



## **COMMON COUNCIL MEETING**

Common Council Chambers

Monday, August 24, 2015

6:30 p.m.

**I. ROLL CALL:**

**II. REVIEW OF MINUTES:**

Common Council Minutes of February 17, 2015

Common Council Minutes March 2, 2015

Common Council Minutes of March 16, 2015

Common Council Meeting of April 6, 2015

**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:**

**VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

**VII. MOTIONS AND RESOLUTIONS:**

1. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R15-64, consenting to the assignment of an Agreement with IBM for the sale of water.
2. **FROM CITY ADMINISTRATOR**, Resolution 15-65, setting a public hearing for the 2016-2020 Capital Plan.

3. **FROM ASSISTANT CORPORATION COUNSEL AQEEL, SEQRA**  
Resolution 15-66 and Sale Resolution 15-67 approving the sale of city owned property located at 47 West Arnold Road.
4. **FROM ASSISTANT CORPORATION COUNSEL AQEEL, Resolution 15-68**  
setting a public hearing for a proposed ordinance requiring a live-in superintendent for apartment complexes with nine or more units.

**VIII. ORDINANCES AND LOCAL LAWS:**

1. **FROM CORPORATION COUNSEL ACKERMANN, Ordinance O-15-6,**  
approving the amendment of Section 19-3.23 of Chapter 19 of the Code of Ordinances of the City of Poughkeepsie entitled "Zoning and Land Use Regulations".

**IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

1. **FROM CITY ADMINISTRATOR BUNYI,** six month financial report.
2. **FROM DANIEL DORN,** a notice of claim from April 6, 2014.
3. **FROM CORPORATION COUNSEL ACKERMANN** an executive session to discuss the proposed sale of real property which if disclosed would affect the value of the real property.

**X. UNFINISHED BUSINESS:**

**XI. NEW BUSINESS:**

**XII. ADJOURNMENT:**

# The City of Poughkeepsie

New York



Paul Ackermann  
Corporation Counsel  
[pAckermann@cityofpoughkeepsie.com](mailto:pAckermann@cityofpoughkeepsie.com)

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

August 10, 2015

**CC Meeting: 8/24/15**  
**ITEM VII-1**

## **COMMON COUNCIL** **City of Poughkeepsie**

**RE: Resolution consenting to the extension of an agreement by DCWWA to sell water to IBM.**

Dear Chairman Petsas and Councilmembers:

Attached hereto is a resolution consenting to the extension of a current agreement between the Joint Water Board ("JWB") and the Dutchess County Water and Wastewater Authority ("DCWWA") to sell water to IBM. In 2004 the JWB and the DCWWA entered into an agreement selling potable water to the DCWWA and allowing the DCWWA to enter into third-party sales to other municipalities along its transition line. Such third-party sales require the consent to the JWB as well as the respective owners (City & Town). In 2004, pursuant to this agreement and with full consent the DCWWA entered into an agreement to sell water to IBM. Recently, IBM has sold its East Fishkill operations to Global Foundries USA, Inc. and now Global Foundries has requested an assignment of the IBM contract with the DCWWA.

The DCWWA has done an extensive review of the financial ability of Global Foundries to issue a unconditional guarantee of payment to the DCWWA and the JWB. After such review they have determined that it is in the best interest to consent to the Assignment and Assumption of the IBM agreement to Global Foundries. Based on this, the JWB also has consented to the Assignment and Assumption. The administration concurs with the determination of the DCWWA and the JWB and request the council consent to same.

Respectfully submitted,

Paul Ackermann, Esq.  
Corporation Counsel

PA:mt  
Attachment

**RESOLUTION**  
**(R-15-64)**

**INTRODUCED BY COUNCILMEMBER \_\_\_\_\_:**

**WHEREAS**, the City of Poughkeepsie is a joint owner of the City/Town Joint Water Treatment Facility and pursuant to an inter-municipal agreement serves on the Poughkeepsie Joint Water Project Board (the, "Board"); and

**WHEREAS**, the Board is a party to an agreement with the Dutchess County Water and Wastewater Authority (the, "Authority") for the sale of potable water through the Authority's Central Dutchess Water Transmission Line ("CDWTL") which agreement further allows for the third-party sale of potable water by the authority to other municipalities; and

**WHEREAS**, the Authority's ability to sell water requires the consent of the Board and the legislative bodies of the City of Poughkeepsie and the Town of Poughkeepsie as owners; and

**WHEREAS**, on November 19, 2004, with full consent, the Authority entered into an agreement with International Business Machines Corporation ("IBM") to supply a specific amount of Potable water (the, "Agreement"); and

**WHEREAS**, IBM wishes to assign all of IBM's rights and obligations under the agreement to Global Foundries U.S., LLC2 ("Global Foundries") and Global Foundries wishes to assume all of IBM's rights and obligations under the Agreement; and

**WHEREAS**, the authority seeks consent, pursuant to the terms of the Agreement between the Board and the Authority and under the inter-municipal agreement between the Town of Poughkeepsie and the City of Poughkeepsie for the Assignment and Assumption of the Agreement; and

**WHEREAS**, the DCWWA has reviewed the credit capability of Global Foundries and has consented to the Assignment and Assumption as has the Board; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that this resolution shall serve as the consent of the City of Poughkeepsie required pursuant to the Poughkeepsie Water Sale and Purchase Agreement dated November 19, 2004 and pursuant to the Inter-Municipal Agreement between the City of Poughkeepsie and the Town of Poughkeepsie to the Assignment and Assumption of the Purchase and Sale Agreement between the Dutchess County Waste Water Authority and the Joint Water Board in form and substance as attached hereto, and be it further

**RESOLVED**, that the City Chamberlain shall forward certified copies of this resolution to the Chairman of the Poughkeepsies' Joint Water Project Board and the Mayor, City Administrator or Corporation Counsel may execute any and all documents necessary to give effect to this resolution including but not limited to the Assignment and Assumption attached hereto and made a part hereof.

**SECONDED BY COUNCILMEMBER** \_\_\_\_\_.

**RESOLUTION**

**(R-15-65)**

**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 September 21, 2015 at 5:30 p.m. concerning the adoption of the 2016 to 2020 capital plan as submitted to the Common Council on August 24, 2015.

**SECONDED BY COUNCILMEMBER** \_\_\_\_\_.

# The City of Poughkeepsie

New York

Paul Ackermann  
Corporation Counsel  
[packermann@cityofpoughkeepsie.com](mailto:packermann@cityofpoughkeepsie.com)



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

August 18, 2015

CC Meeting: 8/24/15

## COMMON COUNCIL City of Poughkeepsie

**RE: Sale of City owned property located at 47 West Arnold Road**

Dear Chairman Petsas and Councilmembers:

Attached hereto please find a proposed SEQRA Resolution and Sales Resolution for 47 West Arnold Road authorizing the sale of the property to New York Property Management and Development Company for consideration in the amount of \$5,000.00. Pursuant to the Resolution before you, transfer of the property shall reflect a deed restriction such that the property will be used solely as a single-family residence.

The subject property was damaged by fire and requires extensive rehabilitation. In the purchase offer, Carl B. Immich, as purchaser, indicated that he plans to install "all new electrical, plumbing, sheetrock, flooring, paint, roof, kitchen, bathrooms and replace the landscaping." Further, the purchaser of said property indicates that construction will commence immediately upon approval of this sale and all work is to be completed within 120 days.

Given the current dilapidated condition of the subject property and all the work that will be required to restore this home to a habitable state, the Administration believes the sale, if approved, is in the best interests of the City of Poughkeepsie.

Councilwoman Ann Perry, whose ward the property resides, has indicated her support.

Respectfully submitted,

Paul Ackermann, Esq.  
Corporation Counsel

PA:mt  
Attachment

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW  
ACT (SEQRA) RESOLUTION REGARDING A SALE OF  
CERTAIN CITY OWNED PROPERTIES  
(R-15-66)**

**BY COUNCILMEMBER \_\_\_\_\_ :**

**WHEREAS**, the Common Council of the City of Poughkeepsie is considering the sale of certain property in which the City of Poughkeepsie now has a possessory interest known by its Tax Map No.: 6162-73-608169, and more commonly known as, 47 West Arnold Road; and

**WHEREAS**, the Common Council considers the proposed sale to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

**WHEREAS**, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of properties; and

**WHEREAS**, the Common Council has reviewed the proposed sale of properties in accordance with Title 6 NYCRR, Section 617.11; and

**WHEREAS**, the Common Council has considered the hereto attached Short Environmental Assessment Form (EAF)

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and
4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides

sufficient information; and

6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

**SECONDED BY COUNCILMEMBER \_\_\_\_\_.**

**RESOLUTION**  
**(R-15-67)**

**INTRODUCED BY COUNCILMEMBER \_\_\_\_\_:**

**WHEREAS**, the City of Poughkeepsie has previously taken title to real property located at 47 West Arnold Road, known as Tax Map No.: 6161-30-155870 in the City of Poughkeepsie by reason of unpaid taxes, all of which is hereinafter referred to as the "Property"; and

**WHEREAS**, the above mentioned Property has been offered for sale by the City in compliance with the policy for the sale of City owned property and the City has received one offer to purchase such property; and

**WHEREAS**, an offer has been received to purchase the Property under certain circumstances from New York Property Management & Development for the sum of \$5,000.00; and

**WHEREAS**, the Administration of the City of Poughkeepsie, after consideration of the City's policy for the sale of City owned property, has recommended that the City of Poughkeepsie accept this offer; and

**WHEREAS**, the Common Council hereby finds that the offer from New York Property Management & Development is the most favorable of the offers presented and that it is in the best interests of the City of Poughkeepsie to approve such offer;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for the Property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

**RESOLVED**, that the offer from New York Property Management & Development to purchase the parcels in the City of Poughkeepsie and known as Grid #(s) 6161-30-155870 for the sum of \$5,000.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

**RESOLVED**, that this sale is approved subject to the following conditions:

- A. the conveyance of title and the payment of the purchase price shall take place within thirty (30) days of the date of this resolution, unless the Corporation Counsel shall grant such extension as he deems appropriate;**
- B. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**
- C. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record;**
- D. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and**
- E. Transfer of the property shall reflect a deed restriction that such property shall be used solely as a single-family residential unit.**

**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 \_\_\_\_\_.**

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
CITY OF POUGHKEEPSIE COMMON COUNCIL				
Name of Action or Project: SALE OF 47 WEST ARNOLD ROAD, CITY OF POUGHKEEPSIE, NEW YORK				
Project Location (describe, and attach a location map): GRID NO: 6162-73-608169				
Brief Description of Proposed Action: THE CITY OF POUGHKEEPSIE, HAVING A POSSESSARY INTEREST IN THE PROPERTY KNOWN AS 47 WEST ARNOLD ROAD, WISHES TO CONVEY TITLE IN SUCH PROPERTY TO NY PROPERTY MANAGEMENT & DEVELOPMENT CO. IN THE CONSIDERATION OF \$5,000.00 (FIVE THOUSAND DOLLARS AND 00/100) AND FOR SUCH PROPERTY TO BE USED SOLEY AS A SINGLE FAMILY RESIDENCE.				
Name of Applicant or Sponsor: CITY OF POUGHKEEPSIE COMMON COUNCIL		Telephone: (845) 451-4200 E-Mail: citychamberlain@cityofpoughkeepsie.com		
Address: 62 CIVIC CENTER PLAZA				
City/PO: POUGHKEEPSIE	State: NEW YORK	Zip Code: 12601		
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.13 acres		
b. Total acreage to be physically disturbed?		0 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.13 acres		
4. Check all land uses that occur on, adjoining and near the proposed action.				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)				
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____				
<input type="checkbox"/> Parkland				

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: _____</p> <p>Signature: _____</p>		

# The City of Poughkeepsie

New York

Victor Aqeel  
Assistant Corporation Counsel  
[vaqeel@cityofpoughkeepsie.com](mailto:vaqeel@cityofpoughkeepsie.com)



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

August 18, 2015

**CC Meeting 8/24/15**

**COMMON COUNCIL**  
**City of Poughkeepsie**

Re: Live-in Superintendent Ordinance Proposal

Dear Chairman Petsas and Councilmembers;

The Resolution before you, if approved, will have the effect of setting a public hearing for the introduction of a new city ordinance primarily requiring a live-in superintendent in dwellings having 9 or more units. It is suggested that the public hearing be set down for September 8, 2015 at 6:00 pm.

Respectfully yours,  
**VICTOR AQEEL**  
**ASSISTANT CORPORATION COUNSEL**

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**BY: VICTOR AQEEL, ESQ.**

**RESOLUTION INTRODUCING LOCAL LAW  
AND PROVIDING FOR PUBLIC  
NOTICE AND HEARING  
(R-15-68)**

**INTRODUCED BY COUNCILMEMBER \_\_\_\_\_:**

**BE IT RESOLVED**, that an introductory Ordinance, entitled "Live-in Superintendent Required," be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

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

**BE IT FURTHER RESOLVED** that the Council shall hold a public hearing on said proposed ordinance at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o'clock P.M., on September 8, 2015; and

**BE IT FURTHER RESOLVED** that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

**SECONDED BY COUNCILMEMBER \_\_\_\_\_.**

The City of Poughkeepsie  
New York

Victor Aqeel  
Assistant Corporation Counsel  
[vaqeel@cityofpoughkeepsie.com](mailto:vaqeel@cityofpoughkeepsie.com)



62 Civic Center Plaza  
Poughkeepsie, New York 12602  
TEL: (845) 451-4065 FAX:  
(845) 451-4070

August 16, 2015

COMMON COUNCIL  
City of Poughkeepsie

**Re: Proposal requiring a live-in Superintendent for apartment buildings with nine or more units**

Dear Chairman Petsas and Council Members:

Attached herewith is a copy of a proposed ordinance which will require apartment buildings with 9 or more units to have a live-in superintendent. This proposal has been before the Council and is being re-circulated as a communication for the purpose of engaging in further discussion.

Reason for Proposal:

The winter of 2014-2015 may have been the worst winter our City has seen in two decades, which is part of the reason why this proposal is now before you. In apartment buildings with 9 or more units, it has been difficult to address the needs of residents of these multiple dwellings where the landlord or landlord's agent cannot be reached or does not occupy the dwelling. One of the major concerns has been ensuring that City residents live in habitual environments, which includes dwellings with functioning heat and hot water, especially when their health and safety is being compromised.

With all reasons for this proposal being for the health and safety of our City residents, the attached proposal also seeks to help the City of Poughkeepsie Police Department perform their investigative duties in a more efficient manner; therefore, by being able to speak to a live-in superintendent or landlord agent, the Police Department is in a better position to gather pertinent information when time is of the essence.

Benefit will also extend to the City of Poughkeepsie Fire Department in cases of emergency where a live-in superintendent is in the best position to help firefighters locate or indicate the source of a fire and provide a layout of the dwelling and further aid firefighters in recommending an optimal evacuation route for all occupants of the dwelling.

More commonplace, in situations where the landlord is absentee and there is a problem which needs to be addressed immediately, a live-in super will be in the best position to resolve the problem and contact the landlord in situations that may require major repair or rehabilitation to the dwelling or its subparts.

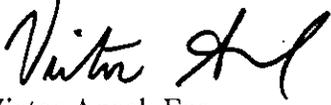
Summary of Points:

- In dwellings containing 3 or more units, the proposed ordinance requires the posting of a notice which displays the contact information for the landlord or a managing agent which can be reached in the event of an emergency.
- In dwellings of 9 or more units, in addition to the above posting requirement, the proposed ordinance will require a live-in superintendent or a superintendent that lives within 200 ft. of the building, or

within one block of the building, whichever is greater, but only if the owner is not a resident or does not provide for an on-call 24-hour janitorial service.

Please let me know if you have any questions or concerns.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Victor Aqeel". The signature is fluid and cursive, with the first name "Victor" being more prominent than the last name "Aqeel".

Victor Aqeel, Esq.  
Assistant Corporation Counsel

## Proposed Ordinance requiring Live-In Superintendent

### **(A) Definitions**

When used in this article:

- (a) Superintendent services means: Cleaning and maintenance, including the making of minor repairs; the furnishing of heat and hot water, where supplied from a central source; the removal of garbage, refuse, ashes and wastes from the premises; and the removal of snow, ice, dirt and other matter from the sidewalk and gutter.
- (b) For purposes of this article, Superintendent means a person employed to perform janitorial services and other services associated with the management and care of the dwelling.

### **(B) Janitorial Services Required**

- (a) The owner of a multiple dwelling shall provide adequate janitorial services.
- (b) In a multiple dwelling of nine or more dwelling units, the owner shall either:
  - (1) Perform the janitorial services himself or herself, if he or she is a resident owner; or
  - (2) Provide a janitor; or
  - (3) Provide for janitorial services to be performed on a twenty-four-hour-a-day basis.

### **(C) Posting Requirement**

The owner of a multiple dwelling or his or her managing agent in control shall post and maintain in such dwelling a legible sign, conspicuously displayed, containing the janitor's name, address (including apartment number) and telephone number. A new identification sign shall be posted and maintained within five days following a change of janitor. In multiple dwellings that do not have a live-in superintendent, a landlord must provide a 24-hour telephone number where the landlord and/or the managing agent can be reached in the event of an emergency. This notice shall be posted in a conspicuous place in or upon the premises.

### **(D) Residence Requirement for Superintendent Performing Janitorial Services**

The person who performs janitorial services for a multiple dwelling of nine or more dwelling units (other than where janitorial services are performed on a twenty-four-hour-a-day basis under paragraph three of subdivision B of this section) shall reside in or within a distance of one block or two hundred feet from the dwelling, whichever is greater, unless the owner resides in the multiple dwelling.

### **(E) Limitation on Number of Dwelling Units Served**

Where two or three multiple dwellings are connected or adjoining, it shall be sufficient, however, that the person who performs janitorial services resides in one of these, but no person who performs janitorial services for more than one multiple dwelling may service more than sixty-five dwelling units. Regardless of residence the janitor must have a telephone where the janitor may reasonably be expected to be reached.

### **(F) Penalties for Enforcement purposes (to be discussed)**

**O-R-D-I-N-A-N-C-E**  
**(O-15-6)**

**ORDINANCE AMENDING §19-3.23 OF CHAPTER 19 OF THE CODE OF  
ORDINANCES OF THE CITY OF POUGHKEEPSKIE ENTITLED  
“ZONING AND LAND USE REGULATIONS”**

INTRODUCED BY COUNCILMEMBER \_\_\_\_\_ :

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

**Section 1:** §19-3.23 of the City of Poughkeepsie Code is hereby amended by the following additions:

Section 19-3.23 Central Commercial District (C2)

(4) Lot and bulk requirements. Lot and bulk requirements shall be as follows:

(a) Minimum required lot area: none.

(b) Maximum lot coverage of principal and accessory buildings: 100%, except, where applicable, the following minimum yards and setbacks shall apply:

1. Front yard. Where the block frontage is located partly in the C-2 District and partly in an R-1 through R-6 or O-R District, the front yard requirement of the R or O-R District shall apply in the C-2 District.
2. Side yard. Where the side of a lot in the C-2 District abuts upon the side of a lot in an R or O-R District, there shall be a side yard of not less than the side yard required in the abutting R or O-R District. In all other cases a side yard for a commercial building shall not be required but, if provided, shall not be less than six feet in width.
3. Rear yard. Where the C-2 District abuts upon an R or O-R District, there shall be a rear yard of not less than 15% of the depth of the lot, but such a rear yard need not exceed 20 feet. In all other cases a rear yard is not required, except that if one is provided it shall not be less than eight feet in depth. In the case of a corner lot abutting a nonresidential district on both streets, both interior property lines shall be considered to be side lot lines. (Note: This avoids the need for a rear yard on a corner lot in a C-2 District which would disrupt the continuity of frontage.)

(c) Maximum floor area ratio (FAR).

1. For building on lots containing 5,000 square feet or less, a maximum FAR of 4.0 is allowed.

2. For each 1,000 square feet of lot area in excess of 5,000 square feet, an additional FAR of 1.0 may be added to the basic FAR of 4.0, to a maximum FAR of nine and 9.0.
3. Upon approval by the Planning Board, a bonus FAR of 1.0 may be added if the proposed use or occupancy of 75% or more of the leasable floor area of the ground floor of a building is for retail, restaurant or banking activity.
4. In no instance shall the maximum FAR allowed exceed 10.0.

(d) Height limitation. The maximum height of a building shall be 100 feet, measured from the street, road or driveway providing access for fire-fighting equipment, to the roof line. Except as provided below, no building shall exceed 10 stories in height.

