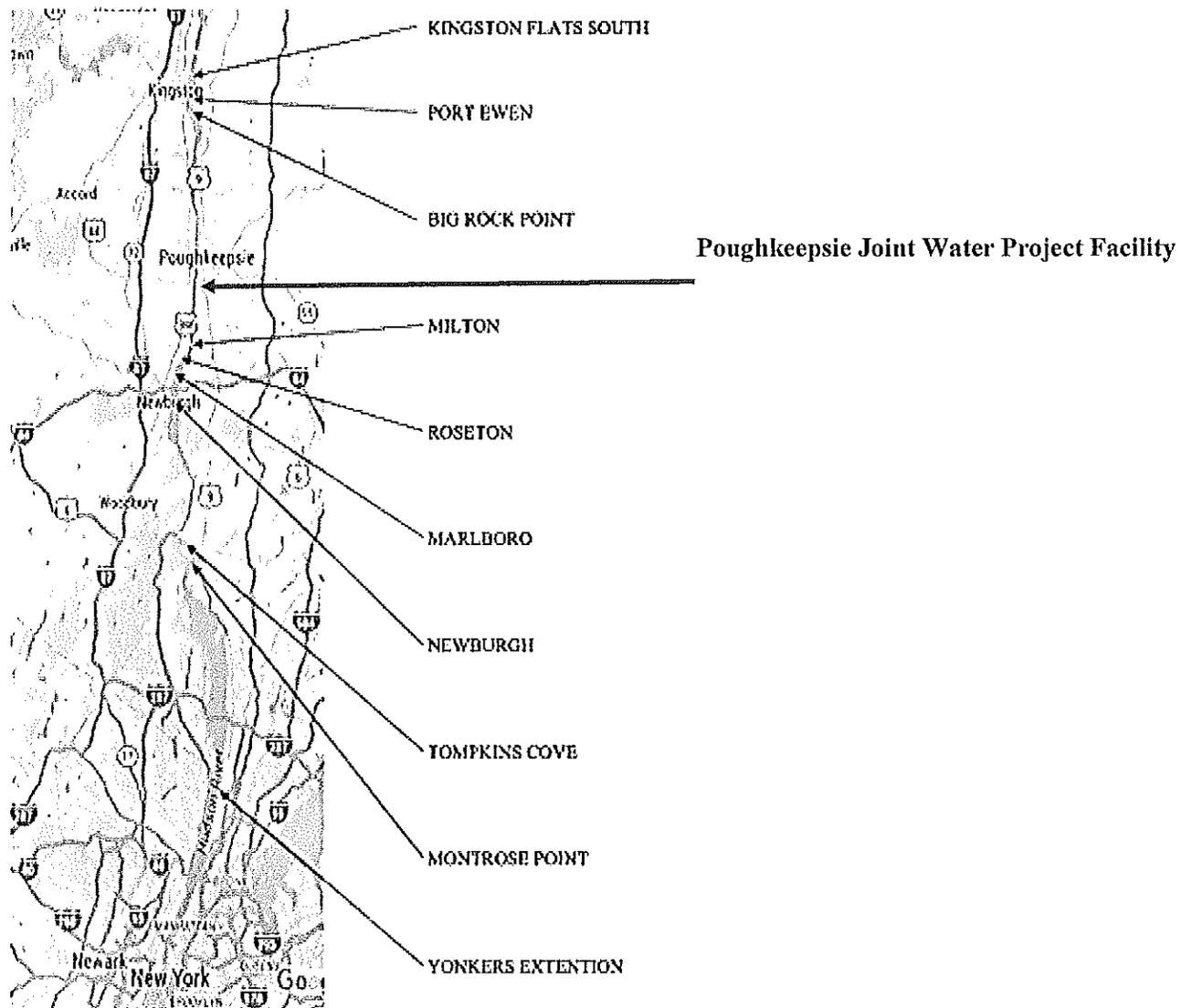
The Joint Water Project Board would point out that the net effect of the adopted regulation disestablishing anchorage grounds (05/02/16) moves all of the vessels including barges with oil or petroleum products in them, to the newly proposed anchorage grounds in the Hudson River above Yonkers. Further, that the Coast Guard "disestablished" the anchorage grounds in Newark Bay, the East River, Western Long Island Sound, Raritan Bay, and Lower New York Bays, before establishing any alternative anchorage grounds.

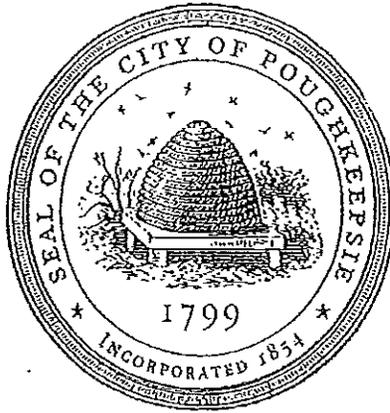
The Poughkeepsies' Joint Water Project, for the safety of the drinking water source for our entire area must oppose any new anchorage sites in the Hudson River.

Yours truly,

William G. Carlos, Jr., Secretary
Poughkeepsie Water Project Board

Map of the proposed new anchorage sites in the Hudson and the approximate location of our water treatment facility.





City of Poughkeepsie

2016 City of Poughkeepsie Annual Action Plan

March 1, 2016 – February 28, 2017

Robert G. Rolison

Mayor

City of Poughkeepsie Office of Social Development

62 Civic Center Plaza, Poughkeepsie, NY 12601

2016 CITY OF POUGHKEEPSIE DRAFT ACTION PLAN

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Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The 2013-2017 Dutchess County and City of Poughkeepsie Consolidated Plan is a comprehensive document promoting a coordinated approach to housing and community needs, and fostering the coordination of all programs funded by the U.S. Department of Housing and Urban Development (HUD). The Plan outlines the priorities by which the County and the City's Community Development Block Grant (CDBG) Programs, HOME Investment Partnership (HOME) Program and Section 108 Loan Guarantee Program will be invested over the next five years. Every year the City must produce an Annual Action Plan (AAP) to detail specific activities to carry out the Plan's priorities and goals. This document is the City of Poughkeepsie's 2016 AAP, which outlines the specific projects the City will undertake using CDBG funds to achieve the objectives in the Consolidated Plan. These projects cover the second year of the five year Consolidated Plan period. The City of Poughkeepsie is an entitlement community eligible to receive HUD funding through the CDBG program on an annual formula basis .

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The Consolidated Plan Strategic Plan outlines five major priority needs. These include:

Economic Development – Improve coordination and use of economic development programs and activities through the Community Development Block Grant Program to meet the economic challenges facing the City of Poughkeepsie, including economic development loans and façade improvement programs.

Public Facilities and Improvements – Use CDBG funding for public facilities and improvements that promote the Greenway-inspired Centers and Greenspaces approach. Public facilities and improvements

include sidewalks and crosswalks, parks and recreation areas including handicapped accessibility improvements, transportation, and water and wastewater improvements.

Public Facilities and Improvements – Support the use of CDBG public service funds for activities that specifically benefit and address youth and job mentoring, substance abuse, educational/after-school programs and services to senior citizens. Support for daily meal programs is a funding priority in the City of Poughkeepsie as well.

Homeless Public Services – Support the use of CDBG public service funds for activities that specifically benefit and address the issues of housing, homelessness and homeless prevention. Priority will be given to programs which support the identified needs and goals of the Dutchess County Continuum of Care and the 10-Year Plan to End Homelessness, and are provided by agencies who actively participate in the Dutchess County Housing Consortium.

The following chart summarizes the Consolidated Plan goals, objectives and outcomes addressed with 2015 City of Poughkeepsie CDBG funds:

There are three HUD objectives:

- DH – Decent, Affordable Housing
- SL – Suitable Living Environment
- EO – Economic Opportunity

There are three HUD outcomes:

- 1 – Availability/Accessibility
- 2 – Affordability
- 3 – Sustainability

3. Evaluation of past performance

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

The City is currently completing its 2015 Consolidated Annual Performance and Evaluation Reports (CAPERs), which will cover the first year of the 2013-2017 Consolidated Plan.

The City appears to be on target to meet many of its 2013-2017 ConPlan goals. However, Program Year 2015 did include funding for the Façade Improvement Program, thus funds were allocated for this program in PY2016 in order for the City to be on target to assist at least 10 businesses during the Plan period.

4. Summary of Citizen Participation Process and consultation process

Summary from citizen participation section of plan.

Summary from citizen participation section of plan.

The City held a public meeting upon the release of the CDBG applications where people could learn about the program priorities and requirements, as well as ask questions regarding the program.

Applications were announced via email, public notice in the Poughkeepsie Journal, on the City's website and through social media. Applications were posted on the City's website

(www.cityofpoughkeepsie.com). Technical assistance was available during the application cycle.

Applications were reviewed by the City of Poughkeepsie Community Development Advisory Committee, a committee of local community leaders and residents appointed by the Mayor. The CD Advisory Committee makes recommendations to the Mayor. A second public hearing was held at the end of the process on the draft Annual Action Plan.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

This section will be completed at the end of the public comment period.

6. Summary of comments or views not accepted and the reasons for not accepting them

This section will be completed at the end of the public comment period.

7. Summary

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	POUGHKEEPSIE	
CDBG Administrator		Office of Social Development
HOPWA Administrator		

Table 1 – Responsible Agencies

Narrative (optional)

The lead agency for the preparation of the Annual Action Plan is the City of Poughkeepsie through its Office of Social Development. This action plan identifies the second year projects that address housing and community needs identified in the Consolidated Plan under the City's Community Development Block Grant (CDBG), as well as the HOME Investment Partnership (HOME) program.

The City of Poughkeepsie is an entitlement community and has been administering the CDBG program since the program's inception in 1974

Due to its urban county status, the County of Dutchess is eligible to receive funds under HUD's HOME Investment Partnership Program. In 1995, the County entered into a consortium agreement with the City of Poughkeepsie, which increased its HOME allocation. The current consortium period covers 2013-2015. HOME funds are provided to private and non-profit developers through a competitive annual application cycle. County and City HOME funds are administered through the County's Department of Planning and Development, in consultation with the City of Poughkeepsie.

Consolidated Plan Public Contact Information

Herbert L. Bullock Jr, Community Development Director

Office of Social Development

62 Civic Center Plaza, Poughkeepsie, NY 12601

hbullock@cityofpoughkeepsie.com, (845) 451-4046, FAX (845) 451-4006

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The City of Poughkeepsie has two public housing agencies, the Poughkeepsie Housing Authority and the City of Poughkeepsie Department of Housing Choice Vouchers, formerly known as Section 8. Through the Dutchess County Continuum of Care (CoC), as a member, the City of Poughkeepsie works to enhance coordination between these housing providers and health, mental health and service agencies. Coordination with the CoC is described in more detail below.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

In Dutchess County the Continuum of Care is known as the Dutchess County Housing Consortium (DCHC). DCHC's mission is to prevent and end homelessness by facilitating collaboration, planning, education, and advocacy efforts and by promoting the development and preservation of needed resources.

The Dutchess County Department of Planning and Development (DCDPD), author of the Consolidated Plan in coordination with the City of Poughkeepsie Office of Social Development, is co-chair of the DCHC, and the coordinator of the CoC's annual program funding application to the U.S. Department of Housing and Urban Development (HUD), known as the NOFA. As such, they have an intimate knowledge of the goals and objectives of the CoC and access to all of the CoC data. This includes data from the Homeless Management Information System (HMIS), Point-in-Time Count (PIT), Housing Inventory Count (HIC), Homeless Data Exchange (HDX), and the Annual Homeless Assessment Report (AHAR). Through this relationship with the DCHC, the City of Poughkeepsie can ensure that CoC goals are integrated into the Plan, and the CoC is informed of all funding opportunities under the programs covered by the Plan.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate

outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

There are no Emergency Solutions Grant (ESG) entitlement jurisdictions within the CoC. Agencies interested in ESG funds must apply for balance-of-state funds provided by HUD to the New York State Office of Temporary and Disability Assistance (OTDA). OTDA requires a CoC support letter for any application. The CoC has developed a clear policy for the issuance of support letters for ESG and other funds, which requires active CoC participation and consistency with CoC goals. The CoC reviews OTDA requirements annually and provides feedback based on local needs. In 2014, the CoC's Program Review Committee will begin monitoring ESG programs based on performance standards and outcomes established for all CoC-funded programs.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 -- Agencies, groups, organizations who participated

1	Agency/Group/Organization	Dutchess County Continuum of Care
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Strategy
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	

Identify any Agency Types not consulted and provide rationale for not consulting

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Dutchess County Housing Consortium	DCHCs mission is to prevent and end homelessness by facilitating collaboration, planning, education, and advocacy efforts and by promoting the development and preservation of needed resources. DHC/CoC goals and activities were incorporated and prioritized in the Plans housing and homelessness priorities

Table 3 -- Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation
Summarize citizen participation process and how it impacted goal-setting

The City conducts public outreach during the development of an Annual Action Plan. Outreach is conducted via the internet, newspaper legal advertisements, and public meetings. The prime method for public comment is public meetings, which are conducted during the application period and upon release of the draft Annual Action Plan. Organizations and the public are also able to submit oral or written comments to the City at any time prior to the submission of the Plan to HUD.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Newspaper Ad	Non-targeted/broad community	N/A	N/A	N/A	
2	Public Meeting	Non-targeted/broad community	All comments were considered for the draft plan			
3	Internet Outreach	Non-targeted/broad community	N/A	N/A	N/A	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c) (1, 2)

Introduction

Priority Table

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	787,692	0	0	787,692	0	

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

The federal funding listed above is funding which is received annually to support activities outlined in this Plan. These federal resources Federal Transit Administration for transit needs and CHIPS funds from NYSDOT to support the maintenance of local streets. And in recent years the City has successfully won grant awards from NYS Department of State Coastal Resources and Empire State Development Corporation. These are examples of some of the funds that the City uses in concert with HUD funds, particularly CDBG, to improve our community and especially to

benefit our low-to-moderate income population.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

When City-owned property is sold at auction, community development and owner-occupancy are priorities established to help stabilize neighborhoods. To accomplish these goals, the following guidelines were established:

- 1) All one and two family houses and building lots zoned for one and two family houses will be sold only to owner-occupants or organizations that will rehabilitate the property for the sole purpose of selling the house to an owner-occupant. Houses that need extensive rehabilitation will not be offered directly to an owner-occupant unless the prospective purchaser has previous experience and financial capacity to undertake the work.
- 2) All multi-family and commercial buildings will be sold to investor/developers who possess some combination of the following: a demonstrated history of community involvement; a record of quality real estate development; a record of good property management; capacity to undertake and complete the project in the stated time frame; and proof of financial capacity to perform; good credit history; and a clean record with the City of Poughkeepsie

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

Goals Summary Information

No Goals Found

Table 6 -- Goals Summary

Goal Descriptions

Table 7 -- Goal Descriptions

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b):

AP-35 Projects – 91.220(d)

Introduction

In the 2016 program year, the City of Poughkeepsie intends to commit the full, allowable 15% of its CDBG allocation for Public Services. Projects selected address a number of Strategic Plan priorities, including Homelessness, Youth, Senior Citizens, Daily Meal Programs, Child Care, Domestic Violence and Basic Needs. In addition, the operation of Pulaski Pool, which is located in an area of the City with 87% of the population being low and moderate income residents, will be supported with Public Service funds.

#	Project Name
1	City of Poughkeepsie Pulaski Park
2	Bardavon Opera House
3	Catherine Street Community Center
4	Catholic Charities
5	Family Services
6	Family Services
7	Dutchess Outreach
8	Grace Smith House
9	Hudson River Housing
10	NECAPE- NEW HOPE
11	Nubian Directions
12	City of Poughkeepsie Sidewalks
13	City of Poughkeepsie Fire
14	City of Poughkeepsie FPD
15	City of Poughkeepsie Facade Program

Table 8 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

The City's CDBG funds are allocated through a competitive process so at some level the funding allocations are a function of the applications received. The City is focused on supporting projects that met the newly established Consolidated Plan priorities.

An obvious obstacle is the decline in funding. CDBG has been cut by 19 percent since 2007. The City needs to be more strategic with this limited funding. It is making sure investments don't just provide a

service to people at a point-in-time but that the project or service has clear long term, measurable outcomes which benefit low and moderate income residents.

Projects

AP-38 Projects Summary Project Summary Information

Table 9 – Project Summary

1	Project Name City of Poughkeepsie Pulaski Park <hr/> Target Area <hr/> Goals Supported <hr/> Needs Addressed <hr/> Funding : <hr/> Description Lifeguards for Pulaski Pool <hr/> Target Date <hr/> Estimate the number and type of families that will benefit from the proposed activities <hr/> Location Description <hr/> Planned Activities <hr/> Project Name Bardavon Opera House <hr/> Target Area <hr/> Goals Supported <hr/> Needs Addressed <hr/> Funding :
2	

	Description	Senior Matinees
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
3	Project Name	Catherine Street Community Center
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	:
	Description	Day Care & School Age Child Care Provider
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
4	Project Name	Catholic Charities
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	:

	Description	Resource Management
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
5	Project Name	Family Services
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	:
	Description	Domestic Violence Cases
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
6	Project Name	Family Services
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	:

Description	Domestic Awareness Cases
Target Date	
Estimate the number and type of families that will benefit from the proposed activities	
Location Description	
Planned Activities	
7	
Project Name	Dutchess Outreach
Target Area	
Goals Supported	
Needs Addressed	
Funding	:
Description	Lunch Box
Target Date	
Estimate the number and type of families that will benefit from the proposed activities	
Location Description	
Planned Activities	
3	
Project Name	Grace Smith House
Target Area	
Goals Supported	
Needs Addressed	
Funding	:

	Description	General Operation
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
9	Project Name	Hudson River Housing
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	:
	Description	Gail Webster Memorial Shelter
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
10	Project Name	NECAPE- NEW HOPE
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	:

Description Target Date Estimate the number and type of families that will benefit from the proposed activities Location Description Planned Activities	Food Pantry, After School Program, Summer Program
11 Project Name Target Area Goals Supported Needs Addressed Funding Description Target Date Estimate the number and type of families that will benefit from the proposed activities Location Description Planned Activities	Nubian Directions
12 Project Name Target Area Goals Supported Needs Addressed	City of Poughkeepsie Sidewalks

	Funding	:
	Description	Sidewalk Improvements
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
13	Project Name	City of Poughkeepsie Fire
	Target Area	
	Goals Supported	
	Needs Addressed	
	Funding	:
	Description	Fire Improvements
	Target Date	
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
14	Project Name	City of Poughkeepsie FPD
	Target Area	
	Goals Supported	
	Needs Addressed	

	Funding	:	
	Description		Financial Plaza Deck
	Target Date		
	Estimate the number and type of families that will benefit from the proposed activities		
	Location Description		
	Planned Activities		
15	Project Name		City of Poughkeepsie Facade Program
	Target Area		
	Goals Supported		
	Needs Addressed		
	Funding	:	
	Description		Facade Program
	Target Date		
	Estimate the number and type of families that will benefit from the proposed activities		
	Location Description		
	Planned Activities		

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

See map below depicting geographic area of entitlement.