1. Waiver of height limitation. In the site plan review process, the Planning Board may approve an application for construction of a building in excess of the one-hundred-foot height limitation, but not in excess of 120 feet, or in excess of 10 stories but not exceeding 12 stories, conditioned upon the review and approval by the Fire Chief of detailed construction drawings which incorporate all fire safety elements as mandated by the State Building Construction Code, Pamphlet No. 14 of the National Fire Codes entitled "Standpipe and Hose Systems," and any other requirements as specified by the Fire Chief or Fire Inspector which shall ensure the maximum protection of life and property against fire hazards.

**(e) Upper Story Setbacks on Principal Buildings: In order to ensure that building height extensions or the construction of new principal buildings on infill lots do not create new nonconformities to pre-existing adjacent structures with regard to wall openings and other requirements of the Uniform Fire Prevention and Building Code; or create functionally obsolete wall openings for the purposes of light and ventilation; or obstruct access of emergency service vehicles to upper floors of existing adjacent structures, the following setback requirements shall apply:**

- 1. Where a height extension is proposed on an existing principal building, said extension shall be setback a minimum of 5 feet from any pre-existing, legal exterior wall openings, such as windows, of an adjacent principal building located on an abutting lot.**
- 2. The construction of a new principal building on a lot that abuts a lot with a pre-existing principal building with a side yard setback of zero is permitted to be constructed with a side yard setback of zero on the first floor. However, for all additional floors above the first floor, a setback of at least 5 feet shall be required from any existing exterior wall openings, such as windows, of the adjacent pre-existing principal building. The setback shall be measured from the lot line.**

**Section 2: This Ordinance shall take effect immediately.**

SECONDED BY COUNCILMEMBER \_\_\_\_\_

Additions denoted by **Bold** and Underlining

**Dutchess County Department of Planning and Development**

FAX INFO ONLY	To: <u>Deanne Flynn</u>	Date: <u>6/15</u>	# Pgs: <u>1</u>
	Co./Dept: <u>City Chamberlain</u>	From: <u>J. CLARKE</u>	
	Fax #: <u>845-451-4239</u>	Phone #: <u>406-3600</u>	

**Zoning Referral**

Please Fill Out This Entire Portion of the Form

Municipality: City of Poughkeepsie

Referring Agency: Common Council

Tax Parcel Number(s):

Project Name: Zoning Amendment C-2 District

Applicant: City of Poughkeepsie Common Council

Address of Property:

**Type of Action:**

- Local Law / Text Amendment
- Rezoning
- Site Plan
- Special Permit
- Use Variance
- Area Variance
- Other: \_\_\_\_\_

**Jurisdictional Determinant:**

- State Road NY 115, 96 US 9
- County Road CR 114
- State Property
- County Property
- Municipal Boundary
- Agricultural District

Date Response Requested (if less than 30 days): June 15, 2015

If subject of a previous referral, please note County referral number(s): 11-435, 08-597

FOR COUNTY OFFICE USE ONLY

**Response from Dutchess County Department of Planning and Development**

**No Comments:**

- Matter of Local Concern
- No Jurisdiction
- No Authority
- Withdrawn

**Comments Attached:**

- Local Concern with Comments
- Conditional
- Denial
- Incomplete -- municipality must resubmit to County
- Incomplete with Comments -- municipality must resubmit to County

Date of Submittal: 6/04/2015

Date Submittal Received: 6/04/2015

Date Report Requested: 6/15/2015

Date Report Required: 7/03/2015

Date of Transmittal  
faxed: 6/15/15 mailed:

Notes:

- Major Project
- Archive
- Discard after 2 yrs
- Discard after 7 yrs

Referral #: 15-211

Reviewer: JOHN CLARKE

Print Form

Reset Form

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: 8 3 2015

NAME AND ADDRESS OF EACH CLAIMANT:

DANIEL J DORN  
18 WOODYS WAY APT 201  
POUGHKEEPSIE NY 12601

TELEPHONE NUMBER: 845 444 4752

NAME AND ADDRESS OF ATTORNEY (IF ANY):

None

RECEIVED BY THE CITY CHAMBERLAIN  
AUG 10 2015

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE): 6 20 14  
UNLAWFUL IMPRISONMENT FALSE ARREST  
CLAIMING 9,000.00 DOLLARS

ITEMS DAMAGED OR INJURIES SUSTAINED:

PAIN, SUFFERING, EMOTIONAL DISTRESS

Daniel J Dorn

Signature of Claimant

Signature of Claimant

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

Daniel J. Dorn

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.

Daniel J Dorn

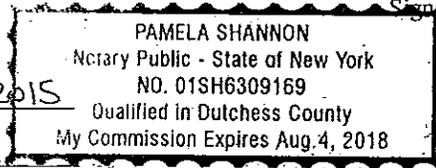
Signature of Claimant

Signature of Claimant

Sworn to before me this 3 day of August, 2015

Proton

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.



**State  
Police**

**ANDREW M. CUOMO**  
Governor

**JOSEPH A. D'AMICO**  
Superintendent

July 22, 2015

Mr. Daniel Dorn  
12 Woodys Way, Apt. 201  
Poughkeepsie, NY 12601

Dear Mr. Dorn:

Your correspondence dated July 12, 2014, to the office of Governor Andrew M. Cuomo, regarding your impending complaint against the city of Poughkeepsie and the Poughkeepsie Police Department, has been forwarded to this office for a reply.

After reviewing your correspondence, we have determined that you should continue to consult with the city of Poughkeepsie regarding this matter. Since your concerns fall within the purview of the city of Poughkeepsie, I have forwarded your correspondence to Mayor John C. Tkazyik for his review and any action deemed appropriate.

Thank you for this opportunity to respond.

*ORDERED BY THE GOVERNOR  
& STATE POLICE*

Sincerely,

A handwritten signature in cursive script that reads "George P. Beach II".

George P. Beach II  
Assistant Deputy Superintendent  
Uniform Force

cc: Mayor Tkazyik

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: 8 22 14

NAME AND ADDRESS OF EACH CLAIMANT:

DANIEL J DORN  
12 WOODY'S WAY APT 201  
POUGHKEEPSIE NY 12601

TELEPHONE NUMBER: 845 444 4752

NAME AND ADDRESS OF ATTORNEY (IF ANY):

none

CITY OF POUGHKEEPSIE  
CITY CHAMBERLAIN  
2014 AUG 22 PM 1:51

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

6-20-14 I WAS ARRESTED AND NOT SERVED WITH A WARRANT OR ARRAIGNED IN COURT. FALSE ARREST

ITEMS DAMAGED OR INJURIES SUSTAINED:

500 TAXI SERVICE SEVERE PAIN, RAPID HEART BEAT, BLURED VISION DISSYNESS

Daniel Dorn  
Signature of Claimant

[Signature]  
Signature of Claimant

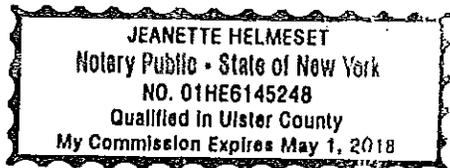
STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

Daniel Dorn 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.

Daniel Dorn  
Signature of Claimant

[Signature]  
Signature of Claimant

Sworn to before me this 22 day of August, 2014  
[Signature]  
Notary Public



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. After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065. Monday to Friday, 9:00 - 4:00

# Initial Interrogation Report

Pacemaker Model: Medtronic Versa VEDR01 Serial Number: PWH201162

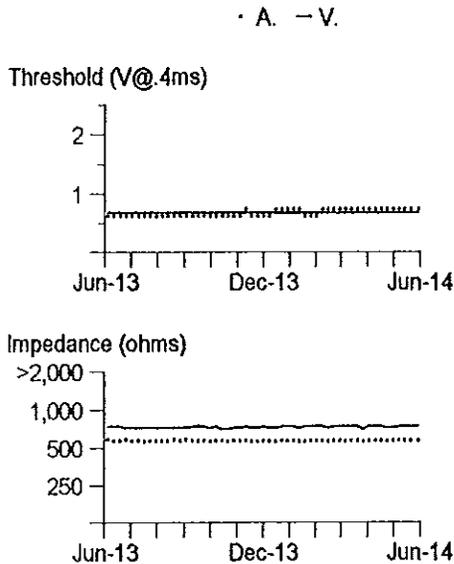
Date of Visit: 06/24/14

Patient Name: DANIEL DORN

ID: 096-42-0229

Physician:

## Pacemaker Status (Implanted: 09/27/06)



### Battery Status

Estimated remaining longevity: 23 months, 9 - 36 months  
Based on Past History  
Voltage/Impedance 2.72 V / 2,273 ohms

### Lead Summary

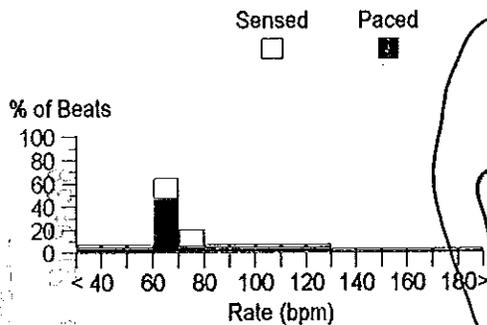
	Atrial	Ventricular
Measured Threshold	0.625 V at 0.40 ms	0.625 V at 0.40 ms
Date Measured	06/24/14	06/24/14
Programmed Output	1.500 V / 0.40 ms	2.000 V / 0.40 ms
Capture	Adaptive	Adaptive
Measured P / R Wave	>2.8 mV	>=80% Paced
Programmed Sensitivity	0.50 mV	2.80 mV
Measured Impedance	586 ohms	838 ohms
Lead Status	OK	OK
Lead Model	4592	4092
Implanted	04-20-99	04-20-99

### Parameter Summary

Mode	DDDR	Lower Rate	60 ppm	Search AV+	Off
Mode Switch	On	Upper Tracking Rate	110 ppm	Paced AV	150 ms
Detection Rate	175 bpm	Upper Sensor Rate	110 ppm	Sensed AV	120 ms

### Clinical Status: 12/17/13 to 06/24/14

#### Atrial Long Term Histogram



#### Atrial High Rate Episodes: 8 (Percent of Time: < 0.1%)

Episode Trigger: Mode Switch

Date/Time	Duration hh:mm:ss		Rate (bpm)	
			Max A	Max V
01/26/14 11:41 AM	:07	First	175	85
06/20/14 8:24 AM	:05:47	Longest...	191	82
06/22/14 6:19 PM	:06	Last	175	84

#### Ventricular High Rate Episodes: 0

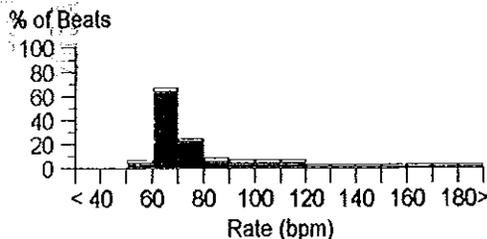
#### Pacing (% of total):

AS - VS	< 0.1%
AS - VP	41.1%
AP - VS	< 0.1%
AP - VP	58.9%

#### Event Counters

PVC singles	2,245
PVC runs	28
PAC runs	0

#### Ventricular Long Term Histogram



*8-3-2015 see this  
8-3-2015 THIS IS THE EQUIVALENT  
OF A HEART ATTACK  
Daniel Dorn*

6-25-14

TO THE CITY OF PoughKEEPSIE  
CORPORATE COUNCIL

ON 6-20-14 I WAS ARRESTED  
BY THE CITY OF PoughKEEPSIE POLICE.  
I TOLD THEM NOT TO HANDCUFF  
ME BEHIND MY BACK. BECAUSE IT  
WOULD HARM MY PACE MAKER.  
THEY DID HANDCUFF ME BEHIND MY  
BACK.

ON 6-24-14 I HAD MY PACE  
MAKER CHECKED AT VASSAR  
HOSPITAL. IT WAS FOUND THAT IT  
DID SHUT DOWN FOR 5 MINUTES  
ON 6-20-14. THE ACTIONS OF YOUR  
POLICE COULD HAVE CAUSED MY  
DEATH.

CC  
FILE

Daniel J. Dorn



THE CITY OF POUGHKEEPSIE  
NEW YORK

COMMON COUNCIL MEETING  
MINUTES

---

Tuesday, February 17, 2015 6:30 p.m.

City Hall

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I. PLEDGE OF ALLEGIANCE:

ROLL CALL - All Present

II. REVIEW OF MINUTES:

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

REMOVE

VII. MOTIONS AND RESOLUTIONS:

2. FROM CITY ADMINISTRATOR BUNYI, Resolution R15-15, Resolution, amending the budget to provide for two full time bus drivers.
4. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-18, regarding the redevelopment of vacant properties located at 21 Hooker Avenue, 36 Gifford Avenue and 263 Church Street.
5. FROM ASSISTANT CORPORATION COUNSEL AQEEL, Resolution R15-19, approving amendments to the police departments tow rotational list.

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

Ken Stickle 118 Catharine Street: wants to know what happened with the street clearing that was discussed at the last meeting, there are still a number of sidewalks that have not been cleared – parking meters are now more difficult to get to, unreasonable and unrealistic – clean Main Street – disappointed in the city for not handling snow removal well

**Adam Ichen 28 Terrace Lane:** campaign finance reform: public matching system – come together and pass this because Poughkeepsie needs this

**Constantine Kazolias 47 Noxon Street:** mentions the 400 ‘zombie’ houses mentioned in the Poughkeepsie Journal – towing complaints: should be kept on this side of the river – parking meter: Children’s Museum, the City should put them down by the river front – against the sale of Wheaton Park, very against it, thinks the council should stand up and keep it as a park, *keep river front property for the kids, keep the parks as parks*

**V. MAYOR’S COMMENTS:**

**Not Present**

**VI. CHAIRMAN’S COMMENTS AND PRESENTATIONS:**



Common Council  
City of Poughkeepsie  
62 Civic Center  
Poughkeepsie, NY 12601

**Democratic Majority Response**  
**Tuesday, February 17, 2015**  
**Common Council Meeting**

Good Evening Mayor, City administration, colleagues, and residents of and visitors to our fine City.

As Chairman of this body, it is my honor to present to you the Majority's response to the Mayor's State of the City address of January 20—it includes our review of the challenges and accomplishments underscoring 2014 and our hopes, plans, and vision for 2015.

Tonight we come together to honor the City of Poughkeepsie, a City brimming with possibility—one rich in history and diversity, and ripe with potential. As we open the page on a new year.....*a new and exciting year*.....we stop and take stock of all that we've accomplished over the last several months. And while there are some in the community that may see this year as a "lame duck" year for city government, rest assure that this energized body will continue to work hard every single day as we have since Day 1 to serve you the residents and will push forward an aggressive agenda of bold ideas and plans.

In January of 2014, the City of Poughkeepsie swore in a new Council, five of whom were newly elected to their positions and four of whom, for all practical purposes, were new to municipal government. Although some in our community had indicated some skepticism over such a collection of "freshmen" faces, it soon became clear that this Council was capable of affecting positive changes in our community.

Indeed, our accomplishments stand to position Poughkeepsie for the next phase of its history alongside other Hudson River cities currently enjoying an unprecedented renaissance.

Now, let's start with our commitment to seeing a cleaner, safer and more vibrant downtown Poughkeepsie. In April of last year, the Council approved the City Center Revitalization Plan, paving the way for the City to pursue additional funding for further

assessment and implementation of a five-point strategy to address the City's strategic development challenges while activating its assets. The Main Street Economic Development Strategy, as it's now branded, seeks to connect the Waterfront, Main Street, and Vassar to the East with frequent transit service along the Main Street corridor; to convert the East-West Arterials that currently divides our City and routes potential visitors away from our business core, into attractive and safe boulevards that will add to the beauty of our city, not detract from it as the arterials have for decades now; to transform Market Street into a "complete two way street," to restore Main Street as the Region's Primary Commercial Corridor; and to convert Vacant Lots into Transit-Oriented Housing. And with the help of the City's former Social Development Director, Paul Hesse, its contract planner, Kevin Dwarka (author of the City Center Revitalization plan), and the support of the Mayor's office and administration, the City has recently secured funding needed to use toward the implementation of this effort.

Also in support of the Main Street Economic Development Strategy, the Council's ad hoc Bus Service Committee has been meeting to initiate plans to expand Main Street transit and to assess the challenges inherent in providing a City-run bus service, as well as the opportunities to make the system more efficient using existing resources. I would like to take this time to acknowledge and thank Councilman Bob Mallory for his continued leadership, and Councilwoman ShaRon McClinton, Councilwoman Ann Perry and Majority Leader Tracy Hermann, who have served and continue to serve on that committee. We look forward to introducing some exciting measures in 2015 - ones that will enhance our current system and make it easier for riders to navigate. I should also note that we would not be undertaking this long term plan of action, without the firm belief that our bus system is a city owned and operated transit system and that it should remain that way.

Further leveraging Poughkeepsie's position for revitalization and economic development, the Council, in November of last year, voted to enact form-based zoning along the Poughkeepsie waterfront in support of Waterfront Transit-Oriented District (the WTOD). While this move was controversial within some community circles, this form-based zoning code is widely considered to be among the best-practices of progressive urban development, in that it ensures that new development fits into the character of the community and neighborhood. The zoning is just one component of the Waterfront Redevelopment Strategy, which we look forward to further vetting this year, and you, THE PUBLIC, can look forward to more opportunities to weigh in on that discussion in the coming months. Both the Main Street Economic Development and Waterfront Redevelopment Strategies speak to the absolute need for the City to have a dedicated planning and development professional, one who can leverage the funding opportunities

## Official Minutes of the Common Council Meeting of February 17, 2015

that are available and who can work with the County, State, community, and other local stakeholders in optimizing these opportunities. You will recall that the City has not had a dedicated planning department or an economic development director for many years now. We urge the Mayor to rethink the abolishment of these positions, positions that are critical and the foundation to any successful forward thinking city.

We would also like to highlight a few key pieces of legislation enacted last year that speak to the existing quality of life here in the City of Poughkeepsie. In October, the Common Council unanimously passed legislation that will require banks to post a \$10,000 bond on each foreclosed or vacant property - we did so becoming the 1st in the State to enact such a law. If the property is not taken care of, the city can draw upon the bond for maintenance and upkeep of the property. The end result: less blight, more accountability, and a greater attempt by the banks to work with property owners to avoid foreclosure. We would like to thank Nobody Leaves Mid-Hudson, Community Voices Heard and other community partners for their work on advancing this vital issue. We also commend the Poughkeepsie Journal for their front page story today that highlighted the state's push for a Zombie Law and our own Foreclosure Bond Law. Sadly our own law has yet to be implemented. We would like to call upon the mayor and the City administration to fill the administrative position called for in the legislation and supported by the Council budget. The success of our program rests firmly on a dedicated administrator and the failure to implement one on the basis of political pandering is serving to rob the City of needed revenue and to keep it in a state of everlasting blight. While this law was passed months ago, its roll out still awaits. We urge you, Mr. Mayor, to follow the law and to do what is right by this City - support and implement this law today, before another home becomes a vacant in our city. The abundance of vacant and foreclosed homes in this city is an epidemic and needs immediate action. We cannot afford to wait another day.

Additionally, in October, the Council adopted an ordinance that reduces from six to three the number of violations in a 12-month period that would allow the city to deem someone a "chronic and persistent" offender of the sanitation ordinance. The offender will be subject to a \$2,500 fine and the costs of immediate abatement of the violation and administrative fees. This ordinance sends a message to landlords who have been negligent that the City is serious about turning its image around and improving the quality of life for all those who live in, work in, and visit Poughkeepsie.

This body also recognizes the importance of preserving and protecting our history and local historic sites. Poughkeepsie is home to many important landmark structures - some in better shape than others, but regardless of their look, these treasures must be protected from possible demolition when economically feasible. I wish to thank Vice Chairman Joe Rich for his leadership in seeing that 204 Church Street, a historic property located in his

ward, was saved from the wrecking ball through a joint effort of this City Council, the corporation counsel and Ethan Allen Staffing which previously owned the building. Much thanks must also be given to city resident and historical researcher Holly Wahlberg for all of her efforts as well. This majority body saw the historical and neighborhood value of saving this building and I thank all who supported the deal. I can assure you that this body will continue to fight to preserve our great history. No dollar value or purchase price can replace the loss of a historic site tied deeply into the fabric of our city. The preservation and protection of our city's historic neighborhoods and buildings will remain a top priority of this body, while this majority sits in these chairs.

Also, we wish to recognize the importance of the arts community here in the City of Poughkeepsie. While many other communities in the region have embraced the arts, our city seems to have missed the boat on TRULY embracing this important and vital population of any community. Over the last year we have reached out to local artist and organizations to build relationships with them and acknowledge that their work in the city. This has been done by attending meetings, coordinating efforts with organizations such as Arts Mid-Hudson to bring art into these chambers and showcase our local artist both from our school district and at large. Arts can do so much for a community - just look at how this room has been brought to life by the simple placing of colorful works of art along the walls - imagine if we did throughout our city, placing colorful and meaningful works of art where dark spots and blight stand right now - how different a city we could be. Yes, this body is committed to continuing supporting the arts community and advancing an agenda forward that includes the arts community on every level.