Geographic Distribution

Target Area	Percentage of Funds

Table 10 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Investments are made in census-defined low and moderate income areas or are the type of projects which are presumed to benefit low-income populations (e.g. homeless, substance abuse, handicapped).

At the time of the 2016 Action Plan, HUD is still using 2000 Census Tract and Block Group geographies, while providing Low-Mod population data estimates, updated in FFY2014. Thus, the map below geographic boundary lines from 2000, but relatively up-to-date low-mod data. According to the 2000 Census, the City has 10 Census tracts; however, funded activities only occur in the tracts that reflect 51% or more low-mod population. This essentially leaves the entire 2010 Census Tract out and includes the rest of the City.

Discussion

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	0
Special-Needs	0
Total	0

Table 11 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	0
Acquisition of Existing Units	0
Total	0

Table 12 - One Year Goals for Affordable Housing by Support Type

Discussion

AP-60 Public Housing – 91.220(h)

Introduction

Actions planned during the next year to address the needs to public housing

Actions to encourage public housing residents to become more involved in management and participate in homeownership

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Discussion

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Poughkeepsie is an active participant in the Continuum of Care (CoC), and as part of the CoC's annual point-in-time count, not only are homeless people counted, particularly unsheltered persons, but representatives from various agencies are available to answer questions and provide information about available services. The CoC has begun to conduct a smaller version of the point-in-time count mid-year, which provides an additional opportunity to reach out to homeless populations

Addressing the emergency shelter and transitional housing needs of homeless persons

The City continues to support Hudson River Housing's Webster House, the emergency overnight shelter for the homeless. In recent years, Webster House has increased in size to its current 60 beds. The clients have access to showers, laundry facilities, case management and are served two meals per day. Unfortunately, the demand has become such that stay limits have been imposed where an individual may only spend up to 180 days in the shelter. Case Managers and staff at Hudson River Housing work diligently with this clientele assisting them in attaining affordable housing on a permanent basis. In 2014, Webster House served 698 clients during the program year.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The largest rapid provide rapid re-housing funds and related case management to the chronically homeless in their overnight shelters and young adults in their emergency and transitional housing. The City will work with HRH and the CoC to secure funding for rapid re-housing, ensuring the individuals and families are provided with appropriate housing as quickly as possible.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

The Continuum of Care monitors the results of discharge planning from publically funded institutions or systems of care. All institutions are required to conduct comprehensive discharge planning which includes an appropriate housing option. The City, as part of the County's CoC, has identified discharges from mental health facilities and institutions as more problematic with people sometimes being discharged to unstable and inappropriate housing. The City will continue to support the County's efforts to expand its Diversion Services Program, in which Department of Mental Health staff are placed at the hospital to support hospital discharge planning.

Discharges from correctional facilities have also been identified by the CoC as problematic with people being discharged into unstable housing or even ending up homeless. The Dutchess County Criminal Justice Council Needs Assessment identified a few strategies to improve this process, including a collaborative Accelerated Release and Re-Entry Program between DC Jail, Probation and the Community Transition Center to provide a continuum of programming that helps reduce recidivism, and training for criminal justice agencies concerning mental health/substance abuse issues. The CoC and the City will continue to participate in the development and implementation of the report's recommendations in 2014.

Discussion

One year goals for the number of households to be provided housing through the use of HOPWA for:
Short-term rent, mortgage, and utility assistance to prevent homelessness of the individual or family
Tenant-based rental assistance
Units provided in housing facilities (transitional or permanent) that are being developed, leased, or operated
Units provided in transitional short-term housing facilities developed, leased, or operated with HOPWA funds
Total

AP-75 Barriers to affordable housing – 91.220(j)

Introduction

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

There is a longer list of activities in the Dutchess County and City of Poughkeepsie Analysis of Impediments. The following is a list of specific initiatives which have yet to be implemented which the County will focus on during the 2016 program year:

County will focus on during the 2016 program year:

Impediment #1: Home Rule, Land Use Regulations and the Local Land Use Approval Process

1. Provide technical assistance to municipalities to facilitate local approvals.
2. Implement tracking system and fact sheets for goals set in the Regional Housing Needs Assessment.
3. Revise and implement Model Inclusionary Zoning Ordinance
4. Sponsor education and training sessions

Impediment #2: Limited Infrastructure

Water and Sewer

1. Provide subsidies, using the resources of the CDBG Program, WWA and the Partnership for Manageable Growth

Transportation

1. Utilize CDBG funds as appropriate to improve transportation services and pedestrian needs.

Impediment # 3: Local Opposition to Change/NIMBY

1. Sponsor community leadership training
2. Create website which provides links to existing articles and research on NIMBY issues

Impediment #4 - Limited Fair Housing Resources

1. Develop fair housing education, marketing, outreach and advisory capacity

Impediment #5: Limited Subsidized Housing and Assistance Programs

1. Increase availability of information on available and proposed affordable housing

Impediment #6 - High Cost of Living

1. Identify and evaluate parcels that present opportunities for affordable housing development
2. Dedicate CDBG and HOME resources to defray the cost of land for fair and affordable housing

Discussion

AP-85 Other Actions – 91.220(k)

Introduction

Actions planned to address obstacles to meeting underserved needs

The City will continue to support those public services which promote long-term meaningful change, whether it be permanent, stable housing, youth and work force training programs for the City's youth, daily meal programs, substance abuse programs or services for senior citizens. The obvious obstacle is declining funds for these programs, and the City will be more strategic in its application of funding in order to leverage the most benefits.

Actions planned to foster and maintain affordable housing

The City does not expect to lose any units from its assisted housing inventory during 2015

Actions planned to reduce lead-based paint hazards

The Environmental Protection Agency has awarded the County of Dutchess a grant to address the lead paint issues throughout the County. Because the City of Poughkeepsie is the largest municipality within the County with aging housing stock, the City will continue in 2016 to receive funding from this grant. These funds are used to conduct educational training in safe work and abatement practices for contractors, property owners and landlord. The grant also offsets salaries of our Building Inspectors who deal with any lead paint matters in the City.

The Section 8 Housing inspector has also been trained in identifying lead base paint

Actions planned to reduce the number of poverty-level families

The City will be more strategic in its application of funding in order to support those programs which not simply address the symptoms of poverty but address the causes of poverty. Thus, work force development, particularly among the City's youth, will be a priority, as well as supportive services for the homeless such as locating suitable housing, educational/vocational training, and other services

Actions planned to develop institutional structure

The City will be working to streamline implementation of its CDBG projects, including revising the

application for funding. The City's standard orientation will be enhanced to provide information of HUD deadlines, Consolidated Plan priorities, and the application process.

The City will continue to use its extensive mailing list to inform all parties about the availability of CDBG and HOPWA resources, as well as other resources. The City will expand its role within the CoC to provide assistance to the CoC and the County's oversight and coordination required under the new HEARTH regulations. This should help strengthen the existing institutional structure.

Actions planned to enhance coordination between public and private housing and social service agencies

The City will work with the CoC to increase participation by public and private housing agencies as well as critical public service agencies in CoC activities. The CoC is currently in the process of identifying these groups and will do outreach to encourage participation in the CoC.

Discussion

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction

Due to the discrepancy in the Integrated Disbursement Information System (IDIS) relative to the program income, the City does not include program income for potential use in the 2016 Action Plan. Any program income received is credited to the revolving loan fund and not used to supplement the proposed activities.

Community Development Block Grant Program (CDBG)

Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	0.00%

Discussion

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2016 JUL 15 PM 2:22

TODAY'S DATE: 7-15-16

NAME AND ADDRESS OF EACH CLAIMANT:

Scott L. Johnson
120 Hudson Ave 1A15
Poughkeepsie NY 12601
TELEPHONE NUMBER: (845) 473-2862

NAME AND ADDRESS OF ATTORNEY (IF ANY):

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

city employee hit my car with Dump truck

ITEMS DAMAGED OR INJURIES SUSTAINED:

Damaged car / NO Personal injuries

Scott L. Johnson
Signature of Claimant

Signature of Claimant

STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

Scott L. Johnson being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

Scott L. Johnson
Signature of Claimant

Signature of Claimant

Sworn to before me this 15th day of July, 2016

Maria D. Quaresimo
Notary Public

MARIA D QUARESIMO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01QU6112101
Qualified in Dutchess County
My Commission Expires 6-28-2020

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

Date: 7/15/2016 01:50 PM
 Estimate ID: 19160
 Estimate Version: 0
 Preliminary
 Profile ID: Mitchell

UNDER NYS INSURANCE CODE # 167c YOU HAVE RIGHT TO HAVE YOUR CAR REPAIRED AT THE SHOP OF YOUR CHOICE AND NOT WHERE THE INSURANCE COMPANY WOULD LIKE YOU TO GO. PROTECT YOUR INVESTMENT

B T O AUTO WORKS INC.

471 MAIN STREET, POUGHKEEPSIE, NY 12601
 (845) 485-2557
 Fax: (845) 485-2997
 Email: btoautoworks@gmail.com
 Tax ID: 14-1756956 BAR #: 7030103

Specializing in high quality auto body repairs

Damage Assessed By: Ray Kennett
 Classification: None

Deductible: UNKNOWN

Insured: SCOTT JOHNSON

Mitchell Service: 910541

Description: 2009 Mercedes-Benz ML350
 Body Style: 4D Ut Drive Train: 3.5L Inj 6 Cyl AWD
 VIN: 4JGBB86E69A493660
 OEM/ALT: A Search Code: B142204
 Color: Brilliant Silver Metallic
 Options: CD CHANGER, PASSENGER AIRBAG, POWER DRIVER SEAT, POWER LOCK, POWER WINDOW
 POWER STEERING, REAR WINDOW DEFOGGER, AIR CONDITION, REAR WINDOW WIPER
 CRUISE CONTROL, TILT STEERING COLUMN, AM/FM STEREO, DRIVER AIRBAG
 HEATED EXTERIOR MIRROR, REAR (DUAL-ZONE) AC, POWER PASSENGER SEAT
 FRONT SIDE AIRBAG WITH HEAD PROTECTION, SKID PLATES, ANTI-LOCK BRAKE SYS.
 TRACTION CONTROL, FOG LIGHTS, ALUM/ALLOY WHEELS, POWER LIFTGATE/TRUNK
 TIRE INFLATION/PRESSURE MONITOR, ANTI-THEFT SYSTEM, AUXILIARY INPUT
 BLUETOOTH WIRELESS CONNECTIVITY, LEATHER STEERING WHEEL, CD PLAYER
 POWER ADJUSTABLE EXTERIOR MIRROR, SUNROOF/MOONROOF, PRIVACY GLASS
 GENUINE WOOD TRIM, AUTO AIR CONDITION, TRIP COMPUTER, FIRST ROW BUCKET SEAT
 TELEMATIC SYSTEMS, UNIVERSAL GARAGE DOOR OPENER, ALL WHEEL DRIVE, SIDE AIRBAGS
 AUTOMATIC HEADLIGHTS, SECOND ROW SIDE AIRBAG WITH HEAD PROTECTION
 DAYTIME RUNNING LIGHTS, DRIVER SEAT WITH POWER LUMBAR SUPPORT
 ELECTRONIC STABILITY CONTROL, KEYLESS ENTRY SYSTEM, RAIN SENSING WIPERS
 REAR BENCH SEAT, STEERING WHEEL AUDIO CONTROLS

Line Item	Entry Number	Labor Type	Operation	Line Item Description	Part Type/ Part Number	Dollar Amount	Labor Units	CEG Unit
1	004108	BDY	REPAIR	L Rear Door Shell (HSS)	Existing		2.0*	6.0
2	AUTO	REF	REFINISH	L Rear Door Outside			C 2.2	2.2
3	002204	BDY	REMOVE/INSTALL	L Rear Otr Door Belt Moulding			0.3	0.3
4	002206	BDY	REMOVE/INSTALL	L Rear Door Moulding			0.3	0.3
5	002184	BDY	REMOVE/INSTALL	L Rear Otr Door Handle			0.3	0.3
6	001363	BDY	REMOVE/REPLACE	L Quarter Outer Panel	164 630 07 07	3,790.00	26.8 #	26.8T
7	AUTO	REF	REFINISH	L Quarter Panel Outside			C 2.4	2.8
8	AUTO	REF	REFINISH	L Add For Pillar			C 0.5	0.5
9	AUTO	REF	REFINISH	L Quarter Panel Edge			C 0.5	0.5
10	003678	BDY	REPAIR	Rear Up'r Bumper Cover	Existing		2.0* #	3.1
11	AUTO	REF	REFINISH	Rear Up'r Bumper Cover			C 2.0	2.0
12	AUTO	REF	ADD'L OPR	Clear Coat			2.0*	

ESTIMATE RECALL NUMBER: 07/15/2016 13:45:11 19160

Mitchell Data Version: OEM: JUN_16_V

MAPP: JUN 16 V

Copyright (C) 1994 - 2016 Mitchell International

13	AUTO	ADD'L COST	Paint/Materials		493.68 *	T
14	AUTO	ADD'L COST	Shop Materials		30.80 *	T
15	AUTO	ADD'L COST	Hazardous Waste Disposal		7.50 *	T
16	900500	BDY *	DETAIL FOR DELIVERY	Existing		1.0*
17	900500	BDY *	CAR COVER	** QUAL REPL PART	10.00 *	0.3*
18	900500	REF *	COLOR SAND AND BUFF	Existing		1.0*

* - Judgment Item
 # - Labor Note Applies
 C - Included in Clear Coat Calc

Estimate Totals

I. Labor Subtotals						II. Part Replacement Summary			Amount
Units	Rate	Add'l Labor Amount	Sublet Amount	Totals					
Body	33.0	65.00	0.00	0.00	2,145.00	T	Taxable Parts	3,800.00	
Refinish	10.6	65.00	0.00	0.00	689.00	T	Sales Tax @ 8.125%	308.75	
Taxable Labor				2,834.00	Total Replacement Parts Amount			4,108.75	
Labor Tax @ 8.125%				230.26					
Labor Summary				43.6	3,064.26				
III. Additional Costs						IV. Adjustments			Amount
Taxable Costs				531.98	Customer Responsibility			0.00	
Sales Tax @ 8.125%				43.22					
Total Additional Costs				575.20					
Paint Material Method: RMC									
						I. Total Labor:	3,064.26		
						II. Total Replacement Parts:	4,108.75		
						III. Total Additional Costs:	575.20		
						Gross Total:	7,748.21		
						IV. Total Adjustments:	0.00		
						Net Total:	7,748.21		

This is a preliminary estimate.

Additional changes to the estimate may be required for the actual repair.

*****Parts Prices Subject to Invoice *****
 AUTHORIZED AND ACCEPTED: You are hereby authorized to make the above specified repairs. I understand that payment in full will be due upon release of vehicle, including supplemental damage charges and hereby grant you and/or your employees, permission to operate the car, truck or vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection.
 OLD PARTS WILL BE SCRAPPED UNLESS OTHERWISE INSTRUCTED.

Signed x _____ Date: ___/___/___

Date: 7/15/2016 01:50 PM
Estimate ID: 19160
Estimate Version: 0
Preliminary
Profile ID: Mitchell

ACCIDENT INFORMATION EXCHANGE FORM

NY State Law requires that any accident resulting in a fatality, injury or damage to property of any person (including damage to your vehicle) or entity over \$1000 be reported by YOU to the Department of Motor Vehicles (DMV) within 10 days after an accident. Failure to report an accident or failure to give correct information is a misdemeanor and may result in the suspension/revocation of your driver's license (or operating privilege in NYS) and all vehicle certifications or registrations.

Report your Accident to DMV on DMV form MV-104 (Report of Motor Vehicle Accident). Police Accident Reports (DMV form MV-104A) DO NOT satisfy YOUR civilian reporting requirement.

Accident Report #	Local Codes	Date	Time	# of Veh.	Town, City, Road Name
Q3RG215VS05T	2016-19584	07/15/2016	11:31 AM	2	POUGHKEEPSIE, CITY OF - 1402 26 HOWARD ST
Police Agency			Officer's Name/Badge ID#		
POUGHKEEPSIE CITY PD - 01302			LAWLESS DAVID 35		

VEHICLE # 001

Operator's Name		Date of Birth	Address	
DENHAM PETER A		04/07/1968	PO BX 272	
City/State/Zip		Motorist I.D.#	Vehicle Year and Make	License Plate # and State
TILLSON NY 12486-0000		193415044	2008 GENR	AG9616 NY
Vehicle Type	Insurance Code and Company		Vehicle Owner	
DUMP	997 - SELF-INSURER		CITY OF POUGHKEEPSIE	
Vehicle Towed By			Vehicle Towed To	

Miscellaneous Notes

VEHICLE # 002

Operator's Name		Date of Birth	Address	
PARKED				
City/State/Zip		Motorist I.D.#	Vehicle Year and Make	License Plate # and State
NY			2009 MERZ	EWD7387 NY
Vehicle Type	Insurance Code and Company		Vehicle Owner	
SUBN	478 - ALLSTATE PROP CAS INS CO		JOHNSON SCOTT L	
Vehicle Towed By			Vehicle Towed To	

Miscellaneous Notes

Please wait 14 days before contacting DMV to request a copy of your accident report.

If you want to purchase a copy of the police accident report, form MV-104A, complete DMV's "REQUEST FOR COPY OF ACCIDENT REPORT" form MV-198C and send it to DMV.

The form and instructions are available at www.dmv.ny.gov or at your local DMV office.

THE FORM MV-104A MAY ALSO BE PURCHASED BY CONTACTING THE INVESTIGATING POLICE AGENCY.

POUGHKEEPSIE CITY PD, 62 CIVIC CENTER PLAZA, POUGHKEEPSIE, NY 12602

To obtain a blank civilian Accident Report (Form MV-104), visit the DMV office nearest you

or
access forms online at www.dmv.ny.gov

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: July 25, 2016

NAME AND ADDRESS OF EACH CLAIMANT:

Valarie Peterkin
31 Virginia Ave
Pok. NY 12601

TELEPHONE NUMBER: 845-656-4050

NAME AND ADDRESS OF ATTORNEY (IF ANY):

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2016 JUL 28 PM 1:58

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

On July 1, 2016 a severe thunderstorm knocked down a tree and lightpole in front of my home at above location. The electric power was disconnected for 2 days. Central Hudson finally came on 7/2/16 approx. 9 pm and connected service temporarily. OHMS Electrical Construction came on 7/10/16 to replace + repair damages caused by fallen tree and lightpole. See attached report from Central Hudson + paid receipt from OHMS Electrical.

[Signature]
Signature of Claimant

Signature of Claimant

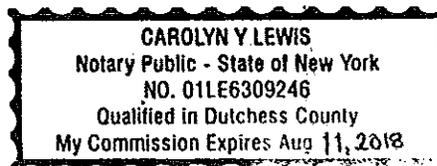
STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

Valarie E. Peterkin being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

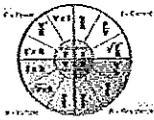
[Signature]
Signature of Claimant

Signature of Claimant

Sworn to before me this 26th day of July, 2016
[Signature]
Notary Public



NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.



Ohms Electrical Construction
22 South White Street, Poughkeepsie
New York
12601
845-345-0797

Invoice

Invoice No:
559
Date:
Jul 10, 2016

Bill To:
Valarie Peterkins
29 Virginia Ave Poughkeepsie
New York, 12601
(845)-656-4050

Description	Quantity	Rate	Amount
Disconnect and remove service head that was damaged during a windstorm. Electrical contractor replaced weathered, resupport cable, and re-energized power to its normal usage.	1.00	\$380.00	\$380.00

Total	\$380.00
Paid	\$380.00
Balance Due	\$0.00

Paid



Temporary Electric Service Repair Notice

Customer Name Valerie Peterkin
 Address 31 VIRGINIA AVE
Poughkeepsie NY
 Phone Number 845-656-4058
 Signature [Signature]
 Account Number 5136-2520-00

Order Log Number TS 480-12
 Owner Tenant (If tenant fill out below)
 Owner Name _____
 Owner Address _____
 Meter Number 38695370
 Meter Reading Index _____

Description of Temporary Repair

Check appropriate box or fill in other

- Service Faulted
- Point of Attachment Damaged
- Customer Pole Damaged
- Service Saver Installed
- Meter Pan Damaged
- Other _____

Remarks weather head needs repair

Customer Responsibility Date 7/2/16 Employee No. 92510
 Central Hudson Responsibility

Contact Central Hudson at (845) 452-2700 when permanent repairs are complete

White copy: Customer Pink copy: Service Supervisor Yellow copy: District Line Foreman

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 7/28/2016

NAME AND ADDRESS OF EACH CLAIMANT:

Karlissa Stroman

7 North Grand Ave Apt 2
Poughkeepsie NY 12603

TELEPHONE NUMBER: (845) 240-6698

NAME AND ADDRESS OF ATTORNEY (IF ANY):

2016 JUL 29 PM 12:12
CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

Driving down a two way street on South White street on July 26 at 11:20 when a car was coming down the other way and I had to move over when I moved over there was a very deep ditch that looks like its been there for awhile

ITEMS DAMAGED OR INJURIES SUSTAINED:

my control arm broke right off my car that keeps my wheel straight Thank God it didn't come off because I had my one month old daughter in the car so with the parts and labor it came to \$2000
Karlissa Stroman

Signature of Claimant

Signature of Claimant

STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

Karlissa Lynn Stroman being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

Signature of Claimant

Signature of Claimant

Sworn to before me this 29th day of July, 2016

Priscilla M. Balicki
Notary Public

PRISCILLA M. BALICKI
NO. 01EA6112720
Notary Public, State of New York
Qualified in Orange County
My Commission Expires 07/06/2020

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

AutoZone 5126

1404 ROUTE 300
NEWBURGH, NY
(845) 566-7725

1276534	13100069	82.99 P
13100069	Duralast	
Cont Arm W/Ball Joint, EA		
	SUBTOTAL	82.99
TOTAL TAX @ 8.125%		6.74
TOTAL		89.73
CASH		90.00
CHANGE		0.27

REG #02 CSR #72 RECEIPT #681970
STR. TRANS #938437
STORE #5126
DATE 07/26/2016 17:53
OF ITEMS SOLD 1



 Make all your projects rewarding!
 Get a \$20 Reward when you make 5
 qualifying purchases of \$20 or more*
 Join AutoZone Rewards for free in-store
 or online at AutoZone.com/azrewards
 *See terms and conditions at
 AutoZone.com/azrewards for details.

PERSONAL WARRANTY INFORMATION
STROMAN KARLISSA
12603
(845) 240-6698

2006 Honda Accord EX
Item: 276534 13100069 CONT ARM W B J
LIMITED LIFETIME WARRANTY PERIOD

Limited Warranty
 If a part fails during the warranty
 period shown on this receipt, bring the
 part to any AutoZone store and you will
 receive a replacement or refund.
 Warranty excludes damage caused by
 misuse, abuse, other faulty parts,
 improper installation or off-road,
 commercial or marine use. Warranties on
 replacement parts cover the unused
 portion of the original warranty or
 90 days, whichever is longer.
 Warranties expire when you sell your
 vehicle.

THIS LIMITED WARRANTY REPRESENTS THE
 TOTAL LIABILITY OF AUTOZONE, FOR ANY
 PART OR PRODUCT. AUTOZONE MAKES NO
 OTHER WARRANTIES, EXPRESS OR IMPLIED,
 INCLUDING THE IMPLIED WARRANTIES OF
 MERCHANTABILITY OR FITNESS FOR A
 PARTICULAR PURPOSE.

AUTOZONE SHALL NOT BE LIABLE FOR
 ANY INDIRECT, SPECIAL, INCIDENTAL, OR
 CONSEQUENTIAL DAMAGES.

Some states do not allow limitations on
 how long an implied warranty lasts, or
 exclusion or limitation on incidental or
 consequential damages, so the above
 limitations may not apply to you. This
 warranty gives you specific legal
 rights, and you may also have other
 rights which vary from state to state.

Take a survey for a

chance to win \$10000

No purchase necessary. Ends 08/31/16.
 All official rules
 at autozonecares.com

Ref No: 8437-160726

AutoZone 3239

721 HAIN ST
POUGHKEEPSIE, NY
(845) 485-4125

#323499	109640259	59.99 P
109640259	Duralast	
Lwr Rear Cont Arm, EA		
	SUBTOTAL	59.99
COURTESY 10 DISCOUNT: 10.00%		
	DISCOUNT AMOUNT	6.00-
	DISCOUNTED SUBTOTAL	53.99
TOTAL TAX @ 8.125%		4.39
TOTAL		58.38
XXXXXXXXXXXX9779	VISA	58.38
	APPROVAL #	718138

REG #01 CSR #10 RECEIPT #515365
STR. TRANS #815994
STORE #3239
DATE 07/26/2016 14:03
OF ITEMS SOLD 1



 Make all your projects rewarding!
 Get a \$20 Reward when you make 5
 qualifying purchases of \$20 or more*
 Join AutoZone Rewards for free in-store
 or online at AutoZone.com/azrewards
 *See terms and conditions at
 AutoZone.com/azrewards for details.

PERSONAL WARRANTY INFORMATION
STROMAN KARLISSA
12603
(845) 240-6698

NO VEHICLE GIVEN
Item: 323499 109640259 LATERAL LINK
LIMITED LIFETIME WARRANTY PERIOD

Limited Warranty
 If a part fails during the warranty
 period shown on this receipt, bring the
 part to any AutoZone store and you will
 receive a replacement or refund.
 Warranty excludes damage caused by
 misuse, abuse, other faulty parts,
 improper installation or off-road,
 commercial or marine use. Warranties on
 replacement parts cover the unused
 portion of the original warranty or
 90 days, whichever is longer.
 Warranties expire when you sell your
 vehicle.

THIS LIMITED WARRANTY REPRESENTS THE
 TOTAL LIABILITY OF AUTOZONE, FOR ANY
 PART OR PRODUCT. AUTOZONE MAKES NO
 OTHER WARRANTIES, EXPRESS OR IMPLIED,
 INCLUDING THE IMPLIED WARRANTIES OF
 MERCHANTABILITY OR FITNESS FOR A
 PARTICULAR PURPOSE.

AUTOZONE SHALL NOT BE LIABLE FOR
 ANY INDIRECT, SPECIAL, INCIDENTAL, OR
 CONSEQUENTIAL DAMAGES.

Some states do not allow limitations on
 how long an implied warranty lasts, or
 exclusion or limitation on incidental or
 consequential damages, so the above
 limitations may not apply to you. This
 warranty gives you specific legal
 rights, and you may also have other
 rights which vary from state to state.

Take a survey for a
chance to win \$10000

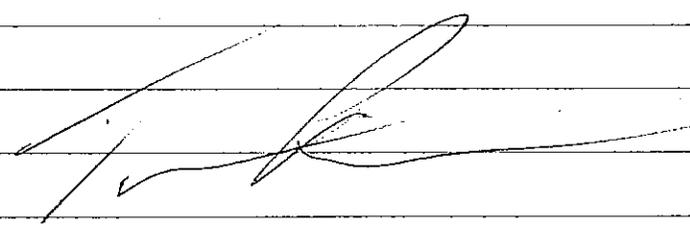
No purchase necessary. Ends 08/31/16.
 Subject to full official rules
 at www.autozonecares.com

Ref No:
3239-815994-160726-3

1 Torrance Parson fixed Karlissa
Stroman 2006 Honda Accord ball joint
and control Arm. on 7/27/2016.
It took 3 hours to do and it
cost \$120.00

Thank you

Number
(845) 705-9269

A handwritten signature in black ink, appearing to be 'Karlissa', written in a cursive style.



Po Fu Cheng
Marcia Richards
1650 Market Street | One Liberty Place, Suite 1800 | Philadelphia, PA 19103-7395
Direct 215.864.7086 | Fax 215.789.7641
chengp@whiteandwilliams.com | whiteandwilliams.com

2016 AUG - 1 PM 1:53
CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

July 29, 2016

By FedEx and Certified Mail Return Receipt Requested

Deanna Flynn, City Chamberlain
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

Chris Gent, Commissioner
City of Poughkeepsie
Department of Public Works
26 Howard Street
Poughkeepsie, NY 12601

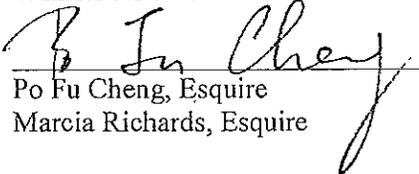
RE: Insured : Timothy A. Lang
Loss Location : 3 Hook Road Unit 63J
 : Poughkeepsie, New York
Date of Loss : May 4, 2016
Claim Number : 0412198631

Dear Ms. Flynn and Mr. Gent:

Enclosed please find a Notice of Claim against The City Of Poughkeepsie, Department of Public Works submitted in accordance with Gen. Mun. §§50-e and 50-i. Accordingly, kindly forward this Notice to the appropriate official or office.

Very truly yours,

WHITE AND WILLIAMS LLP


Po Fu Cheng, Esquire
Marcia Richards, Esquire

PFC:dmr
Enclosure

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

In the Matter of the Claim of

ALLSTATE INDEMNITY COMPANY, as
subrogee of, TIMOTHY LANG

Claimant,

against

THE CITY OF POUGHKEEPSIE
DEPARTMENT OF PUBLIC WORKS

Defendants.

NOTICE OF CLAIM

2016 AUG -1 PM 1:53
CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

To: The City Of Poughkeepsie Department of Public Works

PLEASE TAKE NOTICE that to the extent required by Municipal Law or otherwise the undersigned claimant hereby makes claim and demand against you as follows:

1. **The name and post office of each claimant is:**

Allstate Indemnity Company
a/s/o Timothy Lang
2775 Sanders Road
Northbrook, IL 60062
Claimant

Po Fu Cheng, Esquire
Marcia D. Richards, Esquire
White and Williams LLP
1650 Market Street
One Liberty Place, Suite 1800
Philadelphia, PA 19103
Attorney for Claimant

2. **Nature of the claim:**

This is a subrogation claim for property damage which arose on May 4, 2016. Claimant is an insurance company asserting subrogation rights. Claimant's insured, Timothy Lang, at all times relevant hereto, owned and resided at Unit #63J of The Arbors Condominium complex located at 3 Hook Road, Poughkeepsie, NY 12603. On or about May 4, 2016 a fire occurred at the complex which destroyed Timothy Lang's home. Claimant has made and/or will make payments pursuant to a policy of insurance issued to its insured Timothy Lang for property and related damages and expenses resulting from the fire incident and sustained by Mr. Lang. Claimant is subrogated to the rights of its insured, to the extent of any payment made to him, or on his behalf, against the responsible party(ies) for said fire, its spread and resulting damages.

3. The time when, the place where, and the manner in which the claim arose is as follows:

Upon information and belief, The Fire loss occurred on May 4, 2016 at 3 Hook Road, Poughkeepsie, NY 12603 originating in unit #63A and spread to the claimant's insured, Timothy Lang's unit. Our investigation to date indicates that the fire spread was the result of water hydrants owned and/or maintained by the City of Poughkeepsie, Department of Public Works failing to operate and/or provide an adequate water supply to timely fight the fire.

4. The items or damage or injuries claimed to have been sustained:

The fire substantially damaged Timothy Lang's home. The damages include real and personal property, additional living expenses, and related costs and expenses. Claimant is subrogated to the rights of its insured to the extent of all payments made, or to be made, and seeks recovery of all insurance payments from the named parties.

While the loss figures have not yet been finalized, damage to real and personal property additional living expenses and related expenses are expected to exceed \$200,000.00.

WHEREFORE, Allstate Indemnity Company, as subrogee of Timothy Lang requests that the claim set forth herein be allowed by The City of Poughkeepsie Department of Public Works. Should the claim be disallowed, litigation will be commenced in a timely fashion.

Dated: July 29, 2016

WHITE AND WILLIAMS LLP

By:

Po Fu Cheng
Po Fu Cheng, Esquire
Marcia D. Richards, Esquire
1650 Market Street
One Liberty Place, Suite 1800
Philadelphia, PA 19103
(215) 864-6893

Sworn and subscribed to
before me this 29 day
of July, 2016.

Breeana Joelle Somers
NOTARY PUBLIC

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Breeana Joelle Somers, Notary Public
East Whiteland Twp., Chester County
My Commission Expires June 27, 2017
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

To: (Via Certified Mail and Federal Express sent July 29, 2016)

Deanna Flynn, City Chamberlain
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

Chris Gent, Commissioner
City of Poughkeepsie
Department of Public Works
26 Howard Street
Poughkeepsie, NY 12601

**CAPT'N CLIFFY'S
RIVER STATION RESTAURANT
AND
CATERING**

THE ANCHOR OF POUGHKEEPSIES WATERFRONT
FOR OVER 35 YEARS
1 N. WATER STREET, POUGHKEEPSIE, NY 12601

PHONE: 845-452-9207 FAX: 845-452-9240

WEBSITE: WWW.RIVERSTATIONREST.COM EMAIL: RIVERSTATION@VERIZON.NET

July 19, 2016

City of Chamberlain
62 Civic Center
Poughkeepsie, NY 12601

Liquor License No. 2005501 and 2156012

Dar Municipality/Community Board,

I am applying for a renewal liquor license for the above listed license numbers for the main bar and the seasonal server deck bar for the same location of 1 North Water Street, Poughkeepsie, NY 12601. I am required to notify you the minimum of 30 days prior to sending the renewal papers.

If you have any questions or concerns please contact me at 845-452-9207

Thank you,



Stacy Kihlmire

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2016 JUL 21 PM 2:20



THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Tuesday, July 5, 2016 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

7 Present, 1 Absent (Councilmember Randall Johnson)

II. REVIEW OF MINUTES:

Common Council Minutes of June 20, 2016

Common Council Meeting Minutes						
			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	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"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted					
<input type="checkbox"/>	Accepted					
<input type="checkbox"/>	Tabled					

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

Brian Turner CPPD

Jeff Aman- 90 Prestwick Circle

Constantine Kazolias 47 Noxon Street

Official Minutes of the Council Meeting of Tuesday, July 5, 2016

QUESTION? RE; WARYAS PARKI THE ICE HOUSE HAS EXPANDED INTO WARYAS PARKII SPECIFICALLY FROM THE OLD BUILDING TO THE RIVER WITH SEATING INTO THAT ENCROACHMENT OF WARYAS PARK WHICH SERVS ALCOHOL ON THOSE PARK PREMISES, WHILE THE PARK RULES NO ALCOHOL IN ALL ~~CITY~~ CITY PARKSII WHILE "SIX PACK BUBBA", IS RESTRICTED SUBJECT TO ARREST IF HE CONSUMES BEER IN THE PUBLIC PORTION OF WARYAS PARKIII WHY THE DOUBLRE STANDARD? THROW IN THE ICE HOUSE \$12,000/YR RENT, FREE CITY/SEWER, and SANITATION, NOT A BAD DEALI WHEN ANOTHER ENTERPRISE ON LEASED CITY PROPERTY PAYS A \$30,000/YR RENTAL, PAYS FOR WATER/SEWER AND SANITATIONIII

QUESTION? WHY IS THE COUCILMAN FROM THE FOURTH WARD TELLING HIS COSTITUENTS AND DPW WORKERS SPECIFICALLY, THE SANITATION WORKERS THEY WILL BE, LIKE MARTHA'S MITCHELLS "GONE WITH THE WIND, COME JANUARY 01, 2017III FOR THE RECORD, THAT TORNADO TYPE STORM THAT HIT PUGHKEEPSIE IN THE AFTERNOON OF JULY 01, 2017, WHO RESPONDED BUT A DOZEN "POUGHKEEPSIE MINUTE MEN' .A/K/A OUR SANITATION PROFESSIONALS WORKING UNDER LONG/TIRING /ADVERSE CONDITIONS PRIORITIZING DOWN TREES FOR REMOVALII KUDOSIII THANKS TO THE \$2.3 MILLION COUNTY SALES TAX CUT BACKS BY C.E. MOLINARO AND THEN D.C. CHAIRMAN/NOW MAYOR ROLLISON, BEFORE THEIR, CUTS THE CITY HAD TWO TREE CREWS TO SERVICE 18,000 TREES. THE ENTERPRISE ZONE MONIES ARE THE CITIES ATM BANKI WHEN IS THE NYS COMPTROLLER GOING TO AUDIT THE ENTERPRISE MONIES, LABOR, AND A TOTTAL THOROUGH ~~W~~ AUDIT? THE CITY HAS THREE COMPACTORS LONG PAST THE MFG EIGHT YEAR RECOMMENDED USE. THEY ARE 9, 12, AND 13 YEARS OLD.

FOR THE RECORD, IN THE LAST MONTH, THE SECOND WARD, IN MY NEIGHBORHOOD, HAS HAD THREE SHOOTING, TWO ON NOXON STREET AND ONE ON CHURCH STREET. THE ONLY TIME SHOOTINGS BECOME POUPLIC KNOWLEDGE IS WHEN THE VICTUM GOES TO THE E.R.IIII PLUS NOXON STREET, NOT NOXON ROAD, HAS BECOME A SPEED ZONE WITH A POSTED 15MPH LIMIT NOT 51. IN THE PAST, HAVING THE TRAFFIC COP AT THE CORNER OF ACADEMY/NOXON, THE TOP OF THE HILL, DEFEATING THE PURPOSE AND A WAJST OF MANPOWERIII

THE REZONING OF J.C.C. FROM R-2 TO R-4 IS STILL ON THE TABLE TO BE VOTED UP OR DOWNIIII

WHEN?

Constantine Gus Kazolias
CONSTANTINE GUS KAZOLIAS

47 NOXON STREET,POUGHKEEPSI,N.Y.12601,07/05/16

Darrett Roberts 148 Franklin Street
Damon Crumb 73 Mansion Street
Laurie Sandow 201 South Grand Avenue

Comments of Laurie Sandow, Common Council meeting, July 5, 2016 – Pg 1 of 6

Four weeks ago, at the Common Council's June 6, 2016 meeting, a resolution was unnecessarily introduced at the last minute. Neither the revised agenda nor the resolution were posted to the City website on the day of the meeting, nor have they EVER been posted to the City website. As I stated at the last meeting, and repeat again, this is an ongoing violation of NY State Open Meetings law.

In fact, only four resolutions in total are available on the City website, dating from May 18th to December 16th, 2015. The entire Resolution history of this City was wiped out by the ill-conceived website redesign. When is that material going to be restored?