Of course, improving the quality of life here in Poughkeepsie remains a daily fight. In further support of quality of life and the basic tenant of public safety, the Council continues to support efforts to expand our police and fire services, through initiatives aimed at enhancing community policing---a practice that has gained national attention as a vital and necessary resource in better connecting a community's police force to its people and..... through the budgeting of additional fire and safety personnel. The mayor, in his State of the City address, spoke of the great work OF OUR police and fire departments, and we too would like to acknowledge their remarkable efforts, which has translated to verifiable data that speaks to less crime and to a greater quality of life here in the City. Nevertheless, we once again urge the mayor to back his support of the efforts of these fine men and women by filling the positions called for in the Council's final adopted budget, including the additional firefighter, the fire inspector, the heavy equipment operator and sign maker. The Council's amended budget not only came in under the state-mandated tax cap, it also provided for the funding of these vitally necessary positions, as well as expanding funding for youth services. In the coming months, youth programs from across the City will have an opportunity to vie for this funding and to expand their programs to a community in dire need of such resources- this all due to a budget prepared and approved by this Council that increased youth funding by 80% for 2015. Yes, 80%. This is a Council that not only talks, but more importantly listens, to our residents and we are pleased to be able to offer this increase in youth funding in this year's budget.

## Official Minutes of the Common Council Meeting of February 17, 2015

Our budget also included the funds needed to move the union negotiations toward resolution, which we look to do in 2015. This body recognizes the tremendous work that our union-supported and protected men and women do every day, clearing our streets, cleaning our parks, and providing vital, needed sanitation services that provides garbage pickup twice weekly. **What a great benefit they provide to the City and we are committed to keeping that service in-house.** From the boys in Orange, to the men and women of Blue, to our firefighters, to City Hall staff and everyone else in between - we say thank you for your service to this community. Your hard work does not go un-noticed and your employment here in the city of Poughkeepsie is deeply valued.

Finally, I thank Councilman Randall Johnson and Hermann for your service as liaisons to the Board of Education - your commitment to seeing a better school system is commendable. Every one of us in this room and those watching and listening, knows that improving our school system, from the buildings themselves to the teaching methods we use, is pivotal to the turnaround of this city. The school district, under the leadership of Superintendent Dr. Nicole Williams and Board President Ralph Coates is making progress and we stand as a City Council behind them in any and all efforts to improve our school district. It is with that belief that we offer our hand and full support in working with the school district on any and all levels to foster new partnerships and programs that will inspire our youth and give confidence to parents that the improvement of our school district continues to be a top priority of this city - as a whole.

In closing, this body recognizes that while we are confident in our first years successes, our city faces many challenges from many different fronts - from a heroine crisis, to a high level of drug abuse and trade, to neglected parks, to dirty streets, to still unacceptable levels of crime, to the need to attract new businesses and jobs to our city and much much more. But we also recognize the fact that not everything and every issue will be solved in a year, or two or even 5 or 10 years from now. The turnaround of this city will take much time and indeed much patience, and from my own personal experience as a lifelong resident of this city I know that patience in some corners of this city is running thin. How many times can we tell our residents about a "rebirth", about a "renaissance", and yet we continue to TALK ABOUT the same issues decade after decade with no real resolve. But please know that this body is serious as ever about moving our city forward one step at a time, it may not be as quick as some may wish or desire, but we have set an agenda not just for today but for our future. Too often politicians often only look at only the immediate future, what will get them the headlines, what will get them the votes. I can assure you this majority see's the big picture and is dedicated to seeing it through.

And the big picture for Poughkeepsie looks bright. We have many exciting and impactful projects in the works - from a new supermarket soon to be built in our downtown, to the planned Dutton property development, to upgrades to all of our parks and new parks being built such as the 9-11 Memorial park in front of city hall, to the planned renovation of the Pealton Mansion with new housing added on the grounds, to adding former derelict properties that have now been renovated and added to our tax rolls such as 31 S. Clinton Street, to the wonderful couple on Lafayette Place that have taken historic homes on that

street and transformed them into glimmering spots of hope and inspiration – this city is positioned to mark some great gains in the very near future. We just have to stay course and always put the people of this city over the politics of this city. If we continue to do that, then there is no stopping the progress that this city can make.

I speak for my colleagues in saying that it is among the highest of honors to serve our fine city and the constituents who call it home. We are extremely proud of the work that we have done this past year and are looking forward to—in collaboration with the mayor, the city administration and its staff—working towards an even brighter future in 2015. But this can only be done by working together.

Whether Democrat, Republican, Conservative or Independent, this Council stands ready to work with anyone and everyone to better this community - for that is what we were elected to do - to serve the people of this fine city. And serve we shall, until each and every neighborhood of this city, from Lent Street, to Meyer Avenue, from South Avenue to Reservoir Square, from the north side to the south side, see's the growth and improvement they so desperately deserve and need. Rest assure, this Council will settle for nothing less.

Thank you,

Christopher D. Petsas

**VII. MOTIONS AND RESOLUTIONS:**

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

**RESOLUTION  
R15-16  
EXTRACT OF MINUTES  
[Pump Station Renovation & CSO]**

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 February 17, 2015 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 Christopher D. Petsas  
Councilmember Joseph Rich  
Councilmember Robert L. Mallory, Jr.  
Councilmember Lee David Klein  
Councilmember Ann E. Perry  
Councilmember ShaRon McClinton  
Councilmember Randall A. Johnson II

Councilmember Tracy Hermann

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by Councilmember Rich, seconded by Councilmember Hermann, to wit;

BOND RESOLUTION DATED February 17, 2015

A RESOLUTION AUTHORIZING THE RENOVATION OF SEWAGE PUMP STATIONS AND IMPROVEMENTS TO ADDRESS COMBINED SEWER OVERFLOW, AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,756,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

SECTION 1. The modification of Meyer Avenue Pump Station and Pine Street Pump Station including station pumping equipment, station piping and valves, control upgrades and related facilities, 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, is hereby authorized at an estimated maximum cost of \$7,756,000, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

SECTION 2. It is hereby determined that the purposes constitute a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. The City plans to finance the total cost of said purposes by the issuance of serial bonds of the City in an amount not to exceed \$7,756,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds shall be applied to reimburse the City for expenditures made after the effective date of this resolution for the purposes for which said

Official Minutes of the Common Council Meeting of February 17, 2015

bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 6. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 7. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Commissioner of Finance, the Chief Fiscal Officer of the City. The Commissioner of Finance is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Chamberlain is hereby authorized to affix the corporate seal of the City to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 8. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Commissioner of Finance is further authorized, in her discretion, to execute a project financing and loan agreement and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Environmental Conservation and/or the New York State Department of Health, and amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the specific objects or purposes set forth herein, or a portion thereof, by one or more notes or bond issues of the City and the sale of such issues to the New York State Environmental Facilities Corporation or its designee pursuant to the New York State Revolving Fund Program.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

Official Minutes of the Common Council Meeting of February 17, 2015

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with; and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Chamberlain is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Poughkeepsie Journal, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 12. This resolution shall take effect immediately.

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

Councilmember Christopher D. Petsas	VOTING _____
Councilmember Joseph Rich	VOTING _____
Councilmember Robert L. Mallory, Jr.	VOTING _____
Councilmember Lee David Klein	VOTING _____
Councilmember Ann E. Perry	VOTING _____
Councilmember ShaRon McClinton	VOTING _____
Councilmember Randall A. Johnson II	VOTING _____
Councilmember Tracy Hermann	VOTING _____

The foregoing resolution was thereupon declared duly adopted.

Approved: February 17, 2015

\_\_\_\_\_  
*John C. Tkazyik*  
Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) 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 17th day of February, 2015 and entitled:

BOND RESOLUTION DATED February\_17, 2015

A RESOLUTION AUTHORIZING THE RENOVATION OF SEWAGE PUMP STATIONS AND IMPROVEMENTS TO ADDRESS COMBINED SEWER

**VIII. ORDINANCES AND LOCAL LAWS:**

**IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

- 1. FROM ENTERPRISE FLEET PROGRAM**, a presentation regarding the replacement/maintenance of lightweight and midsize vehicles of the city.

OVERFLOW, AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$7,756,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

(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 (two-thirds 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 \_\_\_\_\_, 2015.

-SEAL-

\_\_\_\_\_  
Deanne Flynn  
City Chamberlain

*Executive Summary—Not a part of the Resolution*

This New Resolution for \$7,756,000 Pump Station and CSO includes:

<u>Purpose</u>	<u>Capital Budget Items</u>	<u>PPU (Max. Period for Financing)</u>	<u>Total Cost</u>	<u>Other Funds</u>	<u>Bonds Authorized</u>
Section 1: Renovation of Meyer Avenue Pump Station and Pine Street Pump Station, Storm Sewer Separation and Sewer Pipe Lining	Pump Station renovation consisting of station pumping equipment, station piping & valves, control upgrades, Storm Sewer Separation and Pipe Lining	30 years	\$7,756,000	\$0	\$7,756,000
Grand Total			\$7,756,000	\$0	\$7,756,000



## City of Poughkeepsie Fleet Proposal Synopsis

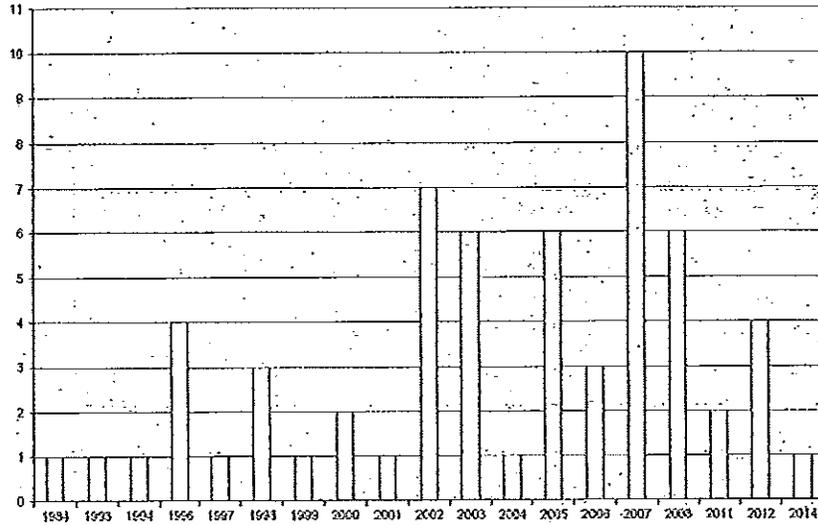
### SITUATION

- Current fleet age is negatively impacting the overall budget and fleet operations
  - 57% of the light and medium duty fleet is currently 10 years or older
  - 11 years is the current average vehicle life cycle of the fleet
  - Older vehicles have higher fuel costs, maintenance costs and tend to be unreliable
  - Current vehicle replacement policy is reactive and creates unpredictable capital needs

### OBJECTIVES

- Identify an effective vehicle life cycle that maximizes potential equity at time of resale
  - Shorten the current vehicle life cycle from 15 years to 5 years over a 10 year span with an annual conservative savings of over \$12,000 per year by:
    - Significantly reducing the overall fuel spend through more fuel efficient vehicles
    - Significantly reducing maintenance costs and downtime by adding newer vehicles
    - Allowing the city to leverage its buying power and capitalize on resale
    - Frees up capital from the salvage value of its current fleet
    - Provides a lower sustainable fleet cost that is predictable year over year
    - Newer vehicles can increase employee morale and productivity
    - Newer vehicles are safer
  - Leverage an open-ended lease to maximize cash flow opportunities and recognize equity
- Promote Sustainability by reducing carbon emissions emitted through increased fuel efficiency
  - 20%-40% or more potential improvement in the annual tons of carbon emissions emitted for a positive impact on the environment
- Outsourced local fleet management services made available to support the city
  - Access to all fleet management services as applicable to the needs of the city
  - Supports the city's need for fleet evaluation on a quarterly basis assessing costs and reviewing best practices
  - Provide monthly reporting, tracking, and downloads providing real-time information

City of Poughkeepsle - Model Yr Analysis



Fleet Profile

Fleet Replacement Schedule

Vehicle Type	Count	Avg. Cost (\$K)	Current Value (\$K)
Compact Pickup Reg 4x4	3	10.8	6,000
1/2 Ton Pickup Reg 4x4	6	9.9	6,000
3/4 Ton Pickup Reg 4x4	9	11.0	6,000
1 Ton Pickup Reg 4x2	4	6.6	6,000
1/2 Ton Van Cargo	1	31.0	6,000
1 Ton Van Cargo	1	7.7	6,000
Compact Sedan	7	16.2	6,000
Mid-size Sedan	3	10.0	6,000
Full-size Sedan	7	9.7	6,000
1 Ton Cab Chassis	10	9.7	6,000
Compact SUV 4x4	3	8.3	6,000
Mid Size SUV 4x4	6	8.6	6,000
Full Size SUV 4x4	2	11.8	6,000
Med Duty Cab Chassis	1	12.8	6,000

Year	2015	2016	2017	2018	2019
Compact Pickup Reg 4x4	3				
1/2 Ton Pickup Reg 4x4	1		1	3	
3/4 Ton Pickup Reg 4x4	2	1	2	3	1
1 Ton Pickup Reg 4x2			1		3
1/2 Ton Van Cargo	1				
1 Ton Van Cargo				1	
Compact Sedan	4		2	1	
Mid-size Sedan	1		1		1
Full-size Sedan		2	3		2
1 Ton Cab Chassis		5	1	1	3
Compact SUV 4x4			1	2	1
Mid Size SUV 4x4		1		2	1
Full Size SUV 4x4			2		2
Med Duty Cab Chassis		1			

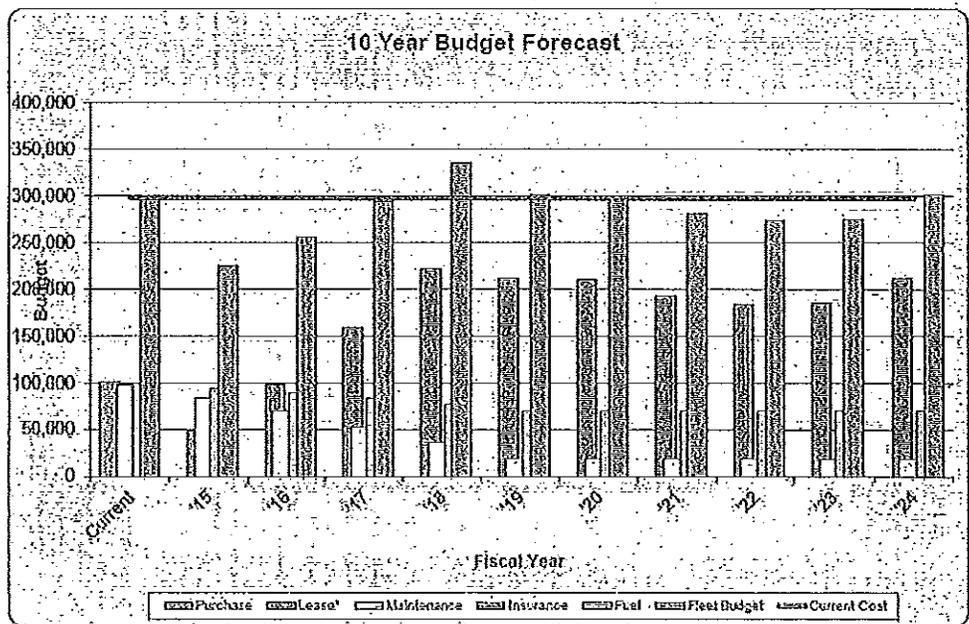
Replacement Criteria:  
 \* Fiscal Year 2015 = Model Year 2003 and older, or odometer over 75,000  
 \* Fiscal Year 2016 = Model Year 2003 and older, or odometer over 60,000  
 \* Fiscal Year 2017 = Model Year 2005 and older, or odometer over 45,000  
 \* Fiscal Year 2018 = Model Year 2008 and older, or odometer over 35,000  
 \* Fiscal Year 2019 = Remaining Vehicles

**City of Poughkeepsie - Fleet Planning Analysis**



Current Fleet	61	Fleet Growth	0.00%	Proposed Fleet	61	10 yr Savings	
Current Cycle	15.00	Annual Miles	6,000	Proposed Cycle	15.00	10 yr Savings	\$141,137
Current Maint.	\$735.00	Insurance	\$0.00	Proposed Maint.	\$25.50	Long Term Avg. Savings	
Fuel Info		MPG	70	Price/Gallon	\$3.25	10 yr Savings	\$12,371/yr
							4.1%

Fiscal Year	Fleet Mix				Fleet Cost					Fleet Budget	Annual Savings
	Fleet Size	Annual Needs	Owned	Leased	Purchase	Lease*	Maintenance	Insurance	Fuel		
Current	61	4.1	61	0	100,359	0	98,820	0	89,125	298,843	0
'16	61	12	49	12	0	48,303	62,970	0	93,564	224,827	73,516
'17	61	10	30	22	0	97,623	69,874	0	88,911	256,308	42,035
'18	61	13	26	35	0	158,880	62,781	0	82,876	294,635	3,707
'19	61	13	13	48	0	222,678	35,727	0	76,839	335,244	-36,802
'20	61	13	0	61	0	211,949	18,664	0	70,804	301,417	-3,074
'21	61	12	0	61	0	209,961	18,664	0	70,804	299,428	-1,086
'22	61	10	0	61	0	191,923	18,664	0	70,804	281,391	16,952
'23	61	13	0	61	0	183,839	18,664	0	70,804	273,106	25,236
'24	61	13	0	61	0	185,049	18,664	0	70,804	274,516	23,826
'24	61	13	0	61	0	211,849	18,664	0	70,804	301,417	-3,074



\* Lease Rates are conservative estimates

## Lake City adopts leasing options for vehicle fleet.

### Client's Situational Analysis

- Working fleet of approximately 105 vehicles
- Current life cycle of vehicle is 21 years
- General purpose fleet is not at an ideal utilization
- Image of fleet not up to City's expectations
- High maintenance expenses due to age of fleet and overhead
- Limited available capital resources

### Key Strategic Client Objectives

- Create a lower sustainable fleet cost
- Shorten vehicle life cycle from 21 years to 5 years
- Free up maintenance resources for critical service vehicles
- Create an improved image to the community
- Improve fleet utilization

### Plan Delivered To Achieve Desired Strategy

- Introduced a 10 year budget model that created an estimated \$1.1MM savings
- Support city's on going fleet evaluations on a quarterly basis assessing costs and reviewing best practices
- Introduced a 5 year vehicle replacement cycle to lower costs and increase dependability
- Newer vehicles will improve MPG by approx 20%

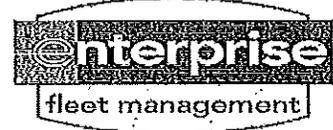


### Client Background

Location: Lake City, Florida  
Industry: Government  
Founded: 1859  
Fleet Size: 105 vehicles

### Key Results

- Reduced the City's cost within the maintenance facility with less staffing required and has allowed the maintenance staff to direct their focus to large equipment and first responder vehicles.
- The City has been able to reduce the size of the general purpose fleet by 20%.
- The quality and image of the fleet is much improved and with material total cost reductions.



efleets.com

## Client Testimonial



The City of Lake City, in years past, followed a strategy of purchasing general purpose vehicles and keeping them until they could not be repaired. This vehicle purchase strategy requires a large monetary investment for a depreciating asset with very high repair cost. Recognizing the cost of this strategy, the City determined the leasing of general purpose vehicles was a very good option.

During the first two years of the lease program with Enterprise Fleet Management, the City has leased forty vehicles with twenty nine scheduled to be replaced with leased vehicles over the next three years. This project has reduced the City's cost within our maintenance facility with less staffing required and has allowed our maintenance staff to direct their focus to large equipment and first responder vehicles. Additionally, the City has been able to reduce the size of the general purpose fleet by twenty percent. This fleet size reduction is directly related to the lack of need for additional vehicles to maintain operations while vehicles were out of service for repair and under-utilized vehicles. The quality of the fleet is much improved and with material total cost reductions.

Grayson Cason  
Assistant City Manager

### Additional Enterprise Fleet Management Benefits

A dedication to customer service unsurpassed in the vehicle management industry.

Local locations nationwide - hometown people, hometown service.

You will be able to leverage our scale - with more than 1M vehicles owned and managed by all the divisions of Enterprise.