— When are time stamps going to be added to City website posts, including revised time stamps when posts are revised?

— When are Common Council and other materials going to be posted so that they can be read online without downloading, as they were in the previous version of the City website?

— When are the documents, including Common Council agendas, going to be posted as text files whose contents can be easily searched, rather than posted as bloated non-searchable image files?

Going back to the June 6 meeting: though the last-minute resolution was introduced without documentation, five members of the Council gladly voted in its favor, while shutting down fellow Councilmembers' efforts to educate themselves and the public about the resolution's content and background.

Comments of Laurie Sandow, Common Council meeting, July 5, 2016 – Pg 2 of 6

Contrast this with the vote on the Safe Staffing Resolution that took place at the last Common Council meeting [June 20th]. At that meeting, four councilmembers abstained from voting because, they said, they hadn't read material that had been in their hands for five weeks. One abstainer opined that being a Councilmember was a part-time job.

Does part-time job also explain the disappearance of mention or discussion of the City's jail expansion Memorandum of Understanding with the County?

At the June 20th Common Council meeting, there was an agenda item called "a communication on having an 'Open Prayer' during Common Council Meetings." The agenda packet was devoid of documentation about this so-called communication. Today's Common Council agenda packet contains the missing documentation, including a memorandum from the Corporation Counsel dated January 19, 2016. In other words, the current Council has had nearly 6 months to read this documentation, which clearly states "If the Common Council is desirous of including a period of prayer during council meetings, there will need to be a resolution put to vote amending Rule 4 of the Rules of Conduct and Procedure."

Could it be that 6 months is also not enough time to read documentation? Because today's agenda suggests intent to introduce prayer through a communication, rather than a resolution.

Comments of Laurie Sandow, Common Council meeting, July 5, 2016-- Pg 3 of 6

Curiously, there's no effort to introduce prayer behind the closed doors of Council caucus meetings, but only in a public display—a display that certain Bible verses deem hypocritical. Prayer is not a political football; prayer is a personal intimate communication we choose with our Creator, already available to any one of us at any time, 24/7.

Yet, a communication from Chris Petsas to Tracy Hermann on Jan 8 [2016, at 12:25pm], reads:

“In speaking with several members of the Council and the Mayor - we are looking into having an ‘invocation/ opening prayer’ (1 to 2 mins) at the start of each regular council meeting by local clergy. Many other communities do this - why the city of Poughkeepsie does not - I am not sure why. However, in the spirit of a new direction and UNITY and TOGETHERNESS - I think this would be a good move to bring these anchor institutions into our council chambers and build a relationship with them. We would use our Council members and the DC Interfaith council [DCIC] to find interested clergy - from baptist, to roman catholic, to Jewish and all faiths in between. Thoughts?

Hermann responded [at 1:34pm]: “I think it warrants a conversation, and probably one best done outside of email. Looking forward to discussing.”

And on Jan 8 [2016, at 2:43pm the same day]—less than 2 hours and 20 minutes after first broaching the question—Chris Petsas declared without further conversation and WITHOUT DOCUMENTATION: “A majority of our members have expressed support for this and we will move forward with it - with Rev. Bottoms giving the first prayer on the 19th [of January].”

Comments of Laurie Sandow, Common Council meeting, July 5, 2016 – Pg 4 of 6

How will public prayer at Common Council meetings put an end to the bullying, backstabbing, manipulation and trash-talking that takes place behind closed Council doors? How will prayer at Common Council meetings bring a new era of timely documentation, full disclosure, and well-informed, lawful participation by Council members?

In summary: the attempt to introduce prayer at Common Council meetings is a political manipulation—a wolf in sheep’s clothing—pretending to act “in the spirit of a new direction ...,” while actually undermining unity and togetherness, and imposing state-sanctioned prayer in place of individual choice regarding time and place of worship, observance, practice and teaching.

The attempt to introduce prayer at Common Council meetings through a communication rather than a resolution is a cynical attempt to display public piety even while willfully violating the law, including Councilmembers’ sworn oath to “...support the constitution of the United States, and the constitution of the State of New York, and ... faithfully discharge the duties of the office ...”

5 OF 6

Begin forwarded message:

From: "Hermann, Tracy" <THermann@cityofpoughkeepsie.com>
Date: January 8, 2016 at 2:50:54 PM EST
To: "Petsas, Christopher D." <CPetsas@cityofpoughkeepsie.com>
Subject: Re: Council Meetings

I'm confused. Your initial email asked for our thoughts.

Sent from my iPhone

On Jan 8, 2016, at 2:43 PM, Petsas, Christopher D.
<CPetsas@cityofpoughkeepsie.com> wrote:

A majority of our members have expressed support for this and we will move forward with it - with Rev. Bottoms giving the first prayer on the 19th.

CDP

From: Hermann, Tracy
Sent: Friday, January 08, 2016 1:34 PM
To: Petsas, Christopher D.
Cc: Common Council; Rollson, Robert G.; Knapp, Ron
Subject: Re: Council Meetings

I think it warrants a conversation, and probably one best done outside of email. Looking forward to discussing.

JTH

Sent from my iPhone

On Jan 8, 2016, at 12:25 PM, Petsas, Christopher D.
<CPetsas@cityofpoughkeepsie.com<mailto:CPetsas@cityofpoughkeepsie.com>>
wrote:

Good afternoon,

In speaking with several members of the Council and the Mayor - we are looking into having an "invocation/ opening prayer" (1 to 2 mins) at the start of each regular council meeting by local clergy. Many other communities do this - why the city of Poughkeepsie does not - I am not sure why. However, in the spirit of a new direction and UNITY and TOGETHERNESS - I think this would be a good move to bring these anchor institutions into our council chambers and build a relationship with them. We would use our Council members and the DC Interfaith council to find interested clergy - from baptist, to roman catholic, to Jewish and all faiths in between. Thoughts?

CDP

6 of 6

The Rules of Conduct and Procedure adopted at Jan. 2 organizational meeting make no mention of Invocation or opening prayer. Therefore, the rules of conduct and procedure and the order of business having been adopted by Resolution and vote, will require a Resolution and vote to amend:

<http://ecode360.com/attachment/PO1408/PO1408-CHA.pdf>
Section 2.03 Organizational Meeting; Voting; Election of Chairperson and Vice-Chairperson; Rules of Conduct and Procedure

The common council shall conduct its organizational meeting at the Poughkeepsie city hall on the second day of January of each year unless such date shall fall on a Sunday, in which event it shall conduct such meeting the following day. Each organizational meeting shall be open to the public. Each councilmember shall be entitled to cast one vote on any matter to come before it. The common council at such meeting shall elect a chairperson from among its members, who shall serve as chairperson and preside at all meetings of the common council for the balance of the calendar year. The common council at such meeting shall also elect a vice-chairperson, who shall serve as chairperson and preside at all common council meetings throughout the balance of the calendar year at which the chairperson is absent, and it shall provide by resolution for its own rules of conduct and procedure for the current year.

From 2016 Organizational Meeting Packet

RESOLUTION (R16-03)

BE IT RESOLVED, that the Common Council adopts for use during the year 2016 the Rules of Conduct and Procedure of the Common Council of the City of Poughkeepsie, a copy of which is attached hereto and made a part of this Resolution.

RULE IV. The City Chamberlain shall record the attendance at meetings. The order of business at regular meetings shall be as follows:

1. Pledge of allegiance and Roll Call.
2. Review of the minutes of the previous meeting.
3. Reading by City Chamberlain of any resolution or other item not listed on the printed agenda.
4. Public participation for a period not to exceed 45 minutes. At the outset of each meeting, individuals will be asked to register their intent to speak, providing their name and address. Each speaker may speak for up to three minutes on an agenda item or any aspect of City government or legislation. When the number of persons who have registered to speak requires that the allotted 45 minutes will be exceeded, an additional 15 minutes will be allotted for registered speakers, following all other business of the Council. Suspension of the rules will, as needed, be considered for those matters where further public participation may be warranted.
5. Mayor's comments
6. Chairperson's comments and presentations
7. Motions and resolutions.
8. Ordinances and local laws.
9. Presentation of petitions and communications.
10. Unfinished business.
11. New business.
12. Adjournment.

IV. MAYOR'S COMMENTS:

Mayor Rolison wanted to go over a few things that have taken place between the last meeting and tonight. Obviously a lot has happened, but he is not going to go through the entire list. First wanted to bring attention to, we in city hall, and city government are participating with the county in the backpack supplies and more initiative for school children for the coming school year. We have been asked to collect 850 black and white composition note books. They are going to go into the backpacks, and the county and the city are doing that. We would like to get them by the 12th of next week, and you can put them in Kelsey Bradley, Administrative Assistant to the Mayor's office. They will be given to Christ Church, that it the group that stuffs the backpacks. Also, since last meeting, he, along with Councilman Young, and eight other people spent eighteen hours in a van together, going to Pittsburgh. That was a really great experience being in a van for eighteen hours with a group of people, many who did not know each other all that well, and now have established relationships. They went to a youth educational center called, Manchester Bidwell in the City of Pittsburgh, and looked at what they're doing there. There were members of County government, City Government, the School District, Non-Profits, himself, the County Executive. It was very enlightening and very empowering. There will be some follow-up meeting, Manchester Bidwell may try and come to the City of Poughkeepsie and do a study of the services here. At this point no decisions have been made. Good news, the interviews that have been ongoing for Finance Commissioner and City Administrator are in their final stages where there are candidates, who are now discussion a little more of the details as far as compensation goes. Will keep you all posted on that, and we would like to have that wrapped up by the end of the week, and then we can start the other process with the City Council. There was another budget meeting with Department Heads where we focused on revenue projects for both 2016 and 2017. The budget process has started early and it's starting to develop. Our budget people now have it what they call "initialized in our system" where Department Heads can go into their terminals, and input data. As far as the Arts Commission is concerned, knows that members of the committee are at the council meeting tonight. They have been working with Councilmember McNamara and the Arts Commission, and Corporation Counsel to develop language and criteria for an Arts Commission. They have agreed to that, and he is ready to create an Arts Commission by Executive Order, which will establish that. The storm, at 3:41 p.m. it was raining here at City Hall, and at 3:41 p.m., the phones starting ringing downstairs in the 911 Center. Statistically, we are very lucky there were no injuries in the storm. There was one individual that was stuck in his car at the intersection of Arnold and Kingston, in about four feet of water. The Fire Department was able to get that person out of there. During the storm there were approximately one hundred calls to the 911 Center in about a two hour period. They responded to forty-four fire calls during the storm, thirty-six which were storm related, and eight which were normal activity. Bartlett Park was especially hit hard. We lost a lot of limbs and trees there. Commissioner Gent has indicated that they will start clearing there tomorrow morning, approximately at 6:00 a.m.

V. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Petsas wanted to reiterate that the National Night Out is Tuesday, August 2nd between 5:00-8:00 p.m. at Waryas Park. It is lots of events for children and families, and thanks them for hosting this, and encourages his colleagues and everyone from the community to come out. Briefly, how resolutions get to a vote in this city council, generally, 98% of them go on as a communication, so that the council and the community has the ability to discuss it and communicate about it. It is then brought up on the agenda for a vote. There are rare instances, out of many votes taken by this council that there are walk-ons, things that have deadlines, time sensitive, or things that simply make sense, such as we believe the Family Partnership Center is a vital asset to our community, and we should back it up. So that is how these things get on, tonight it is simply a communication to talk about the possibility of having a prayer blessing before our council meetings, like other communities do. If there is enough votes, we will bring it to a vote of the city council. That is how resolutions get voted on by this council.

VII. MOTIONS AND RESOLUTIONS:

1. **A motion was made by Councilmember Cherry and seconded by Councilmember Klein to receive and print.**



William Brady
Commissioner of Finance

The City of Poughkeepsie
New York

July 5, 2016

To: Chairman Chris Petsas
Members of the Common Council

From: William Brady, Commissioner of Finance

WJB

Re: Amending and Restating the Interfund Borrowing Resolution

As we discussed at the June 20 Common Council meeting, I am asking for Council approval of an Amended and Restated Resolution authorizing the Interfund Borrowing of \$450,000 from the Sewer Fund to pay the cost of replacing the roof on the wastewater treatment facility. Originally the Common Council has authorized the borrowing of \$300,000. The cost of the roof replacement has been bid, and the low bid is approximately \$395,000. This loan will allow us to complete the project, and we will receive reimbursement from the NYS Environmental Facilities Corp. in early 2017.

Thank you for your consideration.

Municipal Building • 62 Civic Center Plaza • Poughkeepsie, NY 12601 • 845.451.4025 • 845.451.4027

RESOLUTION
R16-62
EXTRACT OF MINUTES

Official Minutes of the Council Meeting of Tuesday, July 5, 2016

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on July 5, 2016 at 6:30 o'clock p.m., local time.

The meeting was called to order by **Chairman Petsas**, and, upon roll being called, the following members were:

PRESENT:

Councilmember Natasha Cherry
Councilmember Lee David Klein
Councilmember Lorraine Johnson
Councilmember Matthew McNamara
Councilmember Ann Perry
Councilmember Christopher D. Petsas
Councilmember Mike Young

ABSENT:

Councilmember Randall A. Johnson II

The following persons were ALSO PRESENT:

William Brady, Commissioner of Finance

The following resolution was offered by Councilmember Cherry, seconded by Councilmember Klein, to wit;

RESOLUTION DATED JULY 5, 2016

AN AMENDED AND RESTATED RESOLUTION AUTHORIZING
INTERFUND BORROWING REGARDING THE
EFC SEWER PROJECT FOR REPLACEMENT OF
WASTEWATER TREATMENT PLANT ROOF

NOW, THEREFORE, BE IT RESOLVED, that the Commissioner of Finance is hereby authorized to make a short term non-interest bearing interfund loan from the Sewer Fund, in an amount currently estimated not to exceed \$450,000, to provide sufficient cash to proceed with the Wastewater Treatment Plant roof replacement portion of the capital project authorized by Bond Resolution No. R15-16 dated February 17, 2015, as amended by Supplemental Bond Resolution No. R15-70 dated September 8, 2015, authorizing the improvement of pump stations including Meyer Avenue Pump Station, Pine Street Pump Station and Cedar Avenue Pump Stations, the improvements to the Wastewater Treatment Plant, the completion of storm sewer line separation to eliminate the Riverview Combined Sewer Overflow, and the relining of sewer pipes at various locations in the City to address sanitary sewer overflows to the receiving waters at an estimated maximum cost of \$11,256,000, until obligations authorized by such resolution are sold pursuant to such resolution.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Councilmember Natasha Cherry
Councilmember Lee David Klein

VOTING Aye
VOTING Aye

Official Minutes of the Council Meeting of Tuesday, July 5, 2016

Councilmember Lorraine Johnson	VOTING Aye
Councilmember Randall A. Johnson II	VOTING Absent
Councilmember Matthew McNamara	VOTING Aye
Councilmember Ann Perry	VOTING Aye
Councilmember Christopher D. Petsas	VOTING Aye
Councilmember Mike Young	VOTING Aye

The foregoing resolution was thereupon declared duly adopted.

Approved: July 5, 2016

Rob Rolison
Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) He/She is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 5th day of July, 2016 and entitled:

RESOLUTION DATED JULY 5, 2016

A RESOLUTION AUTHORIZING INTERFUND BORROWING REGARDING THE
EFC SEWER PROJECT FOR REPLACEMENT OF
WASTEWATER TREATMENT PLANT ROOF

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (majority of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ___ day of _____, 2016.

-SEAL-

Deanne Flynn
City Chamberlain

R16-62			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	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"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. A motion was made by Councilmember Cherry and seconded by Councilmember Klein to receive and print.

A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 11 DAVIES PLACE AS A LOCAL HISTORIC LANDMARK

(R16-63)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the 11 Davies Place is owned by Holy Comforter Church and which property has been nominated for a local historic landmark designation with the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter “HDLPC”); and

WHEREAS, the HDLPC held a public hearing on May 12, 2016 regarding the application as a local historic landmark; and

WHEREAS, the HDLPC voted unanimously in favor of the proposed designation and approved the application on May 12, 2016; and

WHEREAS, the HDLPC’s approved application was forwarded to the Common Council for consideration on June 1, 2016; and

WHEREAS, the Common Council held a public hearing on June 20, 2016 regarding the nomination as a local historic landmark; and

WHEREAS, after duly considering the factors specified in Section 19-4.5(4) of the Code

of Ordinances of the City of Poughkeepsie, the Common Council hereby finds that the property located at 11 Davies Place possesses special character, historic and aesthetic value as part of the cultural, economic and social history of the City of Poughkeepsie; embodies distinguishing characteristics of an architectural style; is identified with historic personages; and is the work of a designer whose work has significantly influenced an age.

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby designates the 11 Davies Place as a local historic landmark. The City Chamberlain is authorized and directed to forward notice of the designation of 11 Davies Place to the Dutchess County Clerk for recordation.

SECONDED BY COUNCILMEMBER KLEIN

R16-63			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	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"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.

A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 18 DAVIES PLACE AS A LOCAL HISTORIC LANDMARK

(R16-64)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the 18 Davies Place is owned by Holy Comforter Church and which property has been nominated for a local historic landmark designation with the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter

“HDLPC”); and

WHEREAS, the HDLPC held a public hearing on May 12, 2016 regarding the application as a local historic landmark; and

WHEREAS, the HDLPC voted unanimously in favor of the proposed designation and approved the application on May 12, 2016; and

WHEREAS, the HDLPC’s approved application was forwarded to the Common Council for consideration on June 1, 2016; and

WHEREAS, the Common Council held a public hearing on June 20, 2016 regarding the nomination as a local historic landmark; and

WHEREAS, after duly considering the factors specified in Section 19-4.5(4) of the Code of Ordinances of the City of Poughkeepsie, the Common Council hereby finds that the property located at 18 Davies Place possesses special character, historic and aesthetic value as part of the cultural, economic and social history of the City of Poughkeepsie; embodies distinguishing characteristics of an architectural style; is identified with historic personages; and is the work of a designer whose work has significantly influenced an age.

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby designates the 18 Davies Place as a local historic landmark. The City Chamberlain is authorized and directed to forward notice of the designation of 18 Davies Place to the Dutchess County Clerk for recordation.

SECONDED BY COUNCILMEMBER KLEIN

Official Minutes of the Council Meeting of Tuesday, July 5, 2016

R16-64			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	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"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.

A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 85 SOUTH HAMILTON STREET AS A LOCAL HISTORIC LANDMARK

(R16-65)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the 85 South Hamilton Street is owned by Marion Rutherford and Barbara Rutherford-Kutschbach and which property has been nominated for a local historic landmark designation with the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter "HDLPC"); and

WHEREAS, the HDLPC held a public hearing on May 12, 2016 regarding the application as a local historic landmark; and

WHEREAS, the HDLPC voted unanimously in favor of the proposed designation and approved the application on May 12, 2016; and

WHEREAS, the HDLPC's approved application was forwarded to the Common Council for consideration on June 1, 2016; and

WHEREAS, the Common Council held a public hearing on June 20, 2016 regarding the nomination as a local historic landmark; and

WHEREAS, after duly considering the factors specified in Section 19-4.5(4) of the Code of Ordinances of the City of Poughkeepsie, the Common Council hereby finds that the property

located at 85 South Hamilton Street possesses special character, historic and aesthetic value as part of the cultural, economic and social history of the City of Poughkeepsie; embodies distinguishing characteristics of an architectural style; is identified with historic personages; and is the work of a designer whose work has significantly influenced an age.