You get the best value for your used vehicles - due to 800 Enterprise remarketing experts selling more than 650,000 vehicles per year.

Specialized in managing small to mid-sized fleets of vehicles.

Full suite of products and services - including a budgeted maintenance program and risk management.

Integrated transportation solutions provided via our short-term rental, truck and fleet management groups.

We help you save money and improve cash flow when you tap into our line of credit for your fleet vehicle needs.



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# Cortland Standard

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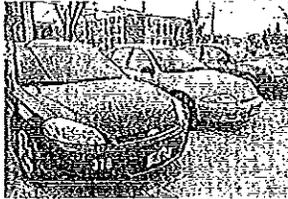


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January 8, 2014

## County considers leasing vehicles



Part of the fleet of county-owned cars is parked in a lot next to the County Office Building. The county is discussing the possibility of leasing its cars instead of purchasing them.

By CATHERINE WILDE  
Staff Reporter  
c.wilde@cortlandstandard.com

In an effort to save about \$94,000 annually in maintenance and replacement costs of county vehicles, Cortland County is considering leasing its fleet of vehicles over a five-year contract with Rochester-based Enterprise FM Trust.

The contract would cost \$96,136 yearly, but Highway Superintendent Don Chambers says this cost would pay for itself as the county saves about that much yearly in the expense of repairing and replacing its aging fleet of vehicles.

Chambers presented the plan to the Highway Committee Tuesday. The committee endorsed the idea, which will be considered Thursday by the Health and Human Services Committee and the Judiciary and Public Safety Committee.

Enterprise was the sole responder to the county's request for proposals. The plan is to gradually phase in leasing the entire fleet of county vehicles: 12 in the Sheriff's Department and 67 vehicles in other county departments.

In the first year, a total of 24 vehicles would be leased, 19 out of the 67 vehicle fleet and five out of the Sheriff's Department fleet of 12 unmarked cars. Chambers said the savings would be twofold, the county would not only save on repairs but

also benefit from more fuel-efficient vehicles.

In addition, the county would make more at auction by selling 24 vehicles rather than the annual average of about five vehicles sold yearly.

"As you go through the program, you're looking at anywhere between \$25,000 to \$40,000 in additional revenue coming in," Chambers said.

He says 41 percent of the county's fleet is over 10 years old and the county replaces about five vehicles on average each year.

Chambers said in the first year about \$75,000 would be saved by leasing the county fleet and about \$20,000 would be saved in the Sheriff's Department.

If the Legislature approves the idea at its meeting Jan. 23, Chambers said it would take a few months to get the vehicles.

The plan would only cover vehicles under 26,000 pounds.

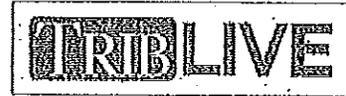
Legislator James Denkberger (R-Solon, Truston and Cuyler), who questioned Chambers about specifics of the proposal during the meeting, such as types of vehicles covered and warranty stipulations, said afterward he thinks it is a "well executed" plan and thinks it is a good idea.

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## Westmoreland may sell two-thirds of fleet, start leasing in cost-saving plan

By Rich Cholodofsky  
Wednesday, Dec. 17, 2014, 12:01 a.m.



Westmoreland County could soon sell off nearly two-thirds of its vehicle fleet.

To replace them, county commissioners said Tuesday, they will vote on a proposal later this week to lease cars, trucks and other vehicles that are used by roads and parks workers, detectives, park police, sheriff's deputies and other workers.

"We're spending an awful lot on vehicles and maintenance. This way we're constantly getting refreshed vehicles," said Commissioner Charles Anderson.

Public Works Director Greg McCloskey said 105 units of the 164-vehicle fleet will be eligible for the program, which will phase out vehicles owned by the county.

As many as 25 vehicles could be leased each year as part of the program. The county would then sell off the vehicles it owns.

Patrol cars and other official county vehicles could be leased, although heavy equipment and Dumpster trucks would not be part of the lease program.

"This is a home run for the commissioners. It's a great opportunity," McCloskey said.

The proposal calls for the commissioners to award a five-year contract to Enterprise Fleet Management to lease as many as 25 vehicles a year to the county. The county would pay nearly \$145,000 to lease the vehicles next year.

"We'll save money and reduce our maintenance costs," Commissioner Tyler Courtney said. "We'll have to assess this after a period of time to see what the actual dollars are."

McCloskey said the county's fleet includes some vehicles that have more than 300,000 miles and need major repairs.

The lease program will allow the county to continually pick up newer vehicles without having to pay major repair expenses.

The county typically pays between \$300,000 to \$400,000 a year to purchase about eight or nine vehicles, McCloskey said.

Commissioners will formally vote on the proposal Thursday.

"It's a way to freshen up the fleet and save some money in the process," Commissioner Ted Kopas said.

Rich Cholodofsky is a staff writer for Trib Total Media. He can be reached at 724-830-6293 or [rcholodofsky@tribweb.com](mailto:rcholodofsky@tribweb.com).

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2. FROM CORPORATION COUNSEL ACKERMANN, a  
Communication regarding proposed amendments to the parking ordinance  
to provide for permit districts on Main Street, Davis Place and Rinaldi  
Blvd.

3. **FROM MICHAEL L. REED**, a notice of intent to renew the Liquor License for Noah's Ark, located at 135 Mill Street. **Referred to Corporation Counsel**
4. **FROM EL PATRON NY FOODS, LLC**, a notice of intent for 411 Main Street to obtain a Liquor License. **Referred to Corporation Counsel**
5. **FROM JUAN JOHNSON**, a notice of property damage sustained on November 2, 2014. **Referred to Corporation Counsel**

**X. UNFINISHED BUSINESS:**

**Councilmember Hermann** – asked about the snow banks that are blocking the parking meters on Main Street

**Councilmember Mallory** – requested the **Deputy Commissioner of Finance** to compile a more clear comparison of the 2013 and 2014 general and sanitation funds – snow clearing schedule for the one-way streets so that residents can be alerted

**Councilmember Rich** – seconds the snow bank accumulation on Main Street

**XI. NEW BUSINESS:**

**Councilmember Hermann** – announcement of an 8<sup>th</sup> ward meeting

**XII. ADJOURNMENT:**

A motion was made by Chairman Petsas and Vice Chair Rich to adjourn the meeting at 9:10 p.m.

**Dated:** July 27, 2015

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, February 17, 2015 at 6:30 p.m.

**Respectfully submitted,**

**Deanne L. Flynn**  
City Chamberlain



**COMMON COUNCIL MEETING**

Common Council Chambers

Tuesday, February 17, 2015

6:30 p.m.

*Chairman's Response to the Mayor's 2015 State of the City Address*

- I. **ROLL CALL**
  
- III. **REVIEW OF MINUTES:**
  
- IV. **READING OF ITEMS** by the City Chamberlain of any resolutions not listed on the printed agenda.
  
- V. **PUBLIC PARTICIPATION:** Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.
  
- VI. **MAYOR'S COMMENTS:**
  
- VII. **CHAIRMAN'S COMMENTS AND PRESENTATIONS:**
  
- VIII. **MOTIONS AND RESOLUTIONS:**
  - 1. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R15-17, approving the settlement of a Tax Certiorari proceeding for 140 Main Street.
  - 2. **FROM CITY ADMINISTRATOR BUNYI**, Resolution R15-15, amending the budget to provide for two full time bus drivers.

3. **FROM CITY ADMINISTRATOR BUNYI**, Resolution R15-16, approving an application for and financing of the Clean Water Projects relative to the Meyer Avenue and Pine Street pump station.
4. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R15-18, regarding the redevelopment of vacant properties located at 21 Hooker Avenue, 36 Gifford Avenue, and 263 Church Street.
5. **FROM ASSISTANT CORPORATION COUNSEL AQEEL**, Resolution R15-19, approving amendments to the police departments tow rotational list regulations.

**IX. ORDINANCES AND LOCAL LAWS:**

**X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

6. **FROM ENTERPRISE FLEET PROGRAM**, a presentation regarding the replacement/maintenance of lightweight and midsize vehicles of the city.
7. **FROM CORPORATION COUNSEL ACKERMANN**, a Communication regarding proposed amendments to the parking ordinance to provide for permit districts on Main Street, Davis Place and Rinaldi Blvd.
8. **FROM MICHAEL L. REED**, a notice of intent to renew the Liquor License for Noah's Ark, located at 135 Mill Street.
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10. **FROM JUAN JOHNSON**, a notice of property damage sustained on November 2, 2014.

**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT:**



THE CITY OF POUGHKEEPSIE  
NEW YORK

COMMON COUNCIL MEETING  
MINUTES

Monday, March 2, 2015 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL - All Present

II. REVIEW OF MINUTES:

CCM Minutes of 10-6-14						
			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember McClinton	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 Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted					
<input type="checkbox"/>	Defeated					
<input type="checkbox"/>	Tabled					
	Councilmember Klein	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 Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

REMOVE

VII. MOTIONS AND RESOLUTIONS:

2. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-18, regarding the redevelopment of vacant properties located at 21 Hooker Avenue, 36 Gifford Avenue and 263 Church Street.

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. FROM BUILDING INSPECTOR BECK, a communication regarding the implementation of the vacant property bond ordinance.

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

**Charles Davenport 35H Alpine Drive**

**To Barack Obama, President of the United States of America**

Whereas, the Trans Pacific Partnership treaty would unfairly set American workers in wage competition with countries such as Vietnam, whose workers average 75 cents an hour, with no worker rights, no environmental or consumer protections and an economy where the government and its allied organizations control virtually everything.

Whereas, It is immoral to negotiate with the Sultanate of Brunei, whose governmental practices include strict Islamic law, homophobia, misogyny and other gross human rights violations, including mis-treatment of Christians and other religious minorities.

Whereas, The Trans Pacific Partnership (TPP) treaty would cause the loss of American jobs; Since the North American Free Trade Agreement (NAFTA) was enacted in 1994, the *U.S. Labor Department* has certified that more than 2.5 million American jobs have been destroyed by either offshore outsourcing or by cheap foreign imports. Moreover, the *Economic Policy Institute* estimates the number of jobs lost is actually closer to 3.5 million.

Whereas, Denying access of members of Congress access to negotiations, while permitting corporations such access, is un-democratic, un-American and unconstitutional.

Whereas, The investment chapter of the Trans Pacific Partnership (TPP) includes proposals that would grant foreign banks and other corporations the power to challenge any laws, regulations, and court decisions that they believe would violate privileges guaranteed to them by the treaty using foreign tribunals that would overrule American courts and laws.

Whereas, The TPP undermines the critical checks and balances and freedoms established by the U.S. Constitution, which reserves many rights to the people or state governments. The Trans Pacific Partnership would obligate the federal government to force U.S. states to conform state laws to 1000 pages of rules, regulations and constraints unrelated to trade - from land use, to whether foreign firms operating in a state can be required to meet the same laws as domestic firms.

Whereas, The U.S. federal government would be required to use all possible means - including law suits, and cutting off federal funds for states -to force states to comply with TPP rules. A foreign tribunal related to

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the World Trade Organization has already issued a ruling explicitly stating that such tactics **must** be employed against individual U.S. states or the U.S. would face indefinite trade sanctions until state laws were brought into compliance.

Whereas, Leaked documents show that the U.S. trade negotiators are pushing for the TPP to include so-called "investor-state" provisions that would grant transnational corporations the power to challenge virtually any new environmental or consumer safety law, regulation or court decision that negatively affects their expectation of profits as a "regulatory taking" by means of private tribunals that circumvent domestic judicial systems.

How Will the TPP Affect U.S. Sovereignty?

Whereas, the Trans Pacific Partnership would empower foreign investors to use foreign tribunals to enforce special privileges only available to them. There are more than 700 establishments from TPP nations now operating in our country that would newly be empowered to skirt our courts, bring the U.S. before UN and World Bank tribunals and raid our Treasury for payment to foreign corporations.

Whereas, The TPP would shift decisions over the payment of U.S. tax dollars away from Congress and outside of the Constitutionally-established federal court system (or even U.S. state court systems) to the authority of international tribunals. These UN and World Bank tribunals do not apply U.S. law, but rather international law contained in the agreement.

Whereas, international tribunals would judge whether foreign investors operating within the U.S. are being provided the proper property rights protections. The standard for property rights protection is not *the standard* established by the U.S. Constitution as interpreted by the U.S. Supreme Court, but rather an international property rights standard, as would be interpreted by an international tribunal.

Whereas, TPP would surrender control of 544 million acres of public land - a quarter of the entire U.S. land area - to international authorities. *The* TPP would subject to foreign tribunals' judgment all contracts between the U.S. federal government and investors from TPP nations -including subsidiaries of Chinese firms - that obtain mining, logging or other concessions, run a power plant or obtain a government construction contract

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on U.S. federal lands. They would be able to take their disputes with the U.S. government to the UN and World Bank tribunals, while U.S. companies with identical contracts would go before domestic courts. This *would* create an unacceptable double standard, and cede control of federal lands to international tribunals.

#### How Will the TPP Affect the Constitution?

Whereas, The TPP would establish a foreign judicial authority higher than even the U.S. Supreme Court that could overrule federal court rulings, in violation of the United States Constitution.

Whereas, In a legislative maneuver known as 'fast track' or Trade Promotion Authority, Congress will be asked to surrender power granted by Article 1 Section 8 of the U.S. Constitution, the sole power to regulate commerce with foreign nations, to the President so he can negotiate the TPP, sign it and enter into it before Congress even sees it. The President will then tell Congress how long it has to review it, and tell Congress to pass it in an up-or-down vote without any amendments or revisions.

#### How Will the TPP Affect the Internet?

Whereas, TPP rewrites the global rules of the Internet to impose restrictive covenants that Congress rejected when it rejected SOPA (Stop Online Piracy Act), PIPA (Protect Intellectual Property Act) and ACTA (Anti-Counterfeiting Trade Agreement).

Whereas, The draft chapter of the Trans-Pacific Partnership Agreement insists that Internet Service Providers (ISPs) enforce copyright protection rules. The TPP would require Internet Service Providers to undertake the financial and administrative burdens of becoming copyright police.

Whereas, Under TPP, Internet Service Providers would be forced to:

- Terminate their users' Internet access on repeat allegations of copyright infringement
- Filter all Internet communications for material Hollywood says is potentially copyright-infringing.
- Block access to websites that allegedly infringe or facilitate copyright infringement
- Disclose the identities of their customers to copyright-holders on an allegation of copyright infringement.

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This would have a devastating effect on Internet freedom and innovation.

Whereas, Rep. Darrell Issa (R-CA) says the secrecy surrounding the TPP could have "serious consequences for the Internet community," and "the American people and Internet users all around the world are rightfully wary of any closed-door negotiations that could adversely impact their ability to freely and openly access the Internet"

Secrecy of Treaty Negotiations

Whereas, The TPP is believed to include some 26 separate chapters that are likely to affect jobs, wages, agriculture, migration, the environment, access to medicine, consumer safety, banking regulations, Internet rights, government procurement and more. A pact this far-reaching should be negotiated in the most open and transparent manner possible — but so far, U.S. negotiators have refused to share their proposals with the American public or even members of Congress.

Whereas, Senator Ron Wyden (D-OR), who chairs the Senate Trade Subcommittee charged with overseeing U.S. trade policy, was forced to introduce legislation on Congressional trade oversight before being allowed only *limited* access to the TPP texts. His staff members are still denied access, and the Senator is denied from making copies of or taking notes about any of the TPP documents he reads.

Whereas, While the public has been denied access to the TPP text, the U.S. Trade Representative has given some 600 corporate lobbyists special "cleared advisor" status that enables them to review and comment upon specific negotiating drafts.

Whereas, U.S. negotiators have said they will not share text with the public until after negotiations are completed — at which point it is virtually impossible to make substantive changes.

**Therefore, be it resolved:**

That "Fast track" authority shall not be requested for the Trans Pacific Partnership trade agreement.

**Be it further resolved:**

That members of the Congress and the Press shall have full and open access to the negotiation of the Trans Pacific Partnership.

That negotiations concerning provisions of the Trans Pacific Partnership that would in any way compromise the sovereignty of the United States, its government, its laws, or its court system shall cease and desist immediately.

That negotiations concerning provisions of the Trans Pacific Partnership that would in any way compromise the sovereignty of any one or more of the individual States of the United States of America, including their governments, laws, and court systems shall cease and desist immediately.

That no treaty or trade agreement shall place American workers into competition for jobs against low paid workers or slave laborers.

That totalitarian, authoritarian, and non-democratic states shall not be included in any negotiations for the Trans Pacific Partnership, or in any final agreement reached.

**So affirmed,**

**Adam Ichen 28 Terrace Lane:** thanks the council for putting his resolution on the agenda – advocates for campaign finance reform.

**Darrett Roberts 148 Franklin Street:** thinks that anyone should be able to run for council despite not having the funds to do so – Wheaton Park should be kept for the people, it's a public park.

**Mark Marinoff Miller Road:**

Official Minutes of the Common Council Meeting of March 2, 2015

I've come here today to commend the Common Council on its unanimous support of the 'vacant and foreclosed properties bond'. When a Riverhaven residence and neighboring home were damaged in January of this year by a fire big enough to warrant calling in 3 fire depts from outside the city, it was b/c these buildings were adjacent to a vacant and nonsecured house and garage where the fire originated. While causing much personal trauma and tens of thousands of dollars in damages, this fire illustrates in painfully clear ways just how effective in preventing such accidents the bond can be and how necessary it is to have it enforced asap. As fire Chief Mark Johnson says, fires in vacant city homes "have been a continuing problem." Another continuing problem we have is the daily, or near daily, abandonment of buildings, any one of these buildings having the potential to be the next Riverhaven, or worse. The people of the city of Pok have given you the moral and legal power to mitigate these problems thru the bond and strongly encourage you to have the building inspector make it a priority to fill the position that is allotted in the budget for an administrator to track down the offending property owners and establish the necessary escrow account. As Pok is something of a pioneer in establishing such a bond, let it serve as a model of pragmatism and morality for municipalities across the nation. Let Pok be known for something great other than the walkway.

Mark Marinoff  
2 Miller Rd.

Official Minutes of the Common Council Meeting of March 2, 2015

•NLMH was central to the City of Poughkeepsie's enactment of a foreclosure and vacant property bond ordinance in November 2014. In order to deter foreclosure, reduce blight and improve the safety and welfare of the city, the City Council required owners of foreclosed, foreclosing, or vacant properties to pay cash bonds of \$10,000 as security to the city. NLMH worked with Community Voices Heard and the Lawyers' Committee for Civil Rights Under Law to draft, propose, and advocate for the ordinance. It is the first such municipal ordinance in the State of New York and the seventh in the country. The City Council is projecting a collection of \$1,250,000 in security and \$125,000 in revenue from the bond in 2015.

**Ivy Green 124 Raymond Avenue:** as someone who came from outside of the city she thinks Wheaton Park should remain a park and the Pelton Mansion should be preserved, it's a valuable resource to bring tourists and interest to Poughkeepsie – the vacant and abandoned property bond is not enforced and it should be.

**Suzanne Gillespie 9 Arnold Boulevard:** thanks Councilmember Hermann for arranging the 8<sup>th</sup> ward meetings – arts initiative is important, helps make areas more pleasant, wants the common council and mayor to look favorably on it.

**Ken Stickle 118 Catharine Street:** congratulates the DPW for cleaning up Catharine St – unopened drains which should be opened due to weather – thinks the city has handled snow removal and street clearing well this year – why didn't we buy a snow melter, it would have been easier and more cost effective.

**Peter Van Aiken 94 Wilbur Boulevard:** comments on Wheaton Park: understands that the city wants more residents but not supportive of selling public parkland which Wheaton Park is – campaign finance reform doesn't cost any money, so we should go with that instead.

**Harvey Fladd 115 Academy Street:** supports R-15-21 – snow removal, the real problem is Main St: it's horrible and impassable.

**Tanya Pinea 16 Davies Place:** endorses the campaign finance reform. Stated that Wheaton Park is an actual park, despite any misinformation given to you, both the Park and Pelton Mansion are important – talks need to be had about the jail within the chamber.