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby designates the 85 South Hamilton Street as a local historic landmark. The City Chamberlain is authorized and directed to forward notice of the designation of 85 South Hamilton Street to the Dutchess County Clerk for recordation.

SECONDED BY COUNCILMEMBER KLEIN

RI6-65			Yes/Aye	No/Nay	Abstain	Absent	
		Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Accepted	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. FROM COUNCILMEMBER YOUNG,** a communication on proposed changes to the "Rules of Conduct and Procedure", By-Laws of the Common Council.

**Summary of Suggested Changes to the Common Council Rules of
Conduct and Procedure Adopted Jan 2nd, 2016.**

Changes to Rule IV

- 1) Agenda updated to include "Reports from Committees, Boards, and Departments"
- 2) Public Comment split into two sections:
 - a) One prior to motions/resolutions for specific agenda items.
 - b) One prior to new business for all other topics of city governance.
- 3) Order of speakers for public comment modified to rotate through agenda topics to ensure each topic has a fair hearing before time limit elapses.

Suggested New Rule IV

RULE IV. Regular Meetings:

(a) The City Chamberlain shall record the attendance at meetings. The order of business at regular meetings shall be as follows:

1. Pledge of allegiance and Roll Call.
2. Review of the minutes of the previous meeting.
3. Reading by City Chamberlain of any resolution or other item not listed on the printed agenda.
4. Reports from Committees, Boards, and Departments
5. Mayor's comments
6. Chairperson's comments and presentations
7. Public comment on agenda items for a period not to exceed 45 minutes.
8. Motions and resolutions.
9. Ordinances and local laws.
10. Presentation of petitions and communications.
11. Unfinished business.
12. Public comment.
13. New business.
14. Adjournment.

(b) At the outset of each meeting, individuals will be asked to register their intent to speak, providing their name and address and agenda item topic(s) on which they wish to comment. Each speaker may speak for up to three minutes on agenda item(s). Speakers shall speak in order of registration, except when the number of persons who have registered to speak requires that the allotted 45 minutes will be exceeded. In such case, the Chair shall select the first registered individual for each registered agenda topic, and proceed in such manner so that each agenda topic shall have an opportunity for equal discussion. Unless these rules be suspended, any remaining registered speakers after the allotted time shall be given precedence in the later public comment period after unfinished business of the council.

(c) Individuals who wish to comment on other aspects of City government or legislation not on the

2. **FROM CHAIRMAN PETSAS**, a communication on having an "Open Prayer" during Common Council Meetings.

The City of Poughkeepsie

New York

Paul Ackermann, Esq.
Corporation Counsel
ackermann@cityofpoughkeepsie.com



62 Civic Center Plaza
Poughkeepsie, New York 12601
TEL: (845) 451-4065 FAX: (845) 451-4070

Memorandum

(OPINION 02-2016)

TO: Chairman Petsas
FROM: Paul Ackermann 
DATE: January 19, 2016
SUBJECT: Prayer/Invocation at Common Council Meetings
CC: Mayor; City Administrator; Common Council

This office has been asked to offer a legal opinion regarding a period of prayer/invocation at the beginning of Common Council Meetings. Based on the holding of the Supreme Court in *Town of Greece v. Galloway*, it is legally permissible, and not a violation of the establishment clause, to have a moment of prayer at a meeting of a legislative body. Additionally, the Court indicated that the prayer at such a meeting need not exclude reference to a specific set of beliefs or God. However, the Supreme Court noted that once the government chooses to invite prayer into the public sphere it must allow the "prayer giver to address his or her own God or gods as conscience dictates." The Court further noted that there must be a policy of non-discrimination by the legislative body when allowing prayer at public meetings.

In the wake of the Court's holding in *Town of Greece* several municipalities adopted formal resolutions establishing a policy by which invocations would be governed at board meetings. Attached for your review are the resolutions adopted by the Town of Greece, New York and the City of Chino, California. These policies set forth the process by which invocation speakers are solicited and selected. As you can see from the attached policies the burden for generating invitation letters, compiling a database, and choosing who will provide the invocation falls on the town/city clerk. The resolution adopted by the Town of Greece recognized that a dispute may arise as to the authenticity of a religious assembly. If such a dispute arose the town clerk was directed to the criteria used by the Internal Revenue Service for the determination of I.R.C. 501(c)(3) tax exempt status.

If the Common Council is desirous of including a period of prayer during council meetings, there will need to be a resolution put to vote amending Rule 4 of the Rules of Conduct and Procedure. If that resolution passes, the council will then need to adopt a formal policy governing this period of prayer. If the Council decides to amend its by-laws and adopt a policy for implementation, the City Chamberlain should be consulted since her department would most likely be implementing the policy.

POLICY REGARDING OPENING INVOCATIONS BEFORE
MEETINGS OF THE TOWN BOARD OF THE TOWN OF GREECE

WHEREAS, the Town Board of the Town of Greece ("the Town Board") is an elected legislative and deliberative public body, serving the citizens of Greece, New York; and

WHEREAS, the Town Board wishes to solemnize its proceedings by allowing for an opening invocation before each meeting, for the benefit and blessing of the Town Board; and

WHEREAS, the Town Board now desires to adopt this formal, written policy to clarify and codify its invocation practices; and

WHEREAS, our country's Founders recognized that we possess certain rights that cannot be awarded, surrendered, nor corrupted by human power, and the Founders explicitly attributed the origin of these, our inalienable rights, to a Creator. These rights ultimately ensure the self-government manifest in our deliberative bodies, upon which we desire to invoke divine guidance and blessing; and

WHEREAS, in *Marsh v. Chambers*, 463 U.S. 783 (1983), the United States Supreme Court validated the Nebraska Legislature's practice of opening each day of its sessions with a prayer by a chaplain paid with taxpayer dollars, and specifically concluded, "The opening of sessions of legislative and other deliberative public bodies with prayer is deeply embedded in the history and tradition of this country. From colonial times through the founding of the Republic and ever since, the practice of legislative prayer has coexisted with the principles of disestablishment and religious freedom." *Id.* at 786; and

WHEREAS, in *Town of Greece v. Galloway*, 134 S.Ct. 1811, 2014 WL 1757828 (May 5, 2014), the United States Supreme Court validated opening prayers at meetings of this Town Board finding that "legislative prayer lends gravity to public business, reminds lawmakers to transcend petty differences in pursuit of a higher purpose, and expresses a common aspiration to a just and peaceful society." *Id.* at *7; and

WHEREAS, the Town Board desires to avail itself of the Supreme Court's recognition that it is constitutionally permissible for a public body to "invoke divine guidance" on its work. *Id.* at 792; and

WHEREAS, the Supreme Court has clarified that opening invocations are "meant to lend gravity to the occasion and reflect values long part of the Nation's heritage" and should not show over time "that the invocations denigrate nonbelievers or religious minorities, threaten damnation, or preach conversion." *Town of Greece*, 2014 WL 1757828, at *11; and

WHEREAS, in *Town of Greece* the Supreme Court rejected a challenge based on the religious content of the prayers and cautioned against government officials acting as "supervisors and censors of religious speech" by requiring that prayers be "generic" or "nonsectarian," noting

that "[t]he law and the Court could not ... require ministers to set aside their nuanced and deeply personal beliefs for vague and artificial ones." *Id.* at *10, *11. Further, the Court stated: "Once it invites prayer into the public sphere, government must permit a prayer giver to address his or her own God or gods as conscience dictates." *Id.* at *11; and

WHEREAS, this Town Board is not establishing a policy that defines the constitutional limits for permissible public invocations; rather, this Town Board intends to adopt guidelines that are consistent with the guidance provided by several courts that have considered the validity of public invocations; and

WHEREAS, numerous courts have approved an invocation practice that incorporates a neutral system to invite religious leaders from the local community and/or volunteers to provide an invocation before public meetings. *Town of Greece*, 2014 WL 1757828; see also *Simpson v. Chesterfield Cty. Bd. of Supervisors*, 404 F.3d 276 (4th Cir. 2005), cert. denied, 546 U.S. 937 (2005); *Pelphrey v. Cobb Cnty.*, 547 F.3d 1263 (11th Cir. 2008); *Rubin v. City of Lancaster*, 710 F.3d 1087 (9th Cir. 2013); and

WHEREAS, the Town Board intends to adopt a policy that does not proselytize or advance any particular faith, or show any purposeful preference of one religious view to the exclusion of others; and

WHEREAS, the Town Board intends to adopt a policy that will not show a purposeful preference of one religious view over another by not permitting the faith of the person offering the invocation to be considered when extending an invitation or scheduling participation; and

WHEREAS, the Town Board believes that clergy that serve the local community are peculiarly suited through training, tradition, and public service to petition for divine guidance upon the deliberations of the Town Board, and to accomplish the Town Board's objective to solemnize public occasions, express confidence in the future, and to encourage the recognition of what is worthy of appreciation in society. See *Lynch v. Donnelly*, 465 U.S. 668, 693 (1984) (O'Connor, J., concurring); and

WHEREAS, the Town Board accepts as binding the applicability of general principles of law and all the rights and obligations afforded under the United States and New York State Constitutions and statutes.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Greece, New York, that the Town Board hereby adopts the following written policy regarding opening invocations before meetings of the Town Board, to wit:

1. It is the intent of the Town Board to allow a private citizen to solemnize the proceedings of the Town Board. It is the policy of the Town Board to allow for an invocation, which may include a prayer, a reflective moment of silence, or a short solemnizing message, to be offered before its meetings for the benefit of the Town Board to accommodate the spiritual needs of the public officials.

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2. No member or employee of the Town Board or any other person in attendance at the meeting shall be required to participate in any prayer that is offered and such decision shall have no impact on the ability of the person to actively participate in the business of the Town Board.

3. No member or employee of the Town Board will direct the public to stand, bow, or in any way participate in the prayers; make public note of a person's presence or absence, attention or inattention during the invocation; or indicate that decisions of the Town Board will in any way be influenced by a person's acquiescence in the prayer opportunity.

4. The invocation shall be voluntarily delivered by an appointed representative of an Assemblies List for the Town of Greece. To ensure that such person (the "invocation speaker") is selected from among a wide pool of representatives, on a rotating basis, the invocation speaker shall be selected according to the following procedure:

a. The Clerk to the Town Board (the "Clerk") shall compile and maintain a database (the "Assemblies List") of the assemblies with an established presence in the Town of Greece that regularly meet for the primary purpose of sharing a religious perspective (hereinafter referred to as a religious assembly).

b. The Assemblies List shall be compiled by using reasonable efforts, including research from the Internet, to identify all "churches," "synagogues," "congregations," "temples," "mosques" or other religious assemblies in the Town of Greece. All religious assemblies with an established presence in the Town of Greece are eligible to be included in the Assemblies List, and any such religious assembly can confirm its inclusion by specific written request to the Clerk.

c. The policy is intended to be and shall be applied in a way that is all-inclusive of every diverse religious assembly serving the citizens of the Town of Greece. The Assembly List is compiled and used for purposes of logistics, efficiency, and equal opportunity for all of the community's religious leaders, who may themselves choose whether to respond to the Town Board's invitation and participate. Should a question arise as to the authenticity of a religious assembly, the Clerk shall refer to criteria used by the Internal Revenue Service in its determination of those organizations that would legitimately qualify for I.R.C. § 501(c)(3) tax-exempt status.

d. The Assemblies List shall also include any religious assembly located outside the Town of Greece if such assembly is regularly attended by at least one resident of the Town of Greece and such resident requests inclusion of the assembly by specific written communication to the Clerk.

e. The Assemblies List shall be updated, by reasonable efforts of the Clerk, in November of each calendar year.

f. On or about December 1 of each calendar year, the Clerk shall mail an invitation addressed to the "religious leader" of each entry on the Assemblies List.

g. The invitation shall be dated at the top of the page, signed by the Clerk at the bottom of the page, and read as follows:

Dear Religious Leader,

The Town Board of the Town of Greece makes it a policy to invite members of the clergy or religious representatives in the Town of Greece to voluntarily offer an invocation before the beginning of its meetings, for the benefit and blessing of the Town Board. As a representative of one of the religious congregations with an established presence serving the local community you are eligible to offer this important service at an upcoming meeting of the Town Board.

If you are willing to assist the Town Board in this regard, please send a written reply at your earliest convenience to the Clerk to the Town Board at the address included on this letterhead. Representatives are scheduled on a first-come, first-serve basis. The anticipated dates of the Town Board's scheduled meetings for the upcoming year are listed on the following, attached page. If you have a preference among the dates, please state that request in your written reply.

This opportunity is voluntary, and you are free to offer the invocation according to the dictates of your own conscience. To maintain a spirit of respect, the Town Board requests only that the opportunity not be exploited as an effort to convert others to the particular faith of the invocation speaker or to disparage any faith or belief different than that of the invocation speaker.

On behalf of the Town Board of the Town of Greece, I thank you in advance for considering this invitation.

*Sincerely,
Clerk to the Town Board*

h. The respondents to the invitation shall be scheduled on a first-come, first-serve basis to deliver the invocation.

i. In the event an eligible representative of an Assembly serving the local community believes that the clerk has not complied with the terms of this policy, the representative has the right to have the matter reviewed by the Town Board.

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5. No invocation speaker shall receive compensation for his or her service.
6. No guidelines or limitations shall be issued regarding an invocation's content, except that the Town Board shall request by the language of this policy that no invocation should proselytize or advance any faith, or disparage the religious faith or non-religious views of others.
7. The Clerk shall make every reasonable effort to ensure that a variety of eligible invocation speakers are scheduled for the Town Board's meetings.
8. Neither the Town Board nor the Clerk shall engage in any prior inquiry, review of, or involvement in, the content of any invocation to be offered by an invocation speaker.
9. This policy is not intended, and shall not be implemented or construed in any way, to affiliate the Town Board with, nor express the Town Board's preference for, any faith or religious denomination. Rather, this policy is intended to acknowledge and express the Town Board's respect for the diversity of religious denominations and faiths represented and practiced among the citizens of the Town of Greece.

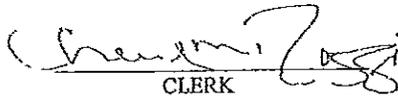
NOW, THEREFORE, BE IT FURTHER RESOLVED that this policy shall become effective immediately upon adoption by the Town Board.

THUS INTRODUCED at the regular meeting of the Town Board of Town of Greece, New York, on August 19, 2014.

For: 5

Against: 0

THUS ADOPTED at the regular meeting of the Town Board of Town of Greece, New York, on August 19, 2014.


CLERK


TOWN SUPERVISOR

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RESOLUTION NO. 2012-11

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHINO,
CALIFORNIA, ESTABLISHING A POLICY REGARDING INVOCATIONS AT
MEETINGS OF THE CITY COUNCIL OF THE CITY OF CHINO

WHEREAS, the City Council is an elected legislative and deliberative public body, serving the citizens of the City of Chino; and

WHEREAS, legislative bodies in America have long maintained a tradition of solemnizing proceedings by allowing for an opening prayer before each meeting, for the benefit and blessing of the legislative bodies; and

WHEREAS, since the incorporation of the City, the City Council has followed a practice of selecting a member of local clergy to provide invocations at City Council meetings; and

WHEREAS, the City Council now desires to adopt this formal, written policy to clarify and codify its invocation practices; and

WHEREAS, such prayer before deliberative public bodies has been consistently upheld as constitutional by American courts, including the United States Supreme Court; and

WHEREAS, in Marsh v. Chambers, 463 U.S. 783 (1983), the United States Supreme Court rejected a challenge to the Nebraska Legislature's practice of opening each day of its sessions with a prayer by a chaplain paid with taxpayer dollars, and specifically concluded, "The opening of sessions of legislative and other deliberative public bodies with prayer is deeply embedded in the history and tradition of this country. From colonial times through the founding of the Republic and ever since, the practice of legislative prayer has coexisted with the principles of disestablishment and religious freedom." *Id.*, at 786; and

WHEREAS, the Supreme Court further held, "To invoke divine guidance on a public body ... is not, in these circumstances, an "establishment of religion or a step toward establishment; it is simply a tolerable acknowledgment of beliefs widely held among the people of this country." *Id.*, at 792; and

WHEREAS, the Supreme Court affirmed in Lynch v. Donnelly, 465 U.S. 668 (1984), "Our history is replete with official references to the value and invocation of Divine guidance in deliberations and pronouncements of the Founding Fathers and contemporary leaders." *Id.*, at 675; and

WHEREAS, the Supreme Court further stated, "Those government acknowledgments of religion serve, in the only ways reasonably possible in our culture, the legitimate secular purposes of solemnizing public occasions, expressing confidence in the future, and encouraging the recognition of what is worthy of appreciation in society. For that reason, and because of their history and ubiquity, those practices are not understood as conveying government approval of particular religious beliefs." *Id.*, at 693 (O'Connor, J., concurring); and

WHEREAS, the Supreme Court also famously observed in Zorach v. Clauson, 343 U.S. 306 (1952), "We are a religious people whose institutions presuppose a Supreme Being." *Id.*, at 313-14; and

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WHEREAS, the Supreme Court acknowledged in Holy Trinity Church v. United States, 143 U.S. 457 (1892), that the American people have long followed a "custom of opening sessions of all deliberative bodies and most conventions with prayer ...," Id., at 471; and

WHEREAS, the Supreme Court has determined, "The content of [such] prayer is not of concern to judges where ... there is no indication that the prayer opportunity has been exploited to proselytize or advance any one, or to disparage any other, faith or belief." Marsh, 463 U.S. at 794-795; and

WHEREAS, the Supreme Court also proclaimed that it should not be the job of the courts or deliberative public bodies "to embark on a sensitive evaluation or to parse the content of a particular prayer" offered before a deliberative public body. Id.; and

WHEREAS, the Supreme Court has counseled against the efforts of government officials to affirmatively screen, censor, prescribe and/or proscribe the specific content of public prayers offered by private speakers, as such government efforts would violate the First Amendment rights of those speakers. See, e.g., Lee v. Weisman, 505 U.S. 577, 588-589 (1992); and

WHEREAS, the City Council intends, and has intended in past practice, to adopt a policy that upholds an individual's "free exercise" rights under the First Amendment; and

WHEREAS, the Supreme Court has repeatedly clarified that "there is a crucial difference between government speech endorsing religion, which the Establishment Clause forbids, and private speech endorsing religion, which the Free Speech and Free Exercise Clauses protect." Bd. of Educ. of Westside Community Schools v. Mergens, 496 U.S. 226, 250 (1990); and

WHEREAS, the City Council Intends, and has intended in past practice, to adopt a policy that does not proselytize or advance any faith, or show any purposeful preference of one religious view to the exclusion of others; and

WHEREAS, this policy set forth below has been approved by two federal courts in the cases of Pelphrey v. Cobb County (11th Cir. 2008) 547 F.3d 1263 and Rubin v. City of Lancaster (2011) 802 F.Supp.2d 1107; and

WHEREAS, the City Council recognizes its constitutional duty to interpret, construe, and amend its policies and ordinances to comply with constitutional requirements as they are announced.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chino, California, that the City Council does hereby adopt and establish the following written policy regarding opening invocations before meetings of the City Council:

1. In order to solemnize proceedings of the City Council, it is the policy of the City Council to allow for an invocation or prayer to be offered at its meetings for the benefit of the City Council and the community.
2. The prayer shall not be listed or recognized as an agenda item for the meeting so that it may be clear the prayer is not considered a part of the public business.

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3. No member of the City Council or City employee or any other person in attendance at the meeting shall be required to participate in any prayer that is offered.

4. The prayer shall be voluntarily delivered by an eligible member of the clergy or a religious leader in the City of Chino. To ensure that such person (the "invocational speaker") is selected from among a wide pool of the City's clergy/religious leaders, on a rotating basis, the invocational speaker shall be selected according to the following procedure:

a. The City Clerk shall compile and maintain a database (the "Congregations List") of the religious congregations with an established presence in the City of Chino.

b. The Congregations List shall be compiled by referencing the listing for "churches," "congregations," or other religious assemblies in the annual Yellow Pages telephone directory or directories published for the City of Chino, research from the Internet, and consultation with local chambers of commerce. All churches, congregations or other religious assemblies with an established presence in the City of Chino are eligible to be included in the Congregations List, and any such church, congregation or religious assembly can confirm its inclusion by specific written request to the Clerk.

c. The Congregations List shall also include the name and contact information of any chaplain who may serve one or more of the fire departments or law enforcement agencies of the City of Chino or any nearby military facilities.

d. The Congregations List shall be updated, by reasonable efforts of the City Clerk, in November of each calendar year.

e. Within thirty (30) days of the effective date of this policy, and on or about December 1 of each calendar year thereafter, the City Clerk shall mail an invitation addressed to the "religious leader" of each church, congregation or religious assembly listed on the Congregations List, as well as to the individual chaplains included on the Congregations List.

f. The invitation shall be dated at the top of the page, signed by the City Clerk at the bottom of the page, and read as follows:

Dear religious leader,

The City Council makes it a policy to invite members of the clergy in the City of Chino to voluntarily offer a prayer before the beginning of its meetings, for the benefit and blessing of the City Council. As the leader of one of the religious congregations with an established presence in the local community of the City of Chino, or in your capacity as a chaplain for one of the fire departments or law enforcement agencies of the City of Chino, you are eligible to offer this important service at an upcoming meeting of the City Council.

If you are willing to assist the City Council in this regard, please send a written reply at your earliest convenience to the City Clerk at the address included on this letterhead. Clergy are scheduled on a first-come, first-serve, or other random basis. The dates of the City Council's scheduled meetings for the upcoming year are listed on the following, attached page. If you have a preference among the dates, please state that request in your written reply.

This opportunity is voluntary, and you are free to offer the invocation according to the dictates of your own conscience. To maintain a spirit of respect and ecumenism, the City Council requests only that the prayer opportunity not be exploited as an effort to convert others to the particular faith of the invocational speaker, nor to disparage any faith or belief different from that of the invocational speaker.

On behalf of the City Council, I thank you in advance for considering this invitation.

*Sincerely,
City Clerk*

g. Consistent with paragraph 7 hereof and, as the invitation letter indicates, the respondents to the invitation shall be scheduled on a first-come, first-served, or other random basis to deliver the prayers.

h. If the selected invocational speaker does not appear at the scheduled meeting, the Mayor may ask for a volunteer from among the Council or the audience to deliver the invocation.

i. The City Clerk shall post the following information on the City's webpage: (i) this resolution, (ii) the Congregation List and (iii) the invitation set forth herein to churches, congregations and religious associations in the City of Chino.

5. No Invocational speaker shall receive compensation for his or her service.

6. The City Clerk shall make every reasonable effort to ensure that a variety of eligible Invocational speakers are scheduled for the City Council meetings. In any event, no Invocational speaker shall be scheduled to offer a prayer at consecutive meetings of the City Council or at more than three (3) City Council meetings in any calendar year.

7. Neither the City Council nor the City Clerk shall engage in any prior inquiry, review of, or involvement in, the content of any prayer to be offered by an Invocational speaker.

8. This policy shall apply to all Commissions of the City of Chino.

9. Shortly before the opening gavel that officially begins the meeting, the Mayor or presiding officer of a commission shall introduce the invocational speaker and the person selected to recite the Pledge of Allegiance following the invocation and invite only those persons who wish to do so to stand for those observances with the City Council.

10. This policy is not intended, and shall not be implemented or construed in any way, to affiliate the City Council with, nor express the City Council's preference for, any faith or religious denomination. Rather, this policy is intended to acknowledge and express the City Council's respect for the diversity of religious denominations and faiths represented and practiced among the citizens of Chino.

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NOW, THEREFORE, BE IT FURTHER RESOLVED that this policy shall become effective immediately upon approval by the City Council of the City of Chino, California.

APPROVED AND ADOPTED THIS 20TH DAY OF MARCH 2012.

DENNIS R. YATES, MAYOR

ATTEST:

ANGELA ROBLES, CITY CLERK

State of California)
County of San Bernardino) §
City of Chino)

I, Angela Robles, City Clerk of the City of Chino, do hereby certify the foregoing Resolution was duly adopted by the Chino City Council at a regular meeting held on the 20th day of March 2012, by the following votes:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ANGELA ROBLES, CITY CLERK

NOW THEREFORE, BE IT RESOLVED BY THE City of Poughkeepsie Common Council that the Common Council hereby adopts the following written policy regarding opening Invocations before meetings of the Common Council, to wit:

1. It is the intent of the Common Council to allow a private citizen to solemnize the proceedings of the City of Poughkeepsie Common Council. It is the policy of the Common Council to allow for an invocation, which may include a prayer, a reflective moment of silence, or a short solemnizing message to be offered before its meetings for the benefit of the Common Council.
2. Although the invocation may be listed in the program or schedule of events, it shall not be considered an agenda item for the meeting or part of the public business.
3. No member or employee of the Common Council or any other person in attendance at the meeting shall be required to participate in any prayer that is offered and such decision shall have no impact on the ability of the person to actively participate in the business of the Common Council.
4. The invocation shall be voluntarily delivered by an eligible member of the clergy or appointed representative of an organization from the Common Council's Assemblies List. To insure that such person (the "Invocation speaker") is selected from among a wide pool of representatives, on a rotating basis, the invocation speaker shall be selected according to the following procedure:
 - a. The City Chamberlain shall cause a database to be compiled and maintained (the "Assemblies List") of the assemblies and organizations with an established presence in Poughkeepsie and Dutchess County that regularly meet for the primary purpose of sharing a religious perspective or exist for the betterment of the City and its inhabitants (hereinafter referred to as benevolent organizations).
 - b. The Assemblies List shall be compiled from all available sources including suggestions from common council members, research from the internet, and consultation with local neighborhood associations. All benevolent organizations with an established presence in the area are eligible to be included in the Assemblies List, and any such organization may request inclusion in the Assemblies List by written request to the Chairman of the Common Council.
 - c. The policy is intended to be and shall be applied in a way that is all-inclusive of every diverse religious assembly and benevolent organizations serving the citizens of Poughkeepsie and Dutchess County, irrespective of religious or irreligious affiliation. The Assembly List is compiled and used for purposes of logistics, efficiency, and equal opportunity for all of the community's benevolent organizations, who may themselves choose whether to respond to the Common Council's invitation and participate. Should a question arise as to the authenticity of a benevolent organization, the City Chamberlain shall refer to criteria used by the Internal Revenue Service in its determination of those organizations that would legitimately qualify for I.R.C. § 501 (c)(3) tax-exempt status.

- d. The Assemblies List shall also include the name and contact information of any chaplain who may serve the fire department, police department or military organizations within the City and County.
- e. The Assemblies List shall be updated, by reasonable efforts of the City Chamberlain, by December 15 of each calendar year.
- f. Within thirty (30) days of the effective date of this policy, and on or about December 31 of each calendar year thereafter, the City Chamberlain shall publish a notice in the City's official newspaper and shall post a notice in the bulletin board outside of the Common Council chambers which shall read:

CITY OF POUGHKEEPSIE COMMON COUNCIL'S INVOCATION POLICY

The City of Poughkeepsie Common Council makes it a policy to invite members of the clergy, religious representatives and representatives of other benevolent organizations in Poughkeepsie and Dutchess County to voluntarily offer an invocation before the beginning of its meetings, for the benefit, blessing, wisdom and guidance of the Common Council. Any leader of a religious congregation or representative of a benevolent organization with an established presence in the local community, any chaplain for the fire department, police department or military units, are eligible to offer this important service at an upcoming meeting of the Common Council.

Any organization or individual willing to assist the Common Council in this regard, please send a written request at your earliest convenience to the City Chamberlain, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York 12601. Persons delivering the invocation are scheduled on a first-come, first-serve basis. The dates of the Council's scheduled meetings for the upcoming year are listed on the city's website. If you have a preference among the dates, please state that request in your written request.

This opportunity is voluntary, and you are free to offer the invocation according to the dictates of your own conscience. To maintain a spirit of respect and ecumenism, the Council requests only that the opportunity not be exploited as an effort to convert others to the particular faith of the invocation speaker, nor to disparage any faith or belief different than that of the invocation speaker.

- CITY OF POUGHKEEPSIE CITY CHAMBERLAIN

- g. As the invitation notice indicates, the respondents to the invitation shall be scheduled on a first-come, first-serve basis to deliver the invocation.
 - h. In the event an eligible member of the clergy believes that the City Chamberlain has not complied with the terms of this policy, the clergy member has the right to have the matter reviewed by the Common Council.
5. No invocation speaker shall receive compensation for his or her services.

Official Minutes of the Council Meeting of Tuesday, July 5, 2016

6. No guidelines or limitations shall be issued regarding an invocation's content, except that the Common Council shall request by the language of this policy that no invocation should proselytize or advance any faith, or disparage the religious faith or non-religious views of others.

7. The City Chamberlain shall make every reasonable effort to ensure that a variety or eligible invocation speakers are scheduled for the Common Council meetings. In any event, no invocation speaker shall be scheduled to offer an invocation at consecutive meetings of the Common Council, or at more than three (3) Common Council meetings in any calendar year. Should there be no requests or not enough sufficient requests to give the invocation at any of the twenty-four (24) bi-monthly meetings of the Common Council, the City Administrator shall cause persons to be invited on a random basis.

8. Neither the Common Council nor the City Chamberlain shall engage in any prior inquiry, review of, or involvement in, the content of any invocation to be offered by an invocation speaker.

9. To clarify the Common Council's intentions, as stated herein above, the following disclaimer shall read aloud prior to the introduction of the invocation speaker:

"Any invocation that may be offered before the official start of the Common Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Common Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Common Council and do not necessarily represent the religious beliefs or views of the Common Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Common Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the City Chamberlain of the City of Poughkeepsie."

10. Shortly after the opening gavel that officially begins the meeting and the agenda/business of the public, the Chairperson of the Common Council shall introduce the invocation speaker and invite only those who wish to show respect for the traditional observances and/or the Common Council to stand.

11. This policy is not intended, and shall not be implemented or construed in any way, to affiliate the Council with, nor express the Council's preference for, any faith or religious denomination. Rather, this policy is intended to acknowledge and express the Common Council's respect for the diversity of religious denominations and faiths represented and practiced among the citizens in Poughkeepsie.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this policy shall become effective immediately upon adoption by the Common Council.

3. FROM MARQUE GREENE, a notice of personal injury sustained on October 15, 2015.

4. FROM BECKY TECK, a notice of personal injuries sustained on April 2, 2016.

X. NEW BUSINESS:

XI. ADJOURNMENT:

A motion was made by Councilmember Hermann and Councilmember Johnson to adjourn the meeting at 8:25 p.m.

Dated: August 16, 2016

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, July 5, 2016

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**



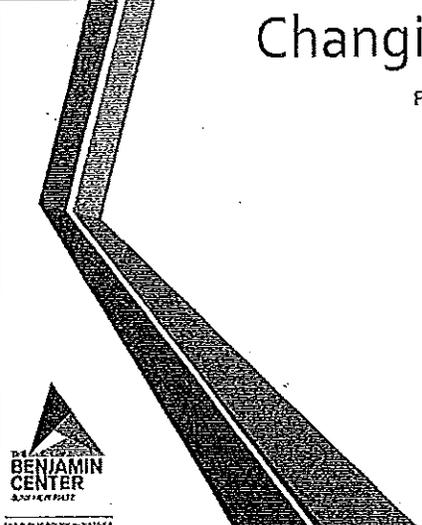
THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, July 11, 2016 2016 6:30 p.m.

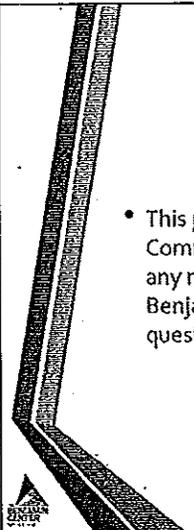
City Hall

8/15/2016



Changing the City Charter

Presentation to the Common Council and People of the
City of Poughkeepsie



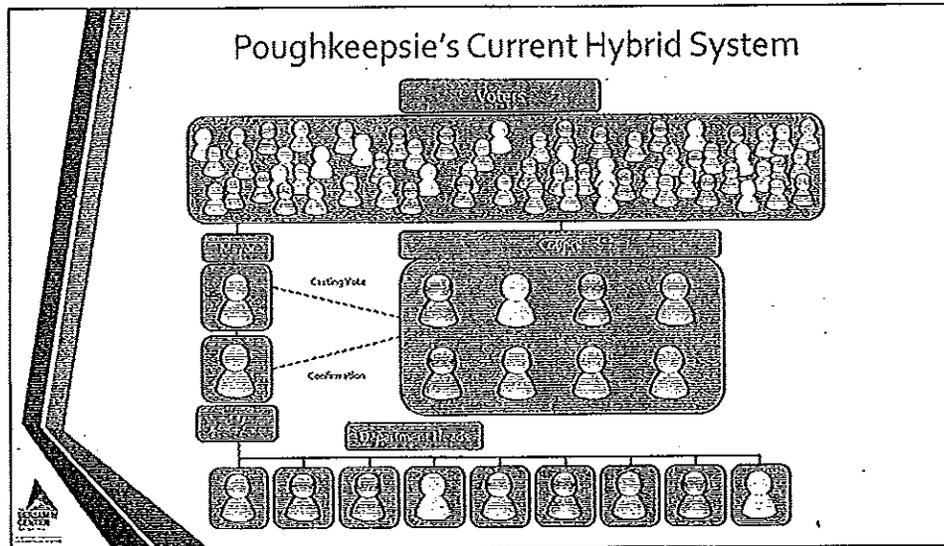
Preliminary Charter Revisions

- This presentation will explain the preliminary decisions the Charter Review Commission has made, and to solicit feedback. Please feel free to contact any member of the Charter Review Commission, or Joshua Simons at the Benjamin Center: (845) 257-2901, simonsj@newpaltz.edu, with any further questions or comments.

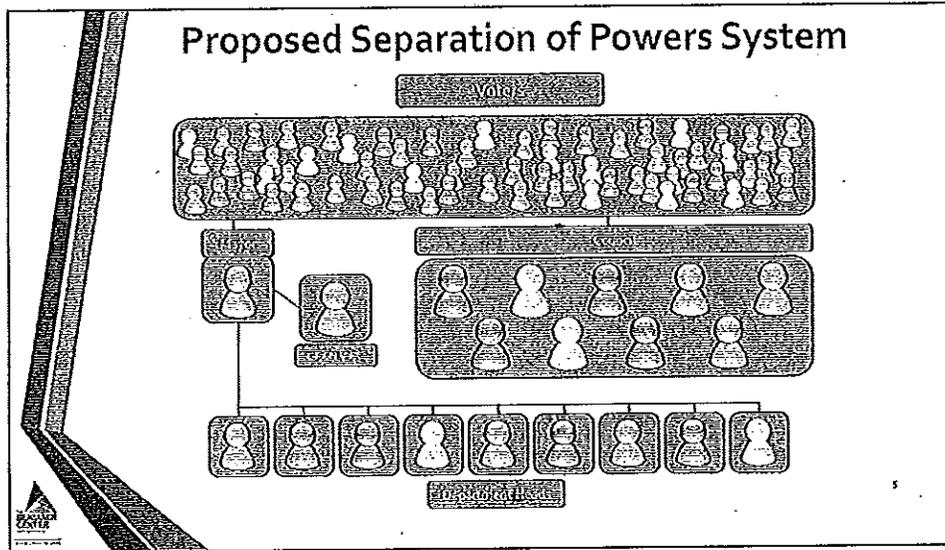


Preliminary Charter Revisions

- The primary change is structural. It will change the City's government from a hybrid Mayor / Administrator system of government to Separation of Powers system of government, similar to our Federal Government. It will concentrate the executive powers with the mayor, and the legislative powers with the Council.



8/15/2016



- ### The Separation of Power System
- Modeled on national and state government
 - Voters elect an executive, the mayor, and vest him or her with "executive" powers
 - Voters elect a Council, and vest it with legislative powers
 - Executive has no vote in the legislature
 - System of "checks and balances"
- 6

The Executive Branch

The Executive Branch of the City Government will be substantially the same as it is today. The Mayor will be in charge of the Executive Branch and is solely accountable for its performance. The City Administrator Position will be changed to a Deputy Mayor position. The Deputy Mayor will be appointed by the Mayor, and be a professionally qualified administrator.

The Mayor

- Will be a full-time position with a full-time salary
- The Mayor will present a budget, and quarterly financial reports to the Council
- The State of the City Address will occur no later than March 31st
- The Mayor will have a line-item veto
- The Mayor will have the authority to call a special session of the Common Council for a specific purpose

The Deputy Mayor

- Will be professionally qualified and appointed by the Mayor and serve at the Mayor's pleasure
- The Deputy Mayor will exercise the Mayor's authority at the Mayor's discretion
- The Deputy Mayor will serve in the temporary absence of the Mayor
- The length of time in which residency must be obtained after being appointed will increase from 90 days to 120 days



The Legislative Branch

Because the Mayor will no longer have a casting vote on the City Council, it is preferable to have an odd number of City Council Members. In order to accomplish this, the Commission recommends the creation of a 9th At-Large member of the Council who will be elected by and represent the entire city, and will serve as the presiding officer of the Council. In addition to this:

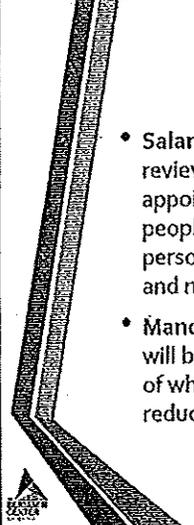
The Council

- Will have three primary functions:
 - Financial / Budgetary Responsibility
 - Passing Laws, Ordinance, and Resolutions
 - Oversight of the Executive Branch
- The veto override will be changed from $\frac{3}{4}$ of the membership to $\frac{2}{3}$ of the membership

The At-Large Member of the Council

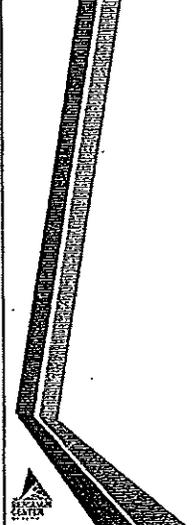
- Will:
 - Be the Presiding Officer
 - Have the power to constitute committees, including but not limited to a financial committee
 - Have the power to set the agenda of the Common Council
 - Receive a rate of pay 1.5 times that of the other council members.