**Constantine Kazolias 47 Noxon Street:**

Official Minutes of the Common Council Meeting of March 2, 2015

'ITS DEJUEVUE, GROUND HOUND DAY AGAIN IN POUGHKEEPSIE' FIRST WAS WHEN THEN MAYOR LAFUENTEE /DC LEGISLATOR BLEAKLY, ALONG WITH SUPT SCHOOLS WATSON, CLAIMING LINCOLN PARK WAS NOT A PARK, SO, A NEW PUBLIC SCHOOL COULD BE CONSTRUCTED ON LINCOLN CENTER PARK. TRYING TO FAST SHUFFLE WITH FALSEHOOD THAT LINCOLN PARK WAS IN THE JEFFERSON STREET URBAN RENEWAL MAP AND WAS TO BE THE SITE FOR A FUTURE SCHOOL, FOR EXCHANGE THAT ELSWORTH SCHOOL WAS DEMOLISHED FOR STATE EASTMAN RESIDENCE MID RISE. ALL LIES!!!! FAST FORWARD DECADES LATER, THIS CITY COUNCIL CLAIMING WHEATON PARK IS NOT A PARK ANOTHER FALSE PREMISE, LIE, CONTRARY TO THE NYS PARKS DEPARTMENT THAT WHEATON PARK IS A PARK!!! THIS CC INSERTED IN THE 2015 CITY BUDGET, A LINE ITEM FOR ONE MILLION FOR SALE OF CITY OWNED PROPERTY, CONTRARY TO MAYOR TKYZICK'S BUDGET, WHO QUESTIONED IT, WHERE ? VIOLA, YOU GUESSED IT, WHERE ELSE BUT WHEATON PARK!!!

THE STATE MANDATES TAKING PARK LAND HAS TO BE REPLENISHED WITH NEW PARLAND. TAKING WHEATON PARK AND/ OR WARYAS PARK, PRIME OVERLOOKING RIVER PARKLAND EXCHANGE FOR AN ROUGH UNPAVED LOT ON PARKER AVE WHICH ABUTS A PAVED NYS PARK PARKING LOT WITH 180 METERED SPOTS IS NOT AN ENCHANGE. GOLD FOR A DUMP, EVEN A BLIND CAN SEE SOMETHING DOESN'T PASS THE SMELL TESTIFY, THE WALKWAY TOURISM IS 40% DOWN!!!! WHOSE WAGGING THE DOGS TAIL, AS THE LONG AGO RADIO SHOW, THE SHADOW, THE SHADOW'S VOICE WAS ORSEN WELLS WHOSE INTRO WAS, "WHO KNOWS WHAT EVIL LURKS IN THE HEART OF MEN, THE SHADOW KNOWS". LOOKING AT TODAY'S POUGHKEEPSIE'S SCORE CARD, ONE CANNOT TELL THE PLAYERS WITHOUT ONE, THEY ARE :DC EXECUTIVE MOLINARO, DISON FDN INFLUENCE, THE MTA, PUSHING FOR A TRANSPOTATION COMMUTER HUB, WHICH IS NOTHING NEW, CORBETTA PROPOSED IN 1960S AN AGAIN THE MTA IN 1990S, THROW IN THE DICTATORIAL DC IDA WHO OVERRIDES THE POK IDA, WITH PILOTS WHICH NOT COVER THE 70% OF THEIR ASSESSED VALUE OF CITY BUDGET FOR PUBLIC SAFETY. FOR THE RECORD: THERE ARE TWO RECENT DC IDA PILOTS THAT HAVE OVERIDEN THE POK IDA AND WHICH DO NOT COVER THEIR FAIR SHARE OF 70% PUBLIC SAFETY BUDGET. THEY ARE VASSAR HOSPITAL AND THE GRAND HOTEL. POUGHKEEPSIE DOESN'T NEED ANOTHER 99 YEAR GIVEAWY LEASE TO DEVELOPERS, ESPECIALLY ALONG THE RIVER!!! POUGHKEEPSIE IN THE PAST WAS FINANCIALLY RAPPED AND THE RAPE IS CONTNUING TODAY BY A COLLECTIVE CONTROL GROUP WHICH DOES NOT CONTRIBUTE TO ELIVIATING THE TAX BURDEN ON THE REST OF THE CITY PAYING TAXPAYERS, WITH THEIR SHELL GAME!!!

*Constantine Gus Kazolias*  
CONSTANTINE GUS KAZOLIAS

47 NOXON STREET. POUGHKEEPSIE, NY 12601

03/01/15/TEL {845}452-5539

**Sheila Blanding 89 Cannon Street:** doesn't think the city should jump right in with the Enterprise proposal – let some of the young people looking for jobs remove snow in front of vacant properties to give them a job and something to do

**Carol Elkins 80 North Water Street:** stated that she supports the campaign finance reform.

Collette Van Douzen 37 Delano Street: major parking issues near her, the city should offer some sort of deal

**V. MAYOR'S COMMENTS:**

**Not Present**

**VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

**Chairman Petsas** – assures everyone in the room that the council is in unanimous support of the vacant and abandoned property bond, but the administration has not implemented or enforced as it should be, and he doesn't know why it hasn't been – the council is all about saving and preserving parkland, there are plans to invest a lot of money into our parks, his opinion is that the Wheaton property is not a park

**VII. MOTIONS AND RESOLUTIONS:**

- 1. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.**

**RESOLUTION  
(R-15-17)**

**INTRODUCED BY COUNCILMEMBER RICH**

**WHEREAS**, there are now pending in Dutchess County Supreme Court tax review proceedings commenced in the years 2013 & 2014 by River Valley Realty Co., Inc. concerning certain parcels of real property in the City of Poughkeepsie seeking a reduction in the tax assessment rolls for those assessment years; and

**WHEREAS**, the City Assessor and Corporation Counsel recommend that settlement of these tax review proceedings on the terms and conditions set forth herein below;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie hereby approves the settlement on behalf of the City of Poughkeepsie of the tax review proceedings by River Valley Realty Co., Inc. bearing Dutchess County Index Nos. 2013-004002 & 2014-050470 by reducing the assessments as set forth in the proposed Stipulation of Settlement annexed to this Resolution; and be it further

**RESOLVED**, that the Mayor, the City Administrator, the Commissioner of Finance, the City Assessor and the Corporation Counsel are hereby authorized to take all action necessary

and appropriate to effectuate the terms of this Resolution including but not limited to the execution of a Stipulation, the obtaining of an Order from the Dutchess County Supreme Court embodying the above settlement and a refund or crediting of tax payments all in accordance with the above authorized settlement.

**SECONDED BY COUNCILMEMBER HERMANN**

R15-17			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**2. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.**

**Corporation Counsel Ackermann** informed the council that said resolution and draft agreement are between the City of Poughkeepsie and Dutchess County Office for the Aging, for Dial-A-Ride services, for the City of Poughkeepsie. It has been reviewed and found satisfactory by Corporation Counsel's Office and the Transit Division. A provision has been made in the 2015 budget for the funding required by this Agreement. Dial-A-Ride is a joint service transportation system for Senior Citizens and Handicapped individuals residing in the City of Poughkeepsie, Hyde Park, Fishkill, East Fishkill Wappingers Falls, Town of Poughkeepsie, and the Town of Northeast. Currently, Dial-A-Ride takes elderly and disabled residents to any medical facility in the City and Town of Poughkeepsie, South Road shopping areas, Route 44 plazas and Adam's Fairacre Farms, Walmart in Fishkill, and two medical facilities in LaGrange and East Fishkill.

**RESOLUTION  
(R-15-20)**

**INTRODUCED BY COUNCILMEMBER RICH**

**WHEREAS**, Article 5G of the General Municipal Law encourages cooperation between municipalities and allows for contributory funding; and

**WHEREAS**, the Dutchess County Department of Office for the Aging has run a joint service transportation system for various municipalities which service provides free door to door transportation for Senior Citizens and Handicapped individuals to a number of locations through Dutchess County; and

**WHEREAS**, the City of Poughkeepsie is desirous of entering into an agreement in order to continue the transportation service to those eligible in the City; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the terms of the Inter-municipal Agreement providing for the delivery of Dial-A-Ride services attached hereto are hereby approved; and be it further

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

**SECONDED BY COUNCILMEMBER HERMANN**

R15-20			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.**



Common Council  
City of Poughkeepsie  
32 Oakwood Blvd.  
Poughkeepsie, NY 12603  
[thermann@cityofpoughkeepsie.com](mailto:thermann@cityofpoughkeepsie.com)

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## *Memorandum*

To: Deanne L. Flynn, City Chamberlain

From: Robert Mallory, J. Tracy Hermann, City of Poughkeepsie Common Council

Re: R-15-21

Date: February 24, 2015

In November of 2014, the Common Council unanimously passed R-14-66, which called for more widespread publication (specifically, web publication) of the dates, locations, agendas, minutes, and member lists of the various commissions, boards, and committees that operate under the auspices of the City of Poughkeepsie.

In the public comment preceding the presentation of the vote, the citizens of the City wholeheartedly supported this resolution, applauding its call for more open and transparent government. One constituent suggested in a letter to the bill's sponsors that the resolution would simply afford the public the same level of contact to committee members as is currently afforded the administration.

In the weeks that followed, Mayor John Tkazyik vetoed Resolution R-14-66 on the grounds that it "encourages public dialogue [to] be conducted in private." The mayor's veto specifically took issue with the publication of individual member's contact information.

This revised resolution omits the section of the legislation that requires the publication of individual member contact information, but rather calls for (at a very minimum) the publication of the phone number and email address of the various committee, commission, and board chairpersons. It also requires the City to provide each member with a designated city-specific email address, as well as gives them the option to publish their personal information (emails and phone numbers) if they so choose.

We believe that this resolution strikes a workable compromise and, ultimately, serves the best interest of the people of Poughkeepsie; we urge our colleagues to support it and, in so, support openness and transparency in government.

**RESOLUTION  
(R15-21)**

**INTRODUCED BY: COUNCILMEMBERS HERMANN AND PETSAS**

**WHEREAS** the City of Poughkeepsie has established over the course of its history numerous standing and ad-hoc boards, committees, and commissions to aid and advise in its mission of providing good governance, and, further, continues to enact such boards, committees, and commissions; and

**WHEREAS** the City of Poughkeepsie has, under Chapter 2, Article VIII of its Code of Ordinances, codified the public's access to records, mandating under section 2-101 of the aforementioned Chapter that "access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality"; and

**WHEREAS** the City of Poughkeepsie's sovereign state of New York further fosters open government and free access to information under the state's Freedom of Information Law (Public Officers Law §§ 84---90); and **WHEREAS** the City of Poughkeepsie maintains a website for the purposes of promoting the City and providing its citizenry with access to information;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie hereby determines that in accordance with the existing local and state access and open government laws that supporting documents relative to each of the aforementioned committees, boards, and commissions be readily accessible to the public for the purposes of open and transparent governance, including, but not limited to:

- Meeting dates
- Meeting locations
- Meeting agendas
- Meeting minutes
- Member list
- Dates of member terms

**BE IT FURTHER RESOLVED**, that each committee, board, and commission, in further support of existing open government laws, will also make available to the public, the phone number and email address of its chairperson and a list of its

members and a generic city e-mail address with which each individual member may receive electronic mail; and,

**BE IT FURTHER RESOLVED**, that a resolution entitled "Publication of Committee, Board, and Commission Directory" be and is hereby introduced to the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

**BE IT FURTHER RESOLVED**, that this resolution mandates the aforementioned information be posted to the City's Websites in a timely and uniform manner as outlined below:

- Documents are to be published in a sub-directory of the website created for each active committee, board, and commission;
- Each sub-directory is to be accessible through a link on the home page's navigation menu;
- New documents such as timely agendas and minutes are to be posted within two days of their availability; changes to existing documents such as member lists/directories are to be posted within five days of their amending action.

**BE IT FURTHER RESOLVED**, that the Mayor, City Administrator, Chamberlain, and Web manager are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

**SECONDED BY COUNCILMEMBER RICH**

R15-21			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Klein	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted					
<input type="checkbox"/>	Defeated					
<input type="checkbox"/>	Tabled					

**VIII. ORDINANCES AND LOCAL LAWS:**

**IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

1. **FROM BUILDING INSPECTOR BECK**, a communication regarding the implementation of the vacant property bond ordinance.
2. **FROM CARDINAL ASSETS**, a presentation on rehabilitation projects undertaken in the City of Poughkeepsie.

3. FROM MAYOR TKAZYIK, March 2015 Annual Financial Report.



The City of Poughkeepsie

New York

John C. Tkazyik  
Mayor

March 2, 2015

Common Council of the City of Poughkeepsie  
62 Civic Center Plaza  
Poughkeepsie, New York 12601

Re: March 1, 2015 Financial Report

Dear Chairman Petsas and Members of the Common Council:

Pursuant to Article III, Section 3.01(h) of the Charter of the City of Poughkeepsie, I hereby submit to you my report on the financial condition of the City. My report consists of both this narrative, which highlights significant issues as well as the customary detailed reports and graphs.

Overview

The City of Poughkeepsie has continued its recovery from the challenges brought about by the deep recession years of 2009 through 2013. The 2014 property assessment values declined by 2.2%. In 2013, we saw assessment values drop by 5.0%; and 2012 saw the values decline by 11.1%. The City is definitely on a positive track of recovery. Although the assessment values dipped below the \$2 billion mark for the fourth year at \$1.647 billion, the slide has slowed tremendously. The mortgage tax collection for 2014 projected a decrease of \$23,284 or -8.5% to \$251,479. Although 2014 was a decline, it fared better than the 2010, 2011, and 2012 recession home sales. At the end of 2014, it was estimated that there are close to 400 unoccupied and abandoned properties. New York State maintained AIM (Aid Incentives to Municipalities) for Poughkeepsie at the \$4,248,021 level for the fourth year in a row.

Moody's had downgraded the City's bond rating in late 2013 from Baa2 to Baa3. At the end of 2014, the ratings agency affirmed the Baa3 as part of its routine monitoring. The ratings agency continued to highlight the City's three major challenges: high debt, structural imbalance, and continued softening of its tax base.

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CITY OF POUGHKEEPSIE  
CITY CHAMBERLAIN  
2015 MAR -2 PM 1:50

## Official Minutes of the Common Council Meeting of March 2, 2015

The City continues to make improvements on its debt obligations by reducing its total debt from \$76.6M down to below \$57.6M through 2015. The City has aggressively paid down existing debt and has targeted its minimal borrowing for revenue producing projects. It should be noted that the City's total debt includes the Poughkeepsie Library debts of \$6.1M and \$2.7M. The current debt continues to be a burden to the City's debt service commitments and operating budget. More has to be done to bring down the debt to more manageable levels. Any new debt must be strategically acquired to result in an economic benefit and the City must continue to seek out alternative government financing with agencies such as the EFC. Examples of such a strategy and policy can be seen in the LED light project, reservoir and parking meters.

Structural imbalance is brought about by the continuing shortfall of revenue collections to support actual expenditures resulting in negative operational results. The City's negative fund balance was brought about by the deep recessionary revenues, the imbalanced budget results, and the aggressive debt pay downs. The City has taken drastic steps to control expenses with the goal of realigning the overall expenditures to match more realistic potential revenues. The 2013 operations resulted in over \$800,000 surplus. The 2014 actual result has been projected for at least a breakeven. And the 2015 budget was formulated with realistic expenses that are well within realistic estimated revenue goals. However, unrealistic budgets threaten to undermine the progress that has been made to reverse this imbalance. Balancing a budget on property sales has proven, in the past, to be too speculative. There are just too many variables that need to align in order to realize revenues from sales.

The housing recovery and commercial development will be crucial to reversing the softening trend of the City's tax base. The completion of projects such as the Poughkeepsie Commons, the Upper Landing and the Vassar Hospital expansion as well as upcoming projects such as Dutton Lumber, Poughkeepsie Day Nursery, Pershing, and Main - Bridge Street will definitely help shore up the taxable assessment values.

The overall financial condition of the City is best measured by consolidating the results from its three major funds: General, Water, and Sewer funds. The General Fund's 2014 operations are projected for a break-even with revenue projections of \$43.5M. Our 2014 controllable expenditures indicate an increase over the 2013 budget. Snow removal in 2014 came in at \$846,665, which was an increase of \$566,185 or 202% primarily due to the biggest back-to-back storms on Valentine's weekend. The three major expenses of health, retirement and workers' compensation continue to put pressure on the City's operations. The 2015 budget addresses these three very challenging expenditures with hopes of slowing their growth. However, we have four union contracts that have expired and the Council has failed to appropriately budget for anticipated settlements. This is an unfortunate action that will impact impending contracts settlements.

The Water Fund had surplus operations of \$119,222 in 2012. In 2013, the surplus in operations was \$283,709. In continuing to build a strong fund balance, the 2014 the Water Fund operation projects an added surplus of \$382,459.

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The Sewer Fund has maintained positive fund balances since 2007. Although the Sewer Fund had negative operations in 2010 and 2011, it had surplus operations of \$442,614 in 2012 and \$858,543 in 2013. In 2014, Sewer had a small decrease. Our strategy is simple: to build a reasonable bottom line to help maintain the sewer infrastructure needs of the City.

### General Fund

The audited financials for 2013 indicated that the direct operational results had a surplus of over \$800,000. The unaudited reports project that 2014 will be a breakeven. After the four of the most challenging years of the City (2009 – 2012) when revenues deteriorated drastically, it is a welcome relief to realize the positive operations of 2013 and 2014. The three major indirect expenditures: health insurance, retirement, and workers compensation continued to rise dramatically accounting for over 22% of expenditures. The years 2013 and 2014 ushered the slow turnaround and a recovery that will begin to positively impact the City's finances.

In August 2012, Dutchess County announced the new sales tax receipt distribution to municipalities. The City of Poughkeepsie was capped at \$9,560,000 with the possibility of participation in future sales tax receipt growth derived from a population formula. The 2013 and 2014 collections were \$9,566,211 annually. Based on historical trends, we had projected the previous collections of a conservative \$10,500,000 or about 25% of total General Fund revenues. The City anticipates additional revenue from the County's new share formula.

The new sales tax distribution drastically reduced the City's revenue for 2013 by over \$2,000,000 leaving the City to scramble for revenue to balance the 2013 budget (Exhibit A). The City's sales tax revenues in 2012 of \$11,800,000 were at its highest. Sales tax revenues remain a major source of our city's funds at 22% of the General Operating Fund and adjusting for these revenues is vital. It is important to note that the new County sales tax distribution guarantees the City \$9.56M annually for the next ten years.

Our New York State aid was cut in 2011 by \$86,694 from \$4,334,715 down to \$4,248,021. The New York State aid has been kept at this funding level through 2014. High poverty municipalities like the City of Poughkeepsie rely heavily on its AIM funds (about 10% of revenues) to help support its operating budget. We will continue to monitor closely any budgetary actions that NYS may take as it tries to correct its own budget deficits. The Governor's proposed budget for 2015-2016 reflects no additional cuts.

We are now in our eighth year after completing and implementing a Full Market Value assessment. The July 1, 2014 assessment roll (used for our 2015 taxes) reflected a 2.2% decrease in value of \$1,647,863,975 from \$1,683,067,222. The continuing decrease in the taxable assessed valuation has slowed down. The 2014 valuation produced the corresponding 2015 tax rates of \$10.37 per \$1,000 of FMV for Homestead and \$13.02 per \$1,000 of FMV for Non-Homestead (Exhibit B).

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The General Fund budget appropriation had increased annually for the prior 13 years (year 1996 - year 2008). The growth had averaged 4.69%. The 2009 and 2010 budgets saw the first decreases in appropriations of \$1.5M and \$1M respectively. 2011 saw another decrease of \$865,000. Although 2012 actual increased, the 2013 budget reflected a decrease in spending by over \$1.5M primarily through the creation of the Sanitation Fund. The City is projecting additional appropriation reductions in 2014. Our adopted 2015 tax levy increase reflects a 1.56% increase or \$286,126, coming under the NYS mandated tax cap. The 2015 budget provided for more realistic estimates containing newly created recurring revenues to support very realistic expenditures (Exhibit C).

The 2015 budget did not appropriate any fund balance to the budget for the fifth year in a row (Exhibit D).

### Water Fund

The ongoing concern of negative operating results over the last several years forced the City to raise the 2013 water rate to \$3.00 per 100cf of water usage. In 2007, the fund balance was (-\$470,355). In 2008, it was (-\$159,802). In 2009, it was (-\$584,551). In 2010, the Water Fund operation saw a turnaround in operations with a loss of (-\$104,753). 2011 continued to have an operational loss. The Water Fund had an operational surplus of \$119,222 in 2012. The year 2013 ended with a surplus of \$283,709 and 2014 came in at a surplus of \$382,459. The fall of 2013 began the water meter replacement that would address the inequity and inefficiency of the current water billing process. The average age of the City's water meters is over 25 years providing for under-billing that has cost the City earned revenues over the past several years. The project was completed in July 2014. Although the City was forced to raise the 2014 water rate to \$3.45 per 100cf of water usage, it remains very favorable compared to surrounding municipalities. The cost of water is considered to be among the lowest in the state.

I will continue to monitor our water situation very carefully with regards to our ability to sell water to third parties. Third party water sales continue to support the City's water rates. In 2012/2013, the Village of Wappinger Falls stopped purchasing water from the Joint Water plant. The loss of over \$400,000 in revenue to the Joint Water Plant was aggressively addressed in the 2013/2014 budgets of the water plant. In 2013, the Joint Water Plant began the design and engineering for the upgrade of the water treatment process to comply with the EPA mandated guidelines that will cost the City over \$9M. We have an obligation to provide our residents clean and high quality water. We are committed to maintaining the clean standards set forth by the EPA for the City's water. Our goal remains the same: to produce good quality water for our City's users at the lowest possible cost.

### Sewer Fund

The Sewer Fund has continued to strengthen its fund balance with surplus operations of \$442,614 in 2012, \$858,543 in 2013 and has been at surplus positions annually since 2007. In 2012, the rate was increased to \$3.00 and has remained the same in the 2014

and 2015 budgets. Beginning in 2011, we have invested some of the fund balance along with the support of CDBG funds to make necessary sanitary repairs and improvements without having to borrow money for these projects. In 2014, we completed the necessary improvements to the Meyer Avenue pump station at a cost of over \$250K. I believe that our efforts to support the fund balance places the City in a strong position to address any emergencies in the maintenance and improvement of our sanitary sewer system and treatment plant. I will continue to maintain the proper use of our reserves to address needed repairs.

#### Transit Fund

Our 2014 ridership revenues from the three biggest routes (Main Street, Galleria, and Northside) projects a decrease of \$43,557 or 13.5% compared to 2013 results. In 2010, the City had introduced the new rate of \$1.50 for the general public, while maintaining the discounted rates for seniors, students and veterans. This was the first increase since 2005 with the goal of reducing the annual subsidy from the City's General Fund. The continuing increases in operating costs forced the City to raise the 2013 rate to \$1.75, which is comparable to the County bus rates, however, it remained the same in 2014 and 2015. The 2014 General Fund subsidy for the Transit fund is projected to be at \$400,000 which is an increase of \$163,000 over 2013. Federal and State aid funds have provided much needed support for the Transit operating, maintenance, and capital costs.

In June 2013, the City broke ground for the construction of the new Transit Hub on Market Street. In November 2013, we had the ribbon cutting for the newly completed project at a cost of under \$1.5M, completed under budget and on time. This project was funded by stimulus, FTA, and NYSDOT grants as well as the City.

With the help of FTA stimulus grant, the City took delivery of two new Gillig Hybrid Electric buses in December 2011. All 6 bus routes are now serviced by hybrid electric buses. The acquisition of these vehicles has helped the City to utilize alternative fueling sources. In 2014, the City submitted a new grant with the FTA for two additional buses. The introduction of these buses has saved fuel costs, as well as contributed to the City's cleaner environment. I will continue to work with our traveling public in regard to route efficiencies.

#### GASB 45

The City's Post Employment Benefits revolves primarily in the retiree health benefits. The most current accrued liability reflects an obligation of \$71.6M. The annual increases in retiree health benefits over the next 10 years will total over \$15M. The projected liabilities for the same 10 years will grow from the current \$50M to almost \$120M. The implementation of the Affordable Care Act will be an unknown variable that may dramatically impact the City's GASB 45 obligations. If not addressed, the Post Employment Benefit obligations of the City will put an unprecedented stress on the City's financial viability. All current labor negotiations have put healthcare in the center of the negotiations (Exhibits E and F).

Debt and Debt Service

In 2008, the City had a total debt of over \$76.6M with projected debt service payments of over \$7.6M (almost 20% of the operating budget). Capital spending constraints and debt pay down/restructuring became a primary goal of this administration. By the beginning of 2011, the total debt had been reduced to under \$70M. The end of 2012 saw the gross debt reduced further taking it to \$65M with long-term bonds to \$53M and debt service payments to \$5.8M. At the end of 2013, the long term debt was at \$49,560,001. The City carries long term debts for the Poughkeepsie Library of \$2.7M and \$6.1M. The short term BANs were at \$15,520,656, which included the Water Fund borrowing \$5,630,656 for water meters and treatment facility upgrade. Although still high, the City is on target to getting below \$50M in the next few years (Exhibit G).

Budget and Tax Cap

New York State passed the 2% Tax Cap for the 2012 budgets. The City of Poughkeepsie adopted the 2012 and 2013 budgets reflecting the compliance to the 2% Tax Cap. The 2014 adopted budget reflected a tax levy of \$18,417,077 with an increase of 3.56%. The 2015 budget was adopted with a tax levy of \$18,863,401 or a 1.56% increase. The 2015 adopted budget was under the 2% NYS Tax Cap; and the fifth year in a row that the City did not appropriate any fund balance to balance the budget. The 2015 adopted budget is structurally balanced containing realistic revenues with stripped down expenditures.

Summary

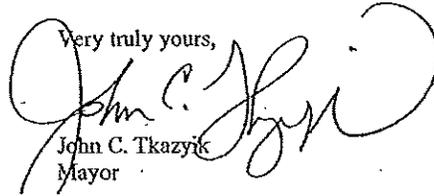
It was vital that in 2014 we built on successes of the 2013 financial results. Paramount to this was the completion of the water meter replacement, which was not only instrumental in the positive Water Fund operations but also the financial support to the General Fund. We completed this project on-time and under-budget. The execution of the water meter project is modeled after other successful initiatives including the Hoffman Street Bridge and the Transit Hub. This will be the blueprint for the upcoming energy projects such as LED lighting; Drinking water projects such as the new College Hill reservoir; and Clean Water projects such as the upgrade of Meyer and Pine Street pump stations. By auctioning some City-owned properties, we created new revenue that helped supplement the General Fund and allowed us to finish the year breakeven. We also face some difficult challenges. The 2013 budget created a Sanitation Fund, supported by a user fee. Collections from the user fee in 2014 were \$450,403 or 21% less than total billed. The uncollected amount was transferred to the tax bills of every delinquent homeowner, creating confusion and a difficult bookkeeping task for City staff. In compliance with the Common Council ordinance, the 2015 property tax bills also contained the sanitation bills. This has created an unnecessary burden to taxpayers who are on escrow. Of the over 3,500 properties on escrow, over 2,100 properties from over 500 financial institutions refused to pay the sanitation bills in the property tax bills. This has created confusion for the taxpayers, anger from the financial institutions, and double work for the staff.

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Three uncontrollable expenses are growing at record rates that threaten the City's financial stability; health insurance, workers' compensation, and pension contributions. These expenses now account for over 25% of the General Fund appropriations. They will continue to rise over the coming years.

The 2015 budget contained three new revenue initiatives (water meters, parking meters, and annual property auction) that may help the City in future years, but revenues coming from these sources may be overwhelmed by the cost of unfunded mandates handed to the City by Albany. Revenue shortfalls will be compounded by the difficulty the City Council created with its refusal to allow private companies to pick-up garbage. The recent Moody's report makes clear it is imperative to keep costs down, find ways to do more with less, and reduce the City's debt.

Very truly yours,



John C. Tkazyk  
Mayor

4. **FROM KLEIN VARBLE & ASSOCIATES, P.C.**, a notice of personal injury sustained on November 12, 2014.
5. **FROM DARLENE SALINAS**, a notice of property damage sustained on February 10, 2015.
6. **FROM COUNCILMEMBER MALLORY AND COUNCILMEMBER HERMANN**, a communication regarding the Council's support of the State Campaign Finance Reform Bill.



Common Council  
City of Poughkeepsie  
32 Oakwood Blvd.  
Poughkeepsie, NY 12603  
[thermann@cityofpoughkeepsie.com](mailto:thermann@cityofpoughkeepsie.com)

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## *Memorandum*

To: Deanne L. Flynn, City Chamberlain  
From: Robert Mallory, J. Tracy Hermann, City of Poughkeepsie Common Council  
Re: Support of Governor's Campaign Finance Reform package  
Date: February 24, 2015

The current campaign finance system in New York State is characterized by the undue influence of large campaign donors, with contribution limits many times higher than those allowed in most states and on the federal level, large loopholes that allow contributors to give contributions far in excess of those limits.

New York State Governor Andrew Cuomo has included a comprehensive campaign finance reform package (PUBLIC PROTECTION AND GENERAL GOVERNMENT ARTICLE VII LEGISLATION, Part B1) in his 2015 Executive Budget proposal that, among other things, calls for the lowering of contribution limits, improving reporting requirements and enforcement, and, most importantly, instituting a voluntary system of full public financing of elections.

We ask the Common Council of the City of Poughkeepsie to support a resolution (draft attached), which will be brought before you on March 16, urging the Governor and the State Legislature to pass PPGG Article VII Part E of the New York State Executive Budget.

Thank you!

### **X. UNFINISHED BUSINESS:**

**Councilmember McClinton** – asked Corporation Counsel Ackerman about the supermarket – asked about Hooker Ave – wonders what is going on with everything in the city. Inquired about the resolution about the city taking the properties in auction. Wanted to know about police department cars, and mentions sanitation fee issues. Expressed

Official Minutes of the Common Council Meeting of March 2, 2015

annoyance that things keep getting removed from the agendas and at certain department heads not being in attendance.

**Councilmember Perry** – asked to be included in the weekly meeting that Chairman Petsas offered to set up with Councilmember McClinton and Corporation Counsel Ackerman

**Councilmember Johnson** – RFP drafts

**Councilmember Ackerman** – RFP drafts

**Councilmember Mallory** – asked council leadership to set up a meeting of the whole

**Councilmember Rich** – snow: emergencies, spending, removal – decide how the council is going to handle old and new business

**Councilmembers McClinton and Rich** – Councilmember McClinton accuses Councilmember Rich of (verbally) attacking her, Councilmember Rich tells her to be quiet multiple times and that she is out of order and disrespectful, Councilmember McClinton tells him no he is, Chairman Petsas tries to get the meeting back on track, Councilmembers McClinton and Rich both tell the other to leave

**Councilmember Rich (con't)** – thinks that the unfinished business portion needs to be fixed – snow emergency is very important – thinks no one should scream at each other

**Councilmember Petsas** – expresses sympathy that this is a tough job no matter how long any of them has been at it, extends the invitation of the weekly meeting to every councilmember who feels they aren't heard – stop signs at Delafield and Spruce – 400 cited homes last snow storm – report on number of police cars that are out of service

**Councilmember Hermann** Inquired about sanitation billing.

**Councilmember Klein** wanted to know the status of the charter review commission, and inquired about youth program reform.

**XI. NEW BUSINESS:**

**Councilmember Johnson** – asked Commissioner of Public Works Gent about road repair.

**Councilmember Perry** – asked Commissioner of Public Works Gent about police department vehicles, and the status of their repairs, and the fire department equipment.

**Councilmember Johnson** – asked Commissioner of Public Works Gent about BIDS

**Councilmember McClinton** –asked Commissioner of Public Works Gent about LED lights – police cars – sidewalk issues – thanked Commissioner of Public Works Gent for his hard work – asked about removal of two handicap signs.

**XII. ADJOURNMENT:**

A motion was made by Chairman Petsas and Vice Chair Rich to adjourn the meeting at 9:10 p.m.

**Dated: July 30, 2015**

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, March 2, 2015 at 6:30 p.m.

**Respectfully submitted,**

**Deanne L. Flynn**  
**City Chamberlain**



**COMMON COUNCIL MEETING**

Common Council Chambers  
Monday, March 2, 2015  
6:30 p.m.

**I. ROLL CALL:**

**III. REVIEW OF MINUTES:**

**Common Council Meeting of October 6, 2014**

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

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

**VI. MAYOR'S COMMENTS:**

**VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

**VIII. MOTIONS AND RESOLUTIONS:**

- 1. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-17, approving the settlement of a Tax Certiorari proceeding for 140 Main Street.**
- 2. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-18, regarding the redevelopment of vacant properties located at 21 Hooker Avenue, 36 Gifford Avenue, and 263 Church Street.**
- 3. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-20, authorizing the Mayor to enter into an agreement with Dutchess County Loop for Dial a ride Transportation Services.**
- 4. FROM COUNCILMEMBER HERMANN AND CHAIRMAN PETSAS, Resolution R15-21, requiring the publication of information with regard to boards and committees.**

**IX. ORDINANCES AND LOCAL LAWS:**

**X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

- 7. FROM BUILDING INSPECTOR BECK, a communication regarding the implementation of the vacant property bond ordinance.**
- 8. FROM CARDINAL ASSETS, a presentation on rehabilitation projects undertaken in the City of Poughkeepsie.**

9. **FROM MAYOR TKAZYIK**, March 2015 Annual Financial Report.
10. **FROM KLEIN VARBLE & ASSOCIATES, P.C.**, a notice of personal injury sustained on November 12, 2014.
11. **FROM DARLENE SALINAS**, a notice of property damage sustained on February 10, 2015.
12. **FROM COUNCILMEMBER MALLORY AND COUNCILMEMBER HERMANN**, a communication regarding the Council's support of the State Campaign Finance Reform Bill.

**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

1. **EXECUTIVE SESSION:** The Council anticipates a motion to adjourn to Executive Session for the purpose of discussing the medical, financial, credit or employment history of a particular person or corporation.

**XV. ADJOURNMENT:**



THE CITY OF POUGHKEEPSIE  
NEW YORK

COMMON COUNCIL MEETING  
MINUTES

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Monday, March 16, 2015 6:30 p.m.

City Hall

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I. PLEDGE OF ALLEGIANCE:

ROLL CALL - All Present

II. REVIEW OF MINUTES:

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

ADD

VIII. ORDINANCES AND LOCAL LAWS:

1. FROM CORPORATION COUNSEL ACKERMANN, Ordinance O-15-3, approving the rezoning of an unnumbered Maple Street parcel (Tax Map Number 6161-25-504927) from C-2A/R4 to R-4.

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

Ken Stickle 118 Catharine Street: invited everyone in the council, the administrator, and the public to come out and help clean up Poughkeepsie because the garbage situation is out of control and something needs to be done about it.

Warren Jones 120 Mount Carmel Place: stated that leadership needs to be better, the council should be better informed. Believes Wheaton Park is a park, it doesn't take much to figure that out. Said that young people are our responsibility, we need to give them somewhere to go, programs for them. Everyone in the leadership should be present in the common council meetings.

**George Bridle 8 Mansion Street:** Said that he is embarrassed to be a citizen because of the garbage, the city needs to set money aside for that instead of parking and water meters, councilmembers should be more aggressive about their wards.

**Tanya Pinea 16 Davies Place:** Wheaton Park: wonders why she has to wait when she has been coming to the meetings for a half a year and the council is clearly making up their minds to alienate it. But they won't comment on whether what they're doing is right, wants to be able to follow the nonexistent logic, why does the common council have to vote to alienate the park if it isn't a park? She also addresses an incorrect letter in the Poughkeepsie Journal that stated that she called it inappropriate for the common council to consider investing in the park, she said that the council invited an inappropriate presentation.

**Damon Crumb 8 Delafield:** thanked the police officers for their rapid response to a bad situation that involved gunfire. But wants more communication between the police and the citizens who were affected

**Adam Ichie 28 Terrace Lane:** campaign finance resolution: thanked the councilmembers who already have spoken to him about it.

**Darrett Roberts 148 Franklin Street:** supports the campaign finance reform. Stated that parks are necessary for everyone, we need more arts. Believes that Central Hudson is charging too much.

**John Mylod Beechwood Avenue:** agrees with Ms. Pinea, unhappy about how they keep calling Wheaton Park '36 N Clover parcel', in fact it is a park and should be treated and called as such. There should have been an environmental impact study BEFORE the RFP, the public has been very uninformed about all of the goings on with this.

**Donald Fox 102 Fiji Lane:** worked hard for the city, wanted full time position but the city took that option away, asks the city to bring that option back.

**Henry Wright 210 South Avenue:** going to court to keep a property that he's paid taxes on for more than 30 years. He wishes that the city had let him know that he was about to lose his property.

**Mae Parker-Harris 16 Allen Place:** pleads for the citizens of Poughkeepsie to help Mr. Wright keep his home.

**Doug Nobiletti 145 Academy Street:** garbage: there needs to be proactive solutions, dog feces situation is unacceptable – police department funding

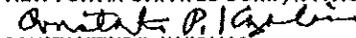
**Bruce Dooris 31 North Clover Street:** thanks the Chairman for the Democratic response to the state of the city statement from the mayor – unhappy with how the mayor and city administrator both said that they don't need to pay for sanitation –

expresses much unhappiness with what the mayor has done and said – the mayor and the administrator have ruined the budget

**Constantine Kazolias 47 Noxon Street:**

I AM RESPONDING TO THE LETTER SUBMITTED BY VINCENT J. MILLER TO POJO DATED 03/14/15. MILLER, AFTER SITTING FOR YEARS ON THE WHEATON PARK BD OF DIRECTORS, NOW, MILLER IS QUESTIONING IF WHEATON PARK IS NOT A PARK, WHERE HAS HIS HEAD BEEN? WHY, NOW? BECAUSE CITY COMMON COUNCIL HAS BUDGETED ONE MILLION DOLLARS[\$1,000,000]FOR WHEATON PARK SALE,CONTRARY TO MAYOR TKYZIK'S PROPOSED BUDGET.PLUS THE DYSON GROUP IS TRYING TO CHERRY PICK WHEATON PARK FOR UPSCALE GATED COMMUNITY FOR 36-42 ,TAX EXEMPT CONDOS:i.e. NYC PAY TAXES, LESS THAN ONEAND HALF OF FULL VALUE.OR, THE D.C. I.D.A. WITH ITS AUTOCRATIC PILOTS OVERRIDING POK IDA WHICH DO NOT COVER THEIR FAIR SHARE OF THE PUBLIC SAFETY WHICH IS 70% OF POUGHKEEPSIES BUDGET. I.e. VASSAR HOSPITAL AND THE GRAND HOTEL.

POUGHKEEPSIE R.R. STATION HAS BECOME D.C. TRANSPORTATION HUB WITH MTA/AMTRAK WITH ITS HIGH SPEED TRAINS MAKING POUGHKEEPSIE A NYC SUBURBAN COMMUNITY.LIKE A GHOST FROM THE PAST, FORMER MAYOR LAFRUETEE TENACLES PERMEATED OVER THE POSSIBLE ELIMINATION OF LINCOLN PARK/KAAL ROCK PARK FOR NEW SCHOOL CONSTRUCTION WHICH GOT SHOT DOWN., DURING HER TENURE, THROW IN THE CHILDREN MUSEUM ENCROACHMENT INTO CITY PARK LAND. THE PRECEDENT WAS SET IN NOT REPLACING PARK LAND WAS THE TAKEN COLLEGE HILL LAND FOR COMMERCIAL DEVELOPMENT. NOW BOTH WARYAS/ WHEATON PARK ARE UNDER ATTACK. ESPECIALLY WHEATON PARK. ITS JUEVAE VUE OR GOROND HOG DAY ALL OVER AGAINI FYI, REPLACING WHEATON PARK WITH AN UNPAVED LOT ON PARKER AVE WHICH ABUTTS A NYS PAVED 180 CAR LOT, IS DEALING FROM THE BOTTOM OF THE DECK, EX CHANGING WHEATON PARK WHICH IS GOLD WITH ITS RIVER VIEW FOR AN UNPAVED DUMP, IS A NO BRAINER. BUT 'GENIUSES' ARE BORN EVERY DAY.

  
CONSTANTINE P. KAZOLIAS

47 NOXON STREET, POUGHKEEPSIE,N.Y.12601

03/17/15,TEL[845]452-5539

*P.S. GOOGLE REVEALS WHEATON PARK IS A  
PARK!!!  
FOR THE RECORD, THERE ARE TWO PARKS  
IN THAT AREA (1) DONEGAN PARK AND  
(2) WHEATON PARK.*

**William Dykus 96 South Hamilton Street:** disappointed with the common council for their behavior in the last meeting, it was disgusting and he's ashamed of all of them, next time whoever acts out should be kicked out, thinks Chairman Petsas should take a stronger stance on their behavior.

**V. MAYOR'S COMMENTS:**

Not Present

**VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

**Councilmember Petsas** – addresses the garbage concerns along with the snow melt and assures that DPW is working hard to get it under control – claims the Wheaton Park/36 North Clover St situation is being handled according to the law and there is nothing shameful or underhanded – addresses Mr. Wright directly considering his situation

**VII. MOTIONS AND RESOLUTIONS:**

1. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.