Both Branches

- **Salary Review Commission:** Every 4 years a commission will be created to review the salaries of the Mayor and Council members. The Mayor will appoint three people to the commission, the Council will appoint three people to the commission, and those six people will choose a seventh person. They will review the compensation for the Mayor and the Council, and make a recommendation to the Council.
- **Mandatory Training:** The Mayor and the Members of the Common Council will be required to take 16 hours of continuing training each year the nature of which will be determined by the Council. Failure to do so will result in a reduction of salary.



Questions? Comments?



I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

II. REVIEW OF MINUTES:

III. 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

TO WHOM IT MAY CONCERN!!!

BEING THERE HAS NOT BEEN A HANDOUT AND THE POJO DID NOT PUBLISH THE PRELIMINARY FINDINGS OF THE CHARTER COMMISSION, WRITING MY POSITIONS IN THE DARK, ON SEVERAL CHARTER CHANGES THAT CONCERNS ME, I WILL LIST THEM AND GO INTO DETAIL .THE ITEMS ARE: [1] THE MAYOR'S VETOE WHETHER 8OR 9 COUNCIL MEMBERS, THE MAYORS VETOE SHOULD BE OVERIDING WITH A SIMPLE MAJORITY COUNCIL VOTE!! FIVE!! NOT A 2/3 OR 3/4 VOTE THAT HAS BEEN DICUSSSED. IN THE LAST MAYORALITY ELECTION 2015 THE SOUTH SIDE 'UPITY WARDS' WITH ITS 10:1 VOTING REPUBLICAN WHICH ARE REGISTERED PREDOMINATELY 3:1 DEMOCRAT, WOULD IN EFFECT HAVE AT LARGE VOTING WIPING OUT THE NORTH SIDE MINORITY VOTE, WHICH IS UNCONSTITUTIONAL [2] THE CITY JUDGES SHOULD BE ELECTED NOT APPOINTED TO AVOID POLITICAL CRONISM. THE 12 YEAR TERM SHOULD BE CUT TO FOUR OR EIGHT AND RUN CONCURRENTLY WITH THE MAYOR'S ELECTION. [3] EXTENDING THE TERM FOR COUNCILMEN FROM TWO TO FOUR WOULD BE MOST BENEFICIAL FOR COUSILMEN BECAUSE IN THE LAST ELECTION ,I DID NOT KNOW NOR SEEN MY SECOND WARD COUNCILMAN ONLY ONCE, THAT WAS WHEN HE WAS SITTED AS THE SECOND WARD COUNCILMAN. CAN YOU IMAGINE EVERY FOUR YEARS? THE CHARTER DOES NOT HAVE A RECALL PROVISION, SO, THE PARTY BOSSES PETS WOULD BE SITTED, WITH NO RECOURSE. AN ELECTION EVERY TWO YEARS, IS MOST DEMOCRATIC/ REPRESENTATIVE FOR CITY'S CONSTUTENTS. THE D.C. LEGISLATURE HAS TWO YEAR TERMS SO DOES THE US HOUSE OF REPRESENTIVES. EVERY TWO YEARS VOTER WOULD KNOW WHO HIS COUCLMAN

IS!!!
Constantine Kazolias
CONSTANTINE P. KAZOLIAS

47 NOXON STREET, POUGHKEEPSIE, N.Y.12601 07/08/16 (BWS) 452-5539
P.S TERM limits - not DISCUSS!! FOR MAYOR/ C.C.
NEED CITY ADMINISTRATOR - WHOSE PAMILIAS WOULD TOTALLY RUN N.Y.
CITY - NOT A POLITICAL HACK.

Arnie Serotsky
Harvey Flaad 115 Academy Street
Laurie Sandow South Grand Avenue

Laurie Sandow comments, Common Council meeting July 11, 2016 — Pg1 of 2

This past Friday evening, July 8, 2016, I had the privilege of attending Councilwoman Ann Perry's Ward meeting, where many City residents spoke with great passion about their concerns and hopes for the City of Poughkeepsie. These City residents spoke at length from their hearts; not one of them forced to contain their comments to three minutes.

Could they have done the same at a Common Council meeting? No.

Would they have gotten answers to their questions and comments? Or even attempted answers? No.

Which might begin to explain why there's ^{generally} so little public attendance at Common Council meetings.

At the last Common Council meeting, there was talk about involving anchor institutions in Council meetings. But tonight, the Dutchess County Human Rights Commission, and the Northern Dutchess NAACP, scheduled a community gathering at the Family Partnership, entirely unaware that their meeting would conflict with the Common Council meeting. Would it have been too much for the Family Partnership, in its role as "critical and strategic community resource," to suggest an alternate meeting date to avoid tonight's meeting conflict.

REGARDING THE HASTE WITH WHICH CERTAIN COUNCIL MEMBERS ^{SEEM} TO LIMIT PUBLIC COMMENTS-
Martin Niemöller, the German Lutheran pastor and theologian, spent the early part of his career as an anti-communist and supporter of Hitler's rise to power.

Eventually, Niemöller became disillusioned and led a group of German clergymen opposed to Hitler. In 1937 he was arrested, remaining in a concentration camp until

Laurie Sandow comments, Common Council meeting July 11, 2016 --- Pg2 or 2

freed by the Allies in 1945. He is famous for many reasons, including this statement:

"First they came for the Socialists, and I did not speak out—

Because I was not a Socialist.

Then they came for the Trade Unionists, and I did not speak out—

Because I was not a Trade Unionist.

Then they came for the Jews, and I did not speak out—

Because I was not a Jew.

Then they came for me—and there was no one left to speak for me."

The brilliant artist Nina Simone is quoted as saying, "An artist's duty, as far as I'm concerned, is to reflect the times." I will add, this is also a citizen's duty.

Martin Luther King, Jr., said: "The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy." He also said, "Our lives begin to end the day we become silent about things that matter."

Sadly, there are members of this Common Council who are invested in creating silence/^{EVEN} where there has not been public silence; limiting public comments to the greatest extent possible, and ignoring and defeating public comments both while being made and after being made.

**Tanya Pineda Davies Place
Randall Johnson, Sr.
Winston Basley 23 Watson Road
Patrick McGuire 110 Mill Street**

Official Minutes of the Council Meeting of Monday, July 11, 2016

Klye Morrow

Mike Long 29 Kinderhook Drive

Jaison Cook 31 Flannery Avenue

Sara Morale 464 Main Street

Nicholas

Peter Bernard Scenic Hudson

Scenic Hudson, Inc.
One Civic Center Plaza, Suite 200
Poughkeepsie, NY 12601-3157
Tel: 845 473 4440
Fax: 845 473 2648
email: info@scenic Hudson.org
www.scenic Hudson.org



Statement of

**Peter Barnard, AICP
Urban Designer
Scenic Hudson, Inc.**

Joint Resolution of Support for New York State Consolidated Funding Applications

**City of Poughkeepsie
Common Council**

July 11, 2016

My name is Peter Barnard. I am the Urban Designer at Scenic Hudson, and a resident of the City of Poughkeepsie's Second Ward. Scenic Hudson has been based in Poughkeepsie for over 30 years, and we currently employ more than 50 people in our offices on Main Street. We are committed to the City's success and vitality, and have been an active partner in helping the City realize its goals.

This year's round of New York State Consolidated Funding Applications (CFA 2016) are an important step in realizing these goals. The 13 projects included in tonight's resolution can help revitalize the Poughkeepsie by securing funding to implement many of plans and policies the City has worked so hard to develop. These include the Main Street Economic Development Strategy, Walkway/Gateway District, Fall Kill Trail Plan and the Poughkeepsie Waterfront Redevelopment Strategy, among others.

While Scenic Hudson is waterfront organization, as a long-term partner of the City, we are delighted by the breadth and geographic spread of this year's CFA. Some of these projects aim to expand access to public open space, others would help to preserve our unique architecture, and several would help to turn vacant or underutilized land into active facilities that provide jobs and training to area residents. Half of these projects are located within the often over-looked north side of the City-providing investment where the City needs it most.

Scenic Hudson has been working closely with the City on one particular application, The Poughkeepsie Connectivity Project, that (if funded) would link nine of this year's CFA requests with seven other on-going projects in the City. The project will do this by completing a community-driven design for the proposed Fall Kill Trail and desired improvements to the City's existing waterfront parks. The resulting park and trail network will run from the waterfront through the north side to the Middle Main district, linking residents to jobs, schools, parks and cultural venues. This kind of project will help make Poughkeepsie the "City of Connections" and drive revitalization.

We urge Common Council to support tonight's joint resolution. Thank you very much for your time, attention and the opportunity to speak tonight.

**Damon Crumb 73 Mansion Street
Ruth Weinman 270 Hall Avenue**

IV. MAYOR'S COMMENTS:

Mayor Rolison gave a brief overview of the Skate Park. He indicated that because of the damage to many of the aspects of the park, it was deemed to be unsafe. He stated that he has been down there on several occasions, and after the city's officer from the Department of Public Works advised us of that, we decided that we needed to close it in the interest of public safety. There has been a lot of interest, rightfully so, trying to repair the park. On Friday the Commissioner of Public Works reached out to Rampage, which is the company that built the park, they are out of Bridgeport Connecticut. The park is fourteen years old, one of the principals from Rampage was here today, and they met at the Skate Park. We were given preliminary pricing today, to get it back open would be about \$18,300.00. You're looking at 16 sub sheets, 22 top sheets, some miscellaneous metal repair, and some minor paint and sanding. If they replaced all of the sheets, and fixed all of the metal, it would be \$37,300.00. It is the city's intention to get the park back up and running. They are going to have to have some further discussion, this information was just provided to us earlier today. There will be further discussion tomorrow with the Commissioner of Public Works, and we will see where we will go from there. He stated that he has received a lot of emails, from individuals who were apart of the original design, actually individuals who worked there for Parks and Recreation at one time. They have pledged their support, not only from the engineering standpoint, and technical standpoint, but some people have also come forward and said they would help raise money. Until we get more detail on that, wanted to let you know what was done as of 12:45 this afternoon.

V. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Petsas-no comments

VII. MOTIONS AND RESOLUTIONS:

1. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.

R-E-S-O-L-U-T-I-O-N
(R-16-67)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the City of Poughkeepsie has received several requests to support and endorse applications of several Not-for-Profit organization under the Consolidated Funding Application (CFA) in addition to its own applications; and

WHEREAS, the City of Poughkeepsie has undertaken a comprehensive citywide economic development planning process which is comprised of several interrelated initiatives including the Waterfront Redevelopment Strategy, the Main Street Economic Development Strategy, Hudson River Housing's ongoing revitalization efforts in the Middle Main district, and the continuing programs provided by the Walkway over the Hudson; and

WHEREAS, the City of Poughkeepsie has reviewed these request in conjunction with its overall goal of advancing its Main Street Economic Development Strategy, Waterfront

Revitalization Strategy and increasing the sustainability of its community resources needed to support such strategy; and

WHEREAS, the City of Poughkeepsie is committed to advancing its economic development strategy through ongoing collaboration with other governmental units and private partners; and

WHEREAS, an important component of any economic development strategy is the simultaneous strengthening of the City's Not-for-Profit organizations that provide the local economy with public goods that generate positive externalities; and

WHEREAS, through New York State's Consolidated Funding Program, the City and its partners are seeking funding for the planning, infrastructure investments, and regulatory changes required for implementing the Poughkeepsie Economic Development Strategy; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of lending its support and endorsement to applicants which have been deemed to support its underlying strategy initiative; and

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Common Council of the City of Poughkeepsie wholeheartedly support and endorse the following applications under the Consolidated Funding Application (CFA) and make a finding that such applications advance its approved economic development strategies:

1. Project Name: Poughkeepsie Southern Waterfront Promenade Project

- Applicant: City of Poughkeepsie
- Project Location: Southern Waterfront (former DeLaval Property)
- Total Project Cost: \$1.5 Million
- CFA Source: Department of State EPF Funding
- CFA Request
- One line project description: To create a public waterfront promenade, boat pier, fishing platforms, canoe/kayak access and other amenities that will eventually link to other Poughkeepsie waterfront parks

2. Project Name: Walkway East Entrance Visitors Center

- Applicant: Walkway Over the Hudson
- Project Location: Eastern entrance of Walkway Over the Hudson State Park
- Total Project Cost: \$2.5 million
- CFA Source: NYS Office of Parks, Recreation and Historic Preservation EPF
- CFA Request: \$500,000
- One line project description: Construct a new visitors center with rest rooms, vendor locations, covered seating and gathering area at the eastern entrance of Walkway Over the Hudson State Historic Park.

3. Project Name: Historic Reynolds House Redevelopment Project Phase Two

- Applicant: Walkway Over the Hudson
- Project Location: Reynolds House at Upper Landing Park
- Total Project Cost: \$1 million
- CFA Source: NYS Parks Historic Preservation Funding
- CFA Request: \$500,000
- One line project description: Complete the second phase of the renovation and improvements to the historic Reynolds House at Upper Landing Park along the Poughkeepsie waterfront.

4. Project Name: Poughkeepsie Core Revitalization Project

- Applicant: Jon Behrends
- Project Location: Corner of Academy & Canon Streets
- Total Project Cost: \$4 million
- CFA Source: Empire State Development Grant Funds
- CFA Request: \$800,000
- One line project description: Phase One of the renovation and redevelopment of five vacant and blighted buildings at the corner of Academy and Canon streets in downtown Poughkeepsie.

5. Project Name: Poughkeepsie Landing Waterfront Redevelopment Project

- Applicant: Poughkeepsie Waterfront Development LLC
- Project Location: Poughkeepsie Southern Waterfront
- Total Project Cost: \$21,700,000
- CFA Source: ESD
- CFA Request: \$4,340,000.
- One line project description: To redevelop a 14-acre parcel of unused, formerly contaminated land along the waterfront in the City of Poughkeepsie into a commercial hub and tourism destination.

6. Project Name: Family Partnership Center Campus Revitalization Project

- Applicant: Family Services
- Project Location: 29 North Hamilton St, Poughkeepsie, NY 12601
- Total Project Cost: \$1,549,660
- CFA Source: ESD Funding (\$82,000) to replace the roof on the main building and NY Main Street Funds (\$500,000) for critically needed renovations to the auditorium including window replacement to expand the service space for Family and Youth Services.

7. Project Name: Family Partnership Center's Urban Park

- Applicant: Family Services

- Project Location: 29 North Hamilton St, Poughkeepsie, NY 12601
- Total Project Cost: \$495,685
- CFA Request: \$371,764
- CFA Source: NYS Parks EPF to fund gymnasium renovations and the creation of outdoor recreation space to expand community programming.

8. Project Title – Micro-Enterprise Youth Opportunity Center (MEYOC)

- Applicant: Nubian Directions
- Project Location – 209 Cottage Street, Poughkeepsie NY 12601
- CFA Grant Source – Empire State Development Grand Program and Community Block Grant/Microenterprises (Opportunity Agenda and Related Projects)
- Estimated Total Budget - \$5 Million
- Estimated CFA request - \$4.5 Million
- A *one-line* description of the project – Nubian Directions will convert the 22,000 square foot warehouse into a Regional Micro-Enterprise Youth Opportunity Center (MEYOC). The MEYOC will contain up to ten classrooms including a large construction lab, office space, computer center, auditorium, functional cafeteria, and storage space. The center will also develop space for light manufacturing, product assembly, and packaging for distribution. The MEYOC will be a newly renovated multi-purpose facility where at-risk youth can receive job training and preparation, earn nationally recognized industry certifications, perform community service, earn their High School Equivalency, and obtain entrepreneurial and business skills. The renovated space will also help attract entrepreneurs/businesses interested in creating products that may be assembled, shipped, or marketed locally or regionally.

9. Vassar Brothers Medical Center Patient Pavilion Project: Phase II

- Applicant: Health Quest
- Vassar Brothers Medical Center, 45 Reade Place, Poughkeepsie, NY 12601
- Empire State Development Fun (ESD), Healthcare, Biomedical/Medical
- Estimated total budget \$437 million
- Estimated CFA Request: \$87.4 Million/20% of entire budget for the completion of Phase II
- In September 2016, VBMC will begin the second phase of construction of the new Patient Pavilion, including construction of the new building itself and renovations to connect the existing hospital to the new construction.

10. Project Title: Upper Mill Street Historic Renovation

- Applicant: Hudson River Housing
- Project Location: 305 - 307 Mill Street and 313 Mill Street, Poughkeepsie, NY 12601
- CFA Grant Source: OPRHP Historic Preservation EPF
- Estimated Total Budget: \$625,000
- Estimated CFA request: \$500,000
- A *one-line* description of the project: Hudson River Housing will be performing weatherization improvements on 305 - 307 Mill Street, and façade improvements to 313 Mill Street, Poughkeepsie.

11. Project Title: Poughkeepsie Connectivity Project—Waterfront Parks and Fall Kill Trail Design

- Applicant: City of Poughkeepsie
- Project Location: Fall Kill from Middle Main to Warayas and Kaal Rock Parks
- CFA Grant Source: OPRHP Parks EPF
- Estimated Total Budget: \$625,000
- Estimated CFA request: \$500,000
- A *one-line* description of the project: Create an integrated design for the Fall Kill Trail and the City’s Waterfront Parks—creating a green bike/ped link between over 12 ongoing public and private redevelopment projects.

12. Project Title: Poughkeepsie Connectivity Project—Kaal Rock Connector: Phase II

- Applicant: City of Poughkeepsie
- Project Location: Kaal Rock Point Park and One Dutchess Ave
- CFA Grant Source: DOS EPF
- Estimated Total Budget: \$1,100,000
- Estimated CFA request: \$500,000
- A *one-line* description of the project: Complete final design construction drawings and permitting for the Kaal Rock Connector and complete the City’s Northern Waterfront park.

BE IT FURTHER RESOLVED, that the Mayor is and hereby shall do all things necessary to give effect to the resolution including but not limited signing any document needed for submission or acceptance.

SECONDED BY COUNCILMEMBER JOHNSON

R16-67			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	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"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM ACTING POLICE CHIEF PAPE**, a communication regarding an application funding from the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, FY 2016 Local Solicitation.

PUBLIC NOTICE

**2016 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT
LAW ENFORCEMENT APPLICATION**

The Edward Byrne Memorial Justice Assistance Grant is a formula grant awarded through the U.S. Department of Justice, Bureau of Justice Assistance, and is awarded to assist law enforcement agencies in crime prevention and safety activities. The City of Poughkeepsie Police Department will be filing an application. The purpose of this public notice is to make community members aware that the application is being filed and to pose an opportunity for input to be offered. The department has formulated specific programs to be enhanced to address the needs of the community. Funding is allocated by the Federal government on a formula basis. The 2016 allocation for the City of Poughkeepsie Police Department is \$24,835. If community members would like to offer input on the use of proposed funding they may do so at the next City of Poughkeepsie Common Council Meeting on July 11, 2016 or in writing to Chief Thomas Pape, City of Poughkeepsie Police Department, 62 Civic Center Plaza, Poughkeepsie, New York 12601. Letters must be received no later than July 10, 2016.