**RESOLUTION OF THE COMMON COUNCIL REGARDING THE SALE OF 36 NORTH CLOVER STREET, COMMENCING A REVIEW UNDER THE STATE ENVIRONMENTAL REVIEW ACT AND PROVIDING FOR PUBLIC NOTICE AND HEARING**

**(R-15-22)**

**INTRODUCED BY COUNCILMEMBER RICH**

**BE IT RESOLVED**, that the City of Poughkeepsie Common Council is undertaken a project known as “The Sale of City Owned Property Located at 36 North Clover Street” and is desirous of engaging the greatest amount of public dialogue during the process which will include the alienation of approximately 2.26 acres of parkland; and

**BE IT FURTHER RESOLVED**, that the Common Council hereby appoints and declares its intent to be “Lead Agency” for purpose of SEQRA; and

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

**BE IT FURTHER RESOLVED** that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 5:30 o'clock P.M., on April 6, 2015; and

**BE IT FURTHER RESOLVED**, that a copy of this introductory local law shall be forwarded by the Clerk to the Planning Board, Zoning Board of Appeals Waterfront Advisory Committee and the Dutchess County Planning Department for their comments; and

**BE IT FURTHER RESOLVED**, that the City Clerk Shall circulate the attached Part 1, Environmental Assessment Form to those potentially interested and involved agencies; and

**BE IT FURTHER RESOLVED**, that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto

**SECONDED BY COUNCILMEMBER HERMANN**

R15-22						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**2. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.**

**RESOLUTION  
(R-15-23)**

**INTRODUCED BY COUNCILMEMBER RICH**

**BE IT RESOLVED**, that pursuant to the 2015 purchasing policy as adopted, the Common Council hereby approves the issuance of the Request for Proposal for the sale of two (2) city owned properties located on Pershing Avenue in form and substance as attached hereto; and

Official Minutes of the Common Council Meeting of March 16, 2015

**BE IT RESOLVED**, the such action is a Type II action pursuant to Section 617.5 as such action is administrative in nature and does not commit the agency to commence, engage in or approve such action; and

**BE IT RESOLVED**, that the Commissioner of Finance and Corporation Counsel is and are hereby authorized and empowered to take appropriate sets to give effect to this resolution.

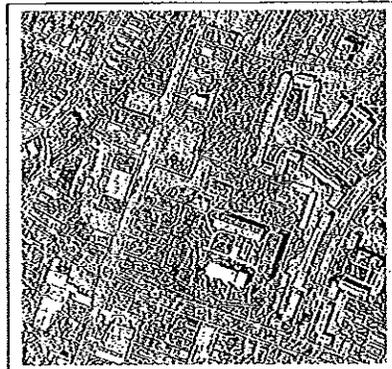
**SECONDED BY COUNCILMEMBER HERMANN**

## REQUEST FOR PROPOSAL

THE CITY OF POUGHKEEPSIE SEEKS QUALIFIED PARTIES INTERESTED IN  
PURCHASING AND DEVELOPING CITY-OWNED PROPERTY LOCATED AT  
PERSHING AVENUE IN THE CITY OF POUGHKEEPSIE



JOHN C. TKAZYIK, MAYOR  
CITY OF POUGHKEEPSIE  
62 CIVIC CENTER PLAZA  
POUGHKEEPSIE, NEW YORK 12601



**SECTION 1**  
**GENERAL INFORMATION AND**  
**INSTRUCTIONS**

**PURPOSE**

The City of Poughkeepsie (the "City") is seeking high quality proposals for the purchase and development of two vacant City-owned parcels, totaling approximately 1.7 acres located on Pershing Avenue.

**SUBJECT PROPERTY**

"Subject Property" is located on Pershing Avenue, in the City of Poughkeepsie, County of Dutchess and State of New York. They are more specifically known as Tax Id # 6162-80-492044 and 6162-80-475044. The adjacent parcels are currently vacant.

**GOALS FOR THE SITE**

- A unique in-fill development that is consistent with the history of the City of Poughkeepsie, its architecture and its uptown Pershing Avenue location.
- Maximize the financial return to the City for the sale of the property.
- Provide a use that is pedestrian friendly and consistent with commuter living.

**CITY'S VISION**

- A project design that is appropriate for this area that takes into consideration its proximity to downtown commercial district.
- A pedestrian friendly building(s) that relates well to the street and which includes amenities consistent with a walking and commuter population.
- A project that will help activate the area.
- A project that provides sufficient parking onsite and hidden from view and in all other ways in accordance with the City's specification. The parking needs of the building shall be

provided for by the developer separate from those public spaces at the developer's sole expense. No parking waiver will be considered for the project.

- A project that will include a number of environmentally sensitive design features that follow Leadership in Energy Environmental Design (LEED) standards.

## REQUIREMENTS

1. Proposals must be submitted in the proposal format required. Sealed proposals will be received by the City Chamberlain, located on the 1<sup>st</sup> floor of City Hall, 62 Civic Center Plaza, Poughkeepsie, New York 12601 at the time stipulated.
2. One original and nine copies of the Proposal and an electronic version of the report in Adobe Acrobat (PDF) format shall be submitted. The information included therein should be as concise as possible. To be considered, each Submitter must submit a complete response to this RFP using the format found in Section 3 of this RFP.
3. Proposals must arrive no later than Monday, April 20, 2015 at 3:00 p.m. local time. Proposals received after the deadline will be deemed unacceptable for further consideration. Regardless of the delivery method, the Submitter is responsible for the actual delivery of the proposal to the City Chamberlain as of the deadline. Submitters agree to honor their proposals for a period of one hundred twenty (120) days from the proposal due date. All proposals become the property of the City of Poughkeepsie after the deadline whether awarded or rejected.
4. All information in a Submitter's proposal is subject to disclosure under the provisions of the Freedom of Information Act. It should be noted that submission contents will not be deemed proprietary information, and individuals who submit proposals will be provided opportunities to review other proposals, if requested, after the submission deadline.
5. The City accepts no financial responsibility for costs incurred by any Submitter in responding to this RFP. By responding to this RFP, the Submitter agrees to hold the City harmless in connection with the release of any information contained in its proposal.
6. Should any prospective Submitter be in doubt as to the true meaning of any portion of this RFP, or should the Submitter find any ambiguity, inconsistency, or omission therein, the Submitter shall make a written request for an official interpretation or correction. All questions concerning the solicitation and specifications shall be submitted in writing via e-mail or fax to the name below. You are encouraged to submit your questions via e-mail:

Corporation Counsel  
Attn: Nancy L.B. Griffin  
City of Poughkeepsie  
62 Civic Center Plaza  
Poughkeepsie, New York 12601  
[ngriffin@cityofpoughkeepsie.com](mailto:ngriffin@cityofpoughkeepsie.com)

# Official Minutes of the Common Council Meeting of March 16, 2015

Facsimile No. 845-451-4070

Questions must be submitted no later than April 15, 2015 at 4:00 p.m. (5 business days prior to submission deadline.

7. Any oral responses to any questions shall be unofficial and not binding on the City of Poughkeepsie. The City staff will make such interpretation or correction, as well as any additional RFP provisions that the City may decide to include, only as an RFP addendum. Staff will mail or deliver addendums to each prospective Submitter recorded as having received a copy of the RFP. Any addendum issued by the City shall become a part of the RFP. Submitters should consider issued addendums in preparing his or her proposal.
8. A pre-proposal meeting will be held on April 13, 2015 at 10:00 a.m. in the Common Council Chambers, 3<sup>rd</sup> Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York 12601. The purpose of the meeting is to discuss the Request for Proposal, its goals and objectives with prospective Submitters and to answer questions concerning the RFP. Any questions and answers furnished will not be official until verified in writing by the City of Poughkeepsie. Answers that change or substantially clarify the RFP will be affirmed in writing. Copies will be provided to all in attendance.
9. It is required that interested parties attend this meeting. Prospective Submitters may bring up to two persons to the pre-proposal meeting. It is strongly suggested that one of the two persons in attendance be the intended primary contact for the Submitter if the contract is awarded to that Submitter.

## NON-COLLUSION

By submission of a proposal, the Submitter certifies in connection with this proposal:

1. The Submitter declares that this Proposal is made in good faith, without fraud or collusion with any person or persons submitting a proposal on the same Agreement.
2. The Submitter has carefully read and examined the "Request for Proposal" documents and understands them. The Submitter declares that it is fully informed as to the nature of and the conditions relating to the Subject Property. Additionally, the Submitter was given a full opportunity to inspect the premises prior to submitting the proposal.
3. The Submitter acknowledges that it has not received or relied upon any representations or warranties of any nature whatsoever from the City of Poughkeepsie, its agents or employees, and that its response is based solely upon the undersigned's own independent business judgment.

4. The Submitter has arrived at the proposed proposal independently, without consultation, communication, or agreement, for the purpose of restricting competition with any other proposal submitter or with any competitor.
5. Unless otherwise required by law, the price which has been quoted in the proposal has not been knowingly disclosed by the Submitter and will not knowingly be disclosed by the Submitter prior to award directly or indirectly to any other prospective Submitter or to any competitor.
6. No attempt has been made or shall be made by the proposed Submitter to induce any other person or firm to submit or not submit a proposal for the purpose of restricting competition.
7. Each Person signing the proposal certifies that he/she is the person in the proposal Submitter's organization authorized to bind the organization and such person has full authority to act on behalf of the organization.
8. Employees of the City of Poughkeepsie and his/her immediate family members are disqualified from submitting a proposal.

## SELECTION CRITERIA

The initial screening evaluation will be based upon the responses to the questions outlined in the specifications. Responses to the RFP will be evaluated using a two-tier selection system.

### I. Tier One Proposal Evaluation

Professional Qualifications	30% weighting
Past Involvement with Similar Project- verified by references, including experience with downtown infill development projects, and experience with urban, pedestrian friendly developments	35 % weighting
Financial capacity and ability to finance, including experience and capacity to develop an attractive residential project	35% weighting

The proposals that are evaluated to have sufficient credentials under Tier One will then be passed along for a Tier Two evaluation.

II. Tier Two Proposal Evaluation

Extent to which the proposal meets the goals and project scope of the RFP and achievement of site development goals and visions.
Proposed purchase price

**SELECTION PROCESS**

The Selection Committee will consist of five (5) members appointed by the Mayor, the Common Council Chairman or his designee, and the Council member of the ward where the property resides. The committee will be assisted by City Staff as necessary.

The Selection Committee will evaluate the proposals based on the above two tier process. The committee may, at its sole discretion, schedule interview(s) with any of the Submitters who will be given an opportunity to discuss in more detail their qualifications, past experience, proposed work plan and acquisition cost proposal.

Following the evaluation process, the Committee will make a recommendation to the Common Council for the award of the proposal and the sale of the property. The act of selling city owned property by the Common Council is purely discretionary and as such, the City reserves the right to accept or reject any and all proposals received pursuant to this request, to negotiate with one or all qualified respondents, or to cancel in part or in its entirety this RFP if it is in the best interest of the City to do so.

The City may negotiate a mutually acceptable purchase and sale agreement with the approved Submitter. The City will determine whether the final scope of the project to be negotiated will be entirely as described in this RFP, a portion of the scope, or a revised scope. This agreement will not contain any assurances of any rezoning or site plan approvals necessary to complete the project. The Selected Submitter must secure and pay for all plan review fees necessary for the development of its proposal. The City will provide for a reasonable time in which to obtain such approvals before closing. If a purchase and sale agreement is not fully executed within thirty (30) days of the date approved by the Common Council, the City, at its sole option, may choose to initiate negotiations with any other qualified Submitter, or reopen the entire process.

**DOWNPAYMENT**

Each Proposal must be submitted with a \$10,000 refundable deposit ("Earnest Deposit") made payable to the City of Poughkeepsie, as a good-faith commitment to proceed. The City will return the Earnest Deposit to the unsuccessful Submitter(s) within thirty (30) days of the date the Common Council approves the sale of the property. If the submitter wishes to voluntarily

withdraw his/her/its proposal, the earnest deposit will be returned within thirty (30) days of the date notice is received by the City. The City will retain the Earnest Deposit for the successful Submitter and the City will apply the Earnest Deposit to the purchase price upon closing. The Earnest Deposit shall be in addition to and not in lieu of a good-faith deposit required upon the execution of a purchase and sale agreement.

## INFORMATION

For additional information about this Request for Proposal, please contact Nancy L.B. Griffin, at (845) 451-4065 or [ngriffin@cityofpoughkeepsie.com](mailto:ngriffin@cityofpoughkeepsie.com).

## INSPECTION

The Property will be available for inspection upon request. Please contact Nancy L.B. Griffin at (845) 451-4065 or [ngriffin@cityofpoughkeepsie.com](mailto:ngriffin@cityofpoughkeepsie.com) to schedule an appointment.

## RESERVATION OF RIGHTS

This RFP is not an offer to enter into an agreement with Submitters. Only the execution of a written purchase and sale agreement will obligate the City in accordance with the terms and conditions in such agreement. The City reserves the right to accept or reject any and all proposals received pursuant to this request, to negotiate with one or all qualified respondents, or to cancel in part or in its entirety this RFP, to waive irregularities and/or informalities in any proposal if it is in the best interest of the City to do so.

## PROPERTY SUMMARY

PRESENT USE:	Vacant
LOCATION:	Pershing Avenue, City of Poughkeepsie, County of Dutchess, State of New York
OWNER:	CITY OF POUGHKEEPSIE
TAX MAP #:	6162-80-492044 and 6162-80-475044
ACREAGE:	Approximately 1.7 acres

ZONING: (C-3) General Commercial District & (R-D) Research & Development District

IMPROVEMENTS: None

UTILITIES: Municipal Water/Sewer

TOPOGRAPHY: Level, wooded

FLOOD ZONE: None

WETLANDS: None

RESTRICTIONS: None

## SECTION 2

### PROPOSAL SCOPE OF PROJECT

#### Site Development

The City of Poughkeepsie wishes to advance a number of important goals with the sale and development of two (2) vacant Pershing Avenue parcels. The required elements of any proposal need to include:

1. Any development shall include a mix-use development
2. Adequate parking for the intended use, as provided in the zoning code, which is hidden from view of the street and does not utilize public parking.
3. Pedestrian-friendly design of all street frontages consistent with its downtown location and proximity to the train station.
4. A project that will include a number of environmentally sensitive design features that follow Leadership in Energy and Environmental Design (LEED) standards.
5. A project design and use of the site to help activate the area.

#### SCOPE OF PROJECT

1. Proposal must include a detailed plan of development, including but not limited to an impact study of the development of this site and a detailed work plan listing all elements necessary to accomplish redevelopment of the site. The work plan will include a time line schedule depicting the sequence and duration of plan components showing how the work will be organized and executed. Any additional project elements suggested by the Submitter are to

be included in the work plan and identified as Submitter-suggested elements. Also include in the work plan proposed steps, if any, to expedite completion of the individual components within the project. This will be given due consideration during evaluation of proposals.

2. Proposals must include a statement that the Submitter agrees to defend, indemnify and hold harmless the City of Poughkeepsie, its officers, employees and agents from and against all claims, lawsuits, losses and expenses including attorney's fees arising out of or resulting from the performance of this award.
3. Proposal must include the time period by which this project will be initiated and completed. Failure to perform, initiate and complete work within an acceptable time period will trigger the City's ability to reclaim title on the property.
- 4.

### SECTION 3

## INFORMATION REQUIRED FROM ALL PROPOSAL SUBMITTERS

Proposals should be submitted using the following format:

Section 1: Proposal Statement

Section 2: Project Description: This section should provide a narrative summary description of the proposed project. Proposed uses, number and type of residential units, parking provisions, phasing, circulation, concept and building design objectives shall be addressed.

Section 3: Target Population: This section should describe the targeted residents of the units, including income levels for residential units, as well as estimated numbers and kinds of tenants for the other elements of the building if a mixed use project is proposed.

Section 4: Impact Analysis: This section should provide an analysis of the impact of the project upon the community, including economic impact through commercial activities, streetscape modifications, housing impact, traffic impacts and other related facets. Response should be developed incorporating the project goals in Sections 1 and 2.

Section 5: Plans: This section should provide a schematic plan including site plan data and schematic floor plans for each level. Plans shall be no larger than 11 inches x 17 inches in size.

Section 6: Project Schedule: This section should include a project completion schedule including start and completion dates and other key dates as identified for action. Proposal must include the time period by which this project will be initiated and completed.

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**Section 7: Construction Team:** This section should identify the professionals who will provide the following components of the project: design team, construction oversight, and construction. Include the name of executive and professional personnel by skill and qualification that will be employed in the work. Resumes or qualifications of proposed project personnel may be submitted as an appendix.

**Section 8: Overview of the Organization and Its Services:** This section should give a summary of the development firm's history, including years in business, locations, size, growth, services and financial stability. Include information regarding any pending or recent lawsuits against the organization, its officers or employees. If the proposal was submitted by a lead organization on behalf of several partners, provide similar information for each partner.

**Section 9: Professional Qualifications:** This section should include the full name and address of your organization and, if applicable, the branch office or other subordinate element that will perform, or assist in performing, the work hereunder. Indicate whether it is operated as an individual, partnership or corporation. If as a corporation, include whether it is qualified to do business. This information shall be provided for all organizations participating in the development of the property. If the proposal is submitted by a lead organization on behalf of several partners, list all key partners and their respective roles in the proposal. Identify the technical expertise which makes the organization(s) qualified for this work.

**Section 10: Prior Experience:** This section should provide a description of other infill downtown projects completed, including those with mixed-use and residential components. Include names, title and phone numbers of contact persons from units of government where these projects are located. Include supporting documents to demonstrate capacity.

**Section 11: Financial Capacity:** This section should provide a description of financial capacity of the organization, including appropriate documentation and banking references. If available, provide three (3) years of certified financial statements.

**Section 12: Project Financing:** This section should include a development budget and a ten-year pro forma (operating budget) analysis and other financial information for the project. Include the anticipated time schedule to assemble needed financial commitments, types of financing expected and letters of interest from banks or other sources. Financial partnerships (e.g., public/private; nonprofit/profit) must be identified.

**Section 13: Acquisition Cost Proposal (must be separately submitted in sealed and marked envelope):** This section should include the amount offered for purchase of the property, in whole or in part; and any purchase contingencies proposed. Any financial contingencies must also be identified.

**Section 14:**

1. Each Submitter shall submit a list of at least four (4) references for recent projects. Two of the references must be governmental or other public corporations. References must include a point of contact, an email address and a telephone number where the point of contact can be

contacted. The reference list shall also include the dates when these projects were constructed.

2. Each submitter shall also submit at least two (2) financial references from banks or other financial institutions attesting to the submitter's financial capacity and ability to finance a project as proposed.

Section 15: Each submitter shall submit a non-collusion statement for each director and officer of the submitter. (See Attachment "B")

R15-23			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted					
<input type="checkbox"/>	Defeated					
<input type="checkbox"/>	Tabled					

3. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.

**RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 204 CHURCH STREET AS A LOCAL HISTORIC LANDMARK**

(R-15-24)

**INTRODUCED BY COUNCILMEMBER RICH**

WHEREAS, city resident Holly Wahlberg at the request of Councilmember Christopher Petsas nominated and applied for a local historic landmark designation with the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter "HDLPC") for property located at 204 Church Street; and

WHEREAS, the HDLPC held a public hearing on November 20, 2014 regarding the application nominating 204 Church Street as a local historic landmark; and

WHEREAS, the HDLPC voted unanimously in favor of the proposed designation

and approved the application on November 20, 2014; and

**WHEREAS**, the HDLPC’s approved application was forwarded to the Common Council for consideration on January 20, 2015; and

**WHEREAS**, the Common Council held a public hearing on February 2, 2015 regarding the nomination of 204 Church Street 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 premises located at 204 Church 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 204 Church Street as a local historic landmark. The City Chamberlain is authorized and directed to forward notice of the designation of 204 Church Street to the Dutchess County Clerk for recordation.

**SECONDED BY COUNCILMEMBER HERMANN**

R15-24			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VIII. ORDINANCES AND LOCAL LAWS:**

1. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.

**ORDINANCE AMENDING §13-269  
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE  
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES  
AND TRAFFIC"**

**(O-15-1)**

**INTRODUCED BY COUNCILMEMBER RICH**

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

**SECTION 1:** §13-269 is hereby amended by the following deletion:

**Section 13-269 -Handicapped parking areas designated.**

Upon the erection of signs giving due notice thereof, the following areas shall be designated as handicapped parking areas and are to be utilized only for the purpose set forth in this Article:

~~Main Street, south side, from a point 105 feet west of South White Street to a point 22 feet westerly thereof~~

**SECTION 2:** This Ordinance shall take effect immediately.

**SECONDED BY COUNCILMEMBER HERMANN**

**DELETION** denoted by Strikethrough and Bold

O-15-1			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted					
<input type="checkbox"/>	Defeated					
<input type="checkbox"/>	Tabled					

2. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.

**ORDINANCE AMENDING §13-269**

**OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE  
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES  
AND TRAFFIC"**

**(O-15-2)**

**INTRODUCED BY COUNCILMEMBER RICH**

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

**SECTION 1:** §13-269 is hereby amended by the following addition:

**Section 13-269 -Handicapped parking areas designated.**

Upon the erection of signs giving due notice thereof, the following areas shall be designated as handicapped parking areas and are to be utilized only for the purpose set forth in this Article:

**White Street, south side, beginning 324 feet in a northerly direction from its intersection with Church Street and continuing therefrom for a distance of 44 feet, for two-parking spaces.**

**SECTION 2:** This Ordinance shall take effect immediately.

**SECONDED BY COUNCILMEMBER HERMANN**

O-15-2		Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

- 1. FROM HUDSON VALLEY COMMUNITY CENTER, Inc, a presentation regarding Center Revitalization.**

**TEAHAN & CONSTANTINO LLP**

COUNSELLORS AT LAW

2780 SOUTH ROAD

P. O. BOX 1969

POUGHKEEPSIE, NEW YORK 12601-0969

(845) 452-1834

Fax (845) 452-1421

[www.tcnylaw.com](http://www.tcnylaw.com)

VINCENT L. TEAHAN  
JAMES R. CONSTANTINO

RICHARD I. CANTOR  
STEPHEN C.F. DIAMOND  
ANN OIFFORD  
ELIOT D. HAWKINS  
GERALD V. HAYES  
COUNSEL

MILLBROOK OFFICE  
41 FRONT STREET, SUITE A  
P.O. BOX 1181  
MILLBROOK, NEW YORK 12545  
Tel (845) 677-2101  
Fax (845) 677-1054

February 26, 2015

Chairperson Christopher D. Petsas and  
Members of the City of Poughkeepsie Common Council  
Municipal Building  
62 Civic Center Plaza  
Poughkeepsie, NY 12601

Attn: Deanne Flynn, City Chamberlain

RE: REQUEST for ZONING MAP AMENDMENT  
Hudson Valley Community Center, Inc.  
110 South Grand Avenue, Poughkeepsie, NY 12603

Dear Chairperson Petsas and Members of the City of Poughkeepsie Common Council:

I am writing as attorney for Hudson Valley Community Center, Inc. to request that the Common Council entertain and approve a zoning map change. The property in question was formerly known in the community as the "Jewish Community Center". It is located at 110 South Grand Avenue. The property is currently zoned R-2. The request is for a zoning map amendment to place the property in an R-4 District.

This requested zoning map amendment is motivated by the dire fiscal condition of the Community Center and a desire by the Community Center to create age restricted, 55 year and older rental housing open to all persons in the community.

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At the present time, the contemplated housing development on a portion of the Community Center property (the Community Center would remain) is only at a conceptual level. There are no detailed plans yet prepared.

I am transmitting an EAF prepared by the Chazen Companies together with this letter.

I also wish to address the issue of "segmentation" since it is likely this issue will be raised as a question. The Community Center is requesting that the City of Poughkeepsie separate its environmental review of the requested zoning map amendment from the later review of actual applications for land use approvals (assuming that the zoning map amendment is approved). In a few words, this requested separation, as explained in this letter, is not less protective of the environment than would be a full review of an engineered site plan with related information. It is not less protective of the environment because all later land development applications will be subject to full SEQRA review. For purposes of this requested zoning map amendment, the EAF describes the property in general, conceptual terms, with a recitation of generic impacts that are not tied to a specific engineered site plan.

Segmented review is permissible where the lead agency under SEQRA believes that it is warranted under the circumstances. In such an event, the lead agency is directed to state its reasons for separation or segmentation and demonstrate that such review is not less protective of the environment. The lead agency is to identify the related actions and discuss them, albeit on a conceptual basis, to the fullest extent possible (Rogers v. City of North Tonawanda, 60 AD3d 137, 875 NYS2d 409 (4<sup>th</sup> Dept., 2009)). In similar fashion, the decision in Saratoga Springs Preservation Foundation v. Boff, 110 AD3d 1326, 973 NYS2d 835 (3<sup>rd</sup> Dept., 2013) stated that segmentation is allowed when the agency conducting environmental review clearly sets forth the reason

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supporting segmentation and demonstrates that such review is clearly no less protective of the environment.

Closer to home, it has been held that separation is allowed and there is no prohibited segmentation when plans to develop property are speculative and hypothetical (Village of Tarrytown v. Planning Board of Village of Sleepy Hollow, 292 AD2d 617, 741 NYS2d 44 (2<sup>nd</sup> Dept., 2002)). In Save Open Space v. Planning Board of the Town of Newburgh, 74 AD3d 1350, 904 NYS2d 188 (2<sup>nd</sup> Dept., 2010), the Court approved the separation of site plan approval and subdivision approval and stated that such separate consideration did not constitute improper segmentation of environmental review. In Save Open Space, supra, the Court noted that subdivision would not result in physical changes to the project. In our case, a zoning map amendment will not result in physical changes to the proposed project.

The issue of segmentation is designed to guard against a distortion of the approval process by preventing a project with potentially significant environmental effects from being split into two or more smaller projects, each falling below the threshold for full review. This concern is not our situation.

The term "segmentation" is defined to mean the division of the environmental review of an action such that various activities or stages are addressed under SEQRA as though they were independent, unrelated activities, needing individual determinations of significance (6 NYCRR Section 617.2(ag)). 6 NYCRR Section 617.3(g)(1) expressly contemplates that there are circumstances that warrant a segmented review and that the lead agency must clearly state in its determination of significance the supporting reasons for segmentation and must demonstrate that such review is clearly no less protective of the environment. The same provision states that related actions, in our case actual land use approval applications, should be identified and discussed to the fullest extent possible.

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NYSDEC has issued a document entitled "The SEQRA Handbook". While it does not have the force of law, it is both informative and persuasive. The publication is now in a third edition dated 2010.

In Chapter 2, Subchapter D, NYSDEC discusses segmentation. In Paragraph 4 at pp. 55, 56 of the document, NYSDEC states that there are limited circumstances where a segmented review may be justified. The provision then gives an example where enumerated circumstances, when considered together, may warrant segmentation. These factors include:

- a. information on future project phases is too speculative,
- b. future phases may not occur, and
- c. future phases are functionally independent of current phases.

The language in the document goes on to state that if circumstances suggest that a segmented review is appropriate, such justification must be clearly noted in the determination of significance and the lead agency must provide supporting reasons and demonstrate that such review will be no less protective of the environment.

The current situation is a situation in which separation or segmentation is permitted.

In addition to the legal justification, Hudson Valley Community Center, Inc. is a financially stressed, struggling not-for-profit organization seeking to maintain the viability of the Jewish Community Center, a valuable contributor to our community. The costs that would be incurred in producing an engineered site plan and a full blown SEQRA review of future land use approval applications will constitute a serious hardship. Hudson Valley Community Center simply cannot afford such activities without knowing whether the Common Council will approve the requested zoning map amendment.

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It is suggested that the Common Council designate itself as lead agency for environmental review and set a schedule for the classification of the application (the applicant suggests that the proper classification is Unlisted) and then set up procedures for consideration of the environmental impacts leading to a determination of significance.

On behalf of the applicant, I thank you for considering this matter and look forward to working with the Common Council, the Corporation Counsel and relevant City staff and consultants to move forward this proposed zoning map amendment.

Respectfully submitted,



RICHARD I. CANTOR

- 
2. **FROM KEN KEARNEY**, a presentation regarding the proposed development of a property on the corner of Main Street and Bridge Street.
  3. **FROM CORPORATION COUNSEL ACKERMANN**, a communication regarding the implementation of the vacant property bond ordinance.
  4. **FROM ASSISTANT CORPORATION COUNSEL AQEEL**, a communication regarding the requirement of live-in Superintendent for apartment buildings of six or more units.

Official Minutes of the Common Council Meeting of March 16, 2015

The City of Poughkeepsie  
New York

Victor Aqeel  
Assistant Corporation Counsel  
[vaqeel@cityofpoughkeepsie.com](mailto:vaqeel@cityofpoughkeepsie.com)



62 Civic Center Plaza  
Poughkeepsie, New York 12602  
TEL: (845) 451-4065 FAX:  
(845) 451-4070

March 10, 2015

COMMON COUNCIL  
City of Poughkeepsie

Re: Proposal requiring a live-in Superintendent for apartment buildings with six or more units

Dear Chairman Petsas and Council Members:

Attached herewith is a copy of a proposed ordinance which will require apartment buildings with 6 or more units to have a live-in superintendent.

Reason for Proposal:

The winter of 2014-2015 may have been the worst winter our City has seen in two decades, which is part of the reason why this proposal is now before you. In apartment buildings with 6 or more units, it has been difficult to address the needs of residents of these multiple dwellings where the landlord or landlord's agent cannot be reached or does not occupy the dwelling. One of the major concerns has been ensuring that City residents live in habitual environments, which includes dwellings with functioning heat and hot water, especially when their health and safety is being compromised.

With all reasons for this proposal being for the health and safety of our City residents, the attached proposal also seeks to help the City of Poughkeepsie Police Department perform their investigative duties in a more efficient manner; therefore, by being able to speak to a live-in superintendent or landlord agent, the Police Department is in a better position to gather pertinent information when time is of the essence.

Benefit will also extend to the City of Poughkeepsie Fire Department in cases of emergency where a live-in superintendent is in the best position to help firefighters locate or indicate the source of a fire and provide a layout of the dwelling and further aid firefighters in recommending an optimal evacuation route for all occupants of the dwelling.

More commonplace, in situations where the landlord is absentee and there is a problem which needs to be addressed immediately, a live-in super will be in the best position to resolve the problem and contact the landlord in situations that may require major repair or rehabilitation to the dwelling or its subparts.

Summary of Points:

- In dwellings containing 3 or more units, but less than 6 units, the proposed ordinance requires the posting of a notice which displays the contact information for the landlord or a managing agent which can be reached in the event of an emergency.
- In dwellings of 6 or more units, the proposed ordinance will require a live-in superintendent or a superintendent that lives within 500 feet of the dwelling.

- The Poughkeepsie Housing Authority shall be exempt from the provisions of the proposed ordinance.

Please let me know if you have any questions or concerns.

Respectfully submitted,

Victor Aqeel, Esq.  
Assistant Corporation Counsel

Proposed Ordinance requiring Live-In Superintendent

**Definitions**

When used in this article:

- (a) Superintendent services means: Cleaning and maintenance, including the making of minor repairs; the furnishing of heat and hot water, where supplied from a central source; the removal of garbage, refuse, ashes and wastes from the premises; and the removal of snow, ice, dirt and other matter from the sidewalk and gutter.
- (b) For purposes of this article, Superintendent means a person employed to perform janitorial services and other services associated with the management and care of the dwelling.

**Residence requirement for superintendent performing janitorial services**

Where the owner/landlord of a dwelling of 6 or more residential units does not live in or occupy the same dwelling, said dwelling must house a superintendent for the performance of superintendent services and be responsible for the management and care of the dwelling in the landlord's absence.

In the alternative, a superintendent may reside a maximum of 500 feet from the dwelling and there shall be a typewritten posting on or in a conspicuous place on the premises which provides a 24-hour emergency telephone number where the building superintendent can be reached.

**Posting Requirement for multiple dwellings of 3 units or more, but less than 6 units**

In multiple dwellings of 3 or more units, but less than 6 units, a landlord must provide a 24-hour telephone number where the landlord and/or the managing agent can be reached in the event of an emergency. This notice shall be posted in a conspicuous place on or in the premises.

**Exemption of Poughkeepsie Housing Authority**

The provisions of this article shall not be applicable to the Poughkeepsie Housing Authority.

5. **FROM DOUGLAS GOR**, a notice of property damage sustained on February 24, 2015. **Referred to Corporation Counsel**
6. **FROM JAMES L. ALEXANDER**, a notice of personal injury sustained. **Referred to Corporation Counsel**
7. **FROM FREDERICK A. FROST**, a notice of property damage sustained on February 2, 2015. **Referred to Corporation Counsel**
8. **FROM HONORIO RODRIGUEZ**, a notice of intent for El Bracero, Inc., to renew their Liquor License. **Referred to Corporation Counsel**

**X. UNFINISHED BUSINESS:**

**Councilmember McClinton** – wants to reiterate that she wishes to meet with Corporation Counsel Ackerman in reference to the supermarket – also wanted a meeting about some resolutions, correction: communication

**Councilmember Johnson** – since the contract with the state is terminated, asked if the city now takes control of the green space?

**XI. NEW BUSINESS:**

**Councilmember Mallory** – thanked the police department for their handling of a major situation on Thompson Street. Is looking forward to Corporation Counsel and the Building Department to look into it.

**Councilmember Hermann** – wished everyone a Happy St Patrick's Day.

**Councilmember McClinton** – thanked City Administrator Bunyi for his help with the fire hydrant issue. Asked if her SRO is going to be funded. Requested an update on the police department vehicles. Congratulated Commissioner of Public Works Gent's employees, and asked about the DPW's equipment.

**Councilmember Petsas** – about the foreclosure bond: wants to be sent the letter before it's sent out to the public.

**XII. ADJOURNMENT:**

A motion was made by Chairman Petsas and Vice Chair Rich to adjourn the meeting at 9:10 p.m.

**Dated: July 30, 2015**

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, March 2, 2015 at 6:30 p.m.

**Respectfully submitted,**

**Deanne L. Flynn  
City Chamberlain**



3. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R15-24, approving the designation of 204 Church Street as an historic landmark.

**IX. ORDINANCES AND LOCAL LAWS:**

1. **FROM CORPORATION COUNSEL ACKERMANN**, Ordinance O-15-1, removing Handicapped Parking at 544 Main Street.
2. **FROM CORPORATION COUNSEL ACKERMANN**, Ordinance O-15-2, adding two Handicapped Parking Spaces at 13 South White Street.

**X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

9. **FROM HUDSON VALLEY COMMUNITY CENTER, Inc**, a presentation regarding Center Revitalization.
10. **FROM KEN KEARNEY**, a presentation regarding the proposed development of a property on the corner of Main Street and Bridge Street.
11. **FROM CORPORATION COUNSEL ACKERMANN**, a communication regarding the implementation of the vacant property bond ordinance.
12. **FROM ASSISTANT CORPORATION COUNSEL AQEEL**, a communication regarding the requirement of live-in Superintendant for apartment buildings of six or more units.
13. **FROM DOUGLAS GOR**, a notice of property damage sustained on February 24, 2015.
14. **FROM JAMES L. ALEXANDER**, a notice of personal injury sustained.
15. **FROM FREDERICK A. FROST**, a notice of property damage sustained on February 2, 2015.
16. **FROM HONORIO RODRIGUEZ**, a notice of intent for El Bracero, Inc., to renew their Liquor License.

**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT:**



THE CITY OF POUGHKEEPSIE  
NEW YORK

COMMON COUNCIL MEETING  
MINUTES

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Monday, April 6, 2015 6:30 p.m.

City Hall

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I. PLEDGE OF ALLEGIANCE:

ROLL CALL - All Present

II. REVIEW OF MINUTES:

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.

Ken Stickle 118 Catharine Street: happy that the council has the dog clean up law on the agenda, thinks it should be more strongly enforced, also with dogs not being on leashes. Wants for the city council to grow a backbone and tell the police department that if they see a dog out on the street that they should make sure the person has a plastic bag to clean up after them, keeps seeing people throwing their personal trash into the city garbage cans

Warren Jones 20 Mount Carmel: equates the taking of Wheaton Park to rape, that the council would be stealing this property from the residents of city, Wheaton Park is a park.

Steven Planck 81 Carroll Street: this is a big year for Poughkeepsie because it's an election year and we need everyone to come out and help rejuvenate the city of Poughkeepsie, poverty is the biggest problem in the city of Poughkeepsie, and we still have no union contracts after five years, redevelopment of the waterfront is a bittersweet thing, wants to know that whoever takes over does not support City Administrator Milo Bunyi.

Martha Knapp South Clinton Street: Log Cabin concerns – does not want it to reopen, also broken sidewalk.

**Frank Clark 608 Second Mile Drive:** an election year: it's unfortunate that these meetings are not on TWC, hopes that it's not the Republican administration putting roadblocks in front of the Democratic council, it will help people pick who to vote in or back in to office, suggests that the Chamberlain is disrespecting the Chairman by not calling him Chairman (Chairman informs him that she was asked by himself to call him Councilmember and not Chairman).

**Robert Scores 248 Smith Street:** St Patrick's Day three alarm fire, he had tried to get the building he had been deeded insured and it burned the day before they showed up, his truck that burned was uninsured, 56 recalls on the truck, wants everyone to know that the PFD and Mark Johnson did one heck of a job maintaining and saving the building from burning to the ground, wants to know about the \$85 mark with towing.

**Bill Dykus (no address given):** shows appreciation for Chairman Petsas' acting as master of ceremonies at the Black Heritage Rewards at the Grand, promises to talk about the park next time after he's had more time to think about how he feels about it.

**Melvin Forshaw 16 Livingston Street:** snow removal on Main St this past winter: the sidewalks were embarrassing and dangerous.

**Sheila Blanding 89 Cannon Street:** it takes everyone to do something for their community, it takes everyone to make it a better community, doesn't understand why everyone is complaining and not trying to do something themselves, stop giving non-profit's land, everyone needs to pitch in to help the city otherwise it'll be lost forever, everyone needs to pitch in and non-profits need to stop being helped.

**Carol Madrid 40 Manitou Avenue:** homeless advocate: who is supposed to help them, homeless people keep getting turned away, asks the council to consider using one of the many abandoned buildings as a 24-hour homeless refuge/shelter.

**Brandon Walker (Culinary grad):** there needs to be a cohesive understanding between the community and the developers, the city needs to be made safe for everyone – not just visitors, if it was a safer place to be and visit then people would come out to shop and dine and the economy will be stabilized, if people felt safe it would be better, no one feels safe in the 300 block: he would love to open a restaurant there but he won't because people don't feel safe at night because it isn't.

**Constantine Kazolias 47 Noxon Street:** thinks that other people should be more aware of speaking into the mic (since there are people who have a hard time hearing them), also congratulates Chairman Petsas for his role as master of ceremonies, what's going on about the money and zombie properties, Poughkeepsie is a dumping ground for all sorts of disreputable things, let's not use our park or we'll go down the tubes.

**V. MAYOR'S COMMENTS:**

**Not Present**

**VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

**Chairman Petsas** – claims that the council is going through all the legal channels in alienating Wheaton Park, also claims that they're listening openly to both sides, thanks John Flowers for the Easter egg hunt, reminds the audience that the public hearing will be continued for Wheaton Park, claims they are determined to hear any and all voices, claims he's not into titles or suits and ties and claims that he's into getting the job done and titles aren't his style

**VII. MOTIONS AND RESOLUTIONS:**

1. **A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.**

**Corporation Counsel Ackermann** informed the Council that said Resolution is introducing an ordinance that would rezone 110 South Grand Avenue from an R-2 (medium density residence district) to an R-4 (medium high –density residential district). The request comes before you from the property owners Hudson Valley Community which made a presentation at your last meeting.

This resolution would commence the review process required of zoning amendments, mainly: introducing the zoning change, declaring the Common Council's intention to be lead agency, circulation to involved or interested agencies and setting a public hearing. The public hearing has tentatively been scheduled for April 20, 2015 at 6:00 p.m.

**Councilmember Hermann** made a motion to suspend the rules to allow for the Rabi, and Richard Cantor from Teahan & Constantino to speak, **Councilmember McClinton** seconded the motion.

**Councilmember Hermann** made a motion to resume the rules, **Councilmember McClinton** seconded the motion.

**Councilmember Hermann** made a motion to amend the resolution for the public hearing to be held at 5:45 p.m., rather than 6:00 p.m., **Councilmember McClinton** seconded the motion.

**RESOLUTION INTRODUCING ORDINANCE  
AND PROVIDING FOR PUBLIC NOTICE AND HEARING**

**(R-15-25)**

**INTRODUCED BY COUNCILMEMBER RICH**

**BE IT RESOLVED**, that an introductory ordinance, entitled "The 2015 Zoning Map Amendment for 110 South Grand Avenue" and be and it hereby is introduced before

Official Minutes of the Common Council Meeting of April 6, 2015

the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

**BE IT FURTHER RESOLVED**, that the Common Council hereby appoints and declares its intent to be “Lead Agency” for purpose of SEQRA; and

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

**BE IT FURTHER RESOLVED** that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 5:45 o’clock P.M., on April 20, 2015; and

**BE IT FURTHER RESOLVED**, that a copy of this introductory local law shall be forwarded by the Clerk to the Planning Board, Zoning Board of Appeals, Dutchess County Planning Department, Town of Poughkeepsie and any other interested agencies for their comments; and

**BE IT FURTHER RESOLVED**, that