2. **FROM CHAIRMAN PETSAS**, a communication regarding the proposed sale of a portion of a city owned lot currently used for parking, located at the corner of Smith Street and North Clinton.

15 N. Clinton St Parking Lot Proposal

Dear Common council members,

I would like to thank all board members for taking the time to review my proposal in purchasing 60 feet of the city parking lot located between Smith Street and N. Clinton St.

I purchased the abandoned building on 15 N. Clinton Street roughly a year and a half ago. At the time the building suffered significant fire damage and became a nest for all sorts of drug and prostitution undertakings. Since my acquisition I have invested a significant amount of time and private money restoring the building to its current condition. The hard work and money invested was well worth it, now I drive by the building and see it as a home for multiple families and I'm also proud to say that it is cosmetically one of the best in the neighborhood and no longer an eyesore.

Since the improvements and getting the apartments occupied with tenants I have encountered several issues regarding safety, sanitation, parking, and egress to apartment 1B located in the rear of the building. The following bullet points outline the problems my tenants, community members and I have currently with the existing parking lot.

Safety

- Clustered parking is blocking off the only egress to the back apartment (1B), the fire department and EMS will practically never be able to get back there if there was an emergency. In purchasing the parking lot I will put in a sidewalk which will create an easy pathway to that apartment making it much safer and easier in times of an emergency.
- No lighting, this is a big issue because there are so many people that use the poor lighting in the parking lot to camouflage themselves in the dark hours of the night to conduct all sorts of illegal business. This also scares the women and children that live there and that have to pull in and out of this parking lot at night. This issue will be solved because I will be putting in LED lighting which will not only illuminate the small section I'm proposing to buy but also much of the remainder of the lot.
- Deadly exhaust fumes and cars crashing into the building, currently my main level tenants have complained to me on numerous occasions on how exhaust fumes fill their bedrooms in the morning from cars idling next to their windows. The other threat they feel is when cars pull in at high speeds to park, they feel it's a matter of time before someone comes crashing in their

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bedroom windows. Not to mention the nuisance have constantly having headlight glare beaming in all the time. In the new parking lot lay out cars will no longer be able to park alongside the building anymore. Rather, new parking will be alongside the new fence and over 30 feet away from the building.

- Peeping Toms, this is a MAJOR concern to me because if my female tenants do not feel the safety and privacy that we all should feel when we are home than it is not home for them. This can also lead to very bad case scenarios that women only dread from. My solution here is to install a beautiful six foot high security fence which will keep out all unwanted trespassers and give my tenants a secure living environment.

Sanitation

- I have been cited by the City of Poughkeepsie in the past for garbage being on the sidewalk all week long. I don't expect my tenants to keep garbage in their apartment until the designated pick up days. This also is not a pleasant site for viewing and in addition creates an unsanitary environment.
- Constant picking through the rubbish for cans is also another issue. This creates a big mess and is unfair for anyone to have to keep cleaning after.
- Dumping of mattresses, tires and all sort of trash is a never ending problem in the parking lot and I imagine this is an unnecessary financial strain for the city to constantly have to clean up.

The solution here is to create a fenced in designated garbage area that hides the rubbish from the view of the city and will also keep all illegal dumping out of the parking lot. In addition I will no longer violate the city's law regarding the garbage placement. Hence, I will have the property to keep all the trash off the sidewalk, because currently my property line ends alongside the building.

Aesthetics

- The current curb appeal for one of the most important corners of the City Of Poughkeepsie does not demonstrate the effort that has gone into this particular corner in the last two years. After purchasing this small section of the parking lot I will be planting Japanese maple trees, evergreen pine trees, boxwood shrubs along the new fence. I will also be laying down river stone along the new sidewalk and mulch to further enhance this corner.
- Currently the section I'm proposing to buy is in the worse condition in comparison to the remainder of the lot. I will be repaving this section because it desperately needs it and I will also be striping it for the new designated parking spaces.
- This corner will be much more attractive and welcoming once I complete the enhancements.

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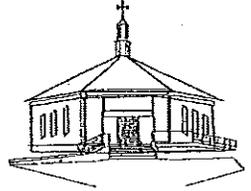
Again I would like to thank all board members for the opportunity to propose this project and I hope that some of the reasons I listed above illustrate the absolute necessity for this acquisition. Your agreement to grant my tenants and I this small piece of real estate would make 15 N Clinton Street a safer home for all its residents, provide security that we all look for from home, and will dramatically enhance the corner. Currently I have the support of the community, the tenants and Ebenezer Baptist Church and I hope to gain your approval as well.

Thank you for your time,

Issa Neshelwat

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Ebenezer Baptist Church
"Earth's Heavenly Hospital"
15 Smith Street, Poughkeepsie, NY 12601
P.O. Box 2, Poughkeepsie, NY 12602
Reverend Michael A. Bell, Jr., Pastor
Pastor's Cell: 845-220-6594
Pastor's Phone: 845-483-9417
Email: EBCatPOK@gmail.com



July 10th 2016

This letter is in support of Issa Nesheiwat and the 15 North Clinton Parking Lot Project. We believe the project will enhance the area by provide much needed security for the tenants, beautify the area, secure the corner, and illuminate the parking lot which helps to ensure public safety.

There are major issue with safety that occur for the residents in the area regarding the drug addicts, prostitution, and excess garbage, all of which post a major concern for the women and children residing in the area.

This parking lot is an important staple for the City of Poughkeepsie and hope you support this project for its residents.

Thank You,



Nicole Alexander, on behalf of Rev. Michael A. Bell, Jr., Pastor
Assistant to the Pastor

Tito Valles
15 N Clinton St # 2A
Poughkeepsie NY 12601
(845) 901-8264

06 July 2016

To Whom It May Concern:

The Parking Lot outside of 15 North Clinton is in desperate need of attention. The lot itself needs to be repaved and the lack of organization in the lot causes a great influx of traffic going through. This often makes it difficult park and dangerous to pull into occasionally. At night it's a different environment altogether. Since it's a seemingly vacant lot, there always seems to be small groups of people loitering around it usually to meet other people for one reason or another. Although most of the time the meetings are harmless there have been multiple times in which they're broken out into fights or obnoxious arguments. Although I can take care of myself these sorts of situations make me concerned for my wife if she's out there alone either coming or going to work/shopping etc. Another issue is the constant panhandlers and beggars that pass through. It's far too common that we can't get from our front door to our car without someone approaching us. Since there isn't a place in the lot for a dumpster or our trash it tends to sit right out on the sidewalk and we are always catching people ripping through the bags and leaving trash everywhere. Cleaning up the lot would not only make the area look nicer but also help make the community much more pleasant for those who live here.

Thanks

Tito Valles III

A handwritten signature in black ink, appearing to read "Tito Valles III", written in a cursive style.

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Tito Valles
15 N Clinton St # 2A
Poughkeepsie NY 12601
(845) 901-8264

06 July 2016

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Tito Valles III

A handwritten signature in black ink, appearing to read "Tito Valles III", written in a cursive style.

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Kelsey Valles
15 N Clinton St # 2A
Poughkeepsie NY 12601
(845) 901-8264

06 July 2016

To Whom It May Concern:

My husband and I have lived at 15 N Clinton St since March 2016. A lot of work was put into the interior of the apartment, making it clean, modern, and secure. However, due to the neighborhood, the open parking lot gets a lot of traffic. There are technically four different ways to enter one parking lot, which makes it dangerous to drive and walk through as drivers use the lot as a way to cut through traffic lights, turn around, and leave broken down vehicles. There are also various characters that loiter in the parking lot at any time of day or night. When it is light out, they are avoidable for the most part, but the lot is poorly lit and as it is currently not secure, a lot of panhandling occurs. When I need to carry bags from the car to the apartment, there are always groups of men around that don't live there, leaning against cars and watching people. The lot feels very unsafe overall, as there tends to be a lot of arguments and fights that erupt in it in the evenings, which makes me unable to go out to my car alone. Please approve our landlord's plan for redoing the parking lot. It would make our lives safer and improve the overall quality of the area.

Thank you,


Kelsey Valles

To whom it may concern,

My name is Summer Tuttle, I'm 19 and I live on 15 N Clinton Street in Poughkeepsie. I'm writing this letter to explain how it would not only be more convenient, but I would feel much safer having a private parking lot for my apartment. On the simpler scale of things, many days I find myself not having a parking spot in my own parking lot, or if I do, there have been times I've been completely blocked in by other cars who just park anywhere they can, even if it's not an actual parking spot. If I work the night shift, I come home around midnight, and I've had to park down the street and walk to my apartment in the dark by myself. I think the other tenants and I deserve to have a parking lot where we have actual room to get in and out of to get to work on time, or at all, or anything else we may need to do during the day. I know I have been late to work twice since I started living here because of not being able to get out of my parking spot. On a more serious note, mine and my roommate's bedroom windows are directly facing this parking lot. I have had instances where I've had grown men looking in my windows, and I know there was an instance where one was knocking on my roommate's window when she was getting dressed. There have been times where I've had strangers approach me while getting out of my car, following me all the way to my door. At all times of the night we can hear people walking by our windows, people fighting/screaming in the parking lot, I've heard people screaming over drugs there. I do not have any say in what people do with their lives, but it is scary to think that there are people who hangout in this parking lot who are desperate for drugs and will probably do anything to get it, because that's what drugs will do to you. I wish the best for them, but personally do not want to be around it and would feel much more safe being blocked off from the surrounding area. This is my home, my roommate is my best friend of 7 years and I care about her well-being more than my own. I want her to feel safe, I want to feel safe, and I believe this would be the next step to being more comfortable here. Thank you for your time.

Yours truly,

Summer Tuttle



My name is Armando Vera and I live in 15 N. Dinton St. I am a father to two kids, a 5 year old and a newborn. I currently feel unsafe when me and my kids walk to our car in our parking lot, there are always cars speeding in and out the parking lot. There also are a lot of people just hanging out in there, doing drugs etc... Building up a fence will definitely make me and my kids feel a lot more safe. With a fence, my kids and I will be able to walk to our car without worrying about cars speeding, or about running up to people offering us drugs.

Sincerely, Armando Vera

7/9/16

To whom it may concern;

My name is Mary Ware and I reside at 17 N. Clinton St in the City of Poughkeepsie, and I am in favor of the project involving the parking lot at 15 N. Clinton St and Smith St. I believe it will be a positive impact for the community as a whole.

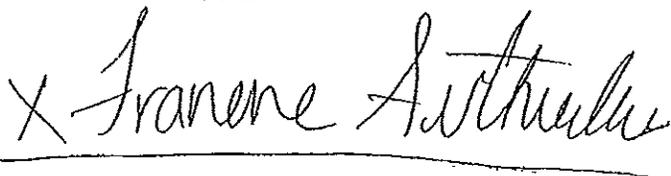
Sincerely,
Mary Ware
Mary Ware
845-264-8267
17 N. Clinton St
Poughkeepsie, NY
12601

To whom it may concern,

My Name is Francine Sutherland. I moved into 15 North Clinton Street this past April. After my landlord showed me his plans on what he wanted to do on the parking lot, I thought it would be completely necessary. My room and window are right next to the sidewalk. I'm constantly hearing people's conversations. Also since this is a potentially dangerous area, I cannot open my window because of the fear or being robbed or attacked. And with the hot summer weather it's becoming unbearable to keep my window shut with no air flow coming through. When living somewhere I believe it's important to feel safe and comfortable. With the new developments to the parking lot, it would insure that safety. One day last week I was in my room and I just came back from a shower. I heard two men outside of my window trying to look in through the curtains, and was saying very un-tasteful things to me. I quickly ran into my kitchen, ready to call the police but by the time I came back they were gone. I haven't felt safe in apartment since then. I should not have to worry about things like that happening, with the new plans for the parking lot; I would feel much safer. It would stop people from being able to do that, and insure the safety of my neighbors as well. Another reason it would help is, the parking lot is usually always filled with car from people who don't live in the apartment building. It sometimes leaves me and my roommate without a parking space. We pay money to have a place to park, and to feel safe where we live. The new developments would put my mind at ease, and it's also one step closer to making it more comforting for its residence.

Yours Truly,

Francine Sutherland

X 

3. **FROM COUNCILMEMBER CHERRY**, a communication regarding a proposed Resolution amending conditions of sale regarding property sold to Nubian Directions located at 23 Hooker Avenue.

**RESOLUTION
(R-16-XX)**

INTRODUCED BY COUNCILMEMBER _____ :

WHEREAS, Nubian Direction II, Inc. ("Nubian Direction") is the owner of 23 Hooker Avenue in the City of Poughkeepsie having purchased same from the City by deed dated July 24, 2015; and

WHEREAS, said sale was approved with conditions including the condition, that the premise be owner-occupied for a period of ten (10) years from the date of transfer; and

WHEREAS, Nubian has requested that the City waive the requirement that the property be owner-occupied as Nubian Direction is now desirous of maintaining the property as a rental unit as opposed to rehabilitating the property for sale which was their initial desire; and

WHEREAS, the Common Council is agreeable to waiving the requirement provided that other conditions are maintained; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby waives the condition precedent that the premise located at 23 Hooker Avenue in the City of Poughkeepsie be owner occupied provided such condition is replaced with the following conditions precedent:

- a. If at any-time in the first ten (10) years from the date of this deed, Grantee transfers said property, said property shall be sold with the condition that the premises be owner-occupied.
- b. Grantee agrees that should the premise be tax-exempt pursuant to the Real Property Tax Law Grantee agrees to enter into an agreement with the City of Poughkeepsie in which Grantee shall agree to make a payment in-lieu of taxes in an amount which shall be equal to the property's assessed value multiplied by an amount of the budget of the City of Poughkeepsie which comprise Police, Fire and the Department of Public Works, but which amount shall exclude capital projects (but no more than 45%) which shall then be multiplied by the tax rate ((assessed value / 45% of the police, fire and DPW budget) x tax rate).

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- c. If Grantee maintains the property for as a rental, it shall restrict rental to low-income families/individuals, veterans or the disabled whose income does not exceed 30% of the area median income (AMI) as determined by HUD.

RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER _____

PILOT AGREEMENT

NUBIAN DIRECTIONS II, INC.
and
CITY OF POUGHKEEPSIE

This Agreement dated where signed below, between NUBIAN DIRECTIONS II, INC., a New York Not-For-Profit Corporation, with offices for conducting business at 248-250 Main Street, Poughkeepsie, New York 12601, hereinafter referred to as "OWNER," and CITY OF POUGHKEEPSIE, a New York municipal corporation maintaining its office at Municipal Building, 62 Civic Center Plaza, Poughkeepsie, NY 12601, hereinafter referred to as "CITY";

WHEREAS, OWNER is the owner of real property situated in the City of Poughkeepsie listed in Schedule "A" which is attached hereto and made a part hereof and is more commonly known as 23 Hooker Avenue, Poughkeepsie, New York (the "Property"); and

WHEREAS, OWNER intends to use the parcels in a manner consistent with the provisions of New York Real Property Tax Law, pursuant to which it has been or will be granted an exemption from local and municipal taxes and real property taxation (including CITY school taxes) in the manner prescribed by statute and regulation; and

WHEREAS, OWNER, as to the parcel listed in Schedule "A", wishes to voluntarily make payments to the CITY despite its tax exempt status without acknowledging any legal liability to do so; and

WHEREAS, the CITY has agreed to accept such payments as voluntary payments, the receipt of which is acknowledged not to create a continuing legal obligation nor an acknowledgment that the ownership and use of the premises are not otherwise entitled to an exemption pursuant to New York Real Property Tax Law.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, it is agreed as follows:

1. Payment. The annual amount volunteered by the OWNER for the Property shall be based on the following calculation:

The assessed value of the Property multiplied by the percentage of the entire budget of the CITY (but excluding any capital projects contained in the budget) that is made up of the Police Department, Fire Department and the Department of Public Works as those departments and functions exist as of the date of this Agreement, but in no event greater than forty-five (45%) percent of said budget (excluding any capital projects), then multiplied by the tax rate (City and School).

2. Subordination. This Agreement and the obligations arising thereunder shall be

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subordinate to any loans encumbering the Property to the extent the proceeds are used to construct improvements on the Property and any other obligation that may become a lien on the Property.

3. Presentation of Rights. This Agreement shall not preclude any party from instituting any action it deems appropriate to contest either the assessed valuation or the exempt status of the parcel or any portion thereof.

4. Term. This Agreement shall have a term of ten (10) years and shall only be terminated because the Property subject to this Agreement is no longer being used for purposes for which an exemption is obtainable or OWNER provides evidence, acceptable to the CITY, that the terms of this Agreement will render the OWNER insolvent.

5. Notice to Default; Limitation on Remedies. (a) In the event OWNER fails to perform or observe any of the terms, conditions, covenants or agreements to be performed or observed by it under this Agreement, OWNER, upon written notice from the CITY (i) shall remedy or cure such failure within ninety (90) days after receipt of such notice, or (ii) if such failure is of such nature that it cannot reasonably be cured within such ninety (90) day period, shall commence to cure the same in such period and diligently proceed to cure the same. If such failure shall not be remedied or cured within a reasonable time, OWNER shall be in default hereunder and the CITY may, except as otherwise provided, and in full acknowledgement that this Agreement is offered voluntarily by the OWNER, institute such proceedings as in its opinion may be necessary or desirable to cure or remedy such default.

6. Notices. A notice or communication in connection with this Agreement by any party to the other parties shall be sufficiently given if sent by certified mail, post prepaid, return receipt requested, and

(a) If to, Nubian Directions II, Inc., 248-250 Main Street, Poughkeepsie, New York 12601;

(b) If to, City of Poughkeepsie, c/o Corporation Counsel, Municipal Building, 62 Civic Center Plaza, Poughkeepsie, NY 12601, and City of Poughkeepsie, c/o Mayor, Municipal Building, 62 Civic Center Plaza, Poughkeepsie, NY 12601;

to such other address as any party may from time to time designate by notice given to the other parties as provided herein. Any notice given pursuant to the terms hereof shall be deemed to have been given or served at the time that the same shall be deposited in the United States mail. Any notice given hereunder by any party shall be given to all other parties to this Agreement.

7. Severability. If any term or provision of this Agreement or the application thereof to any person or circumstances shall to any extent be invalid and unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances

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other than those as to which it is invalid or unenforceable, shall not be affected thereby, and each term and provisions of this Agreement shall be valid and shall be enforced to the full extent permitted by law.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed, all as of the day and year first written above.

DATED: _____

Nubian Directions II, Inc.

By: _____
Robert E. Wright
Executive Director

CITY OF POUGHKEEPSIE

By: _____
Robert G. Rolison
Mayor

4. **FROM ANASTASIA MARTON**, a notice of property damage sustained on April 23, 2016. **Referred to Corporation Counsel**
5. **FROM VIRGINIA C. HART**, a notice of property damage sustained on June 24, 2016. **Referred to Corporation Counsel**
6. **FROM TINA HARVEY**, a notice of personal injury sustained on April 5, 2016. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Hermann and Councilmember Johnson to adjourn the meeting at 9:20 p.m.

Dated: August 17, 2016

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, July 11, 2016.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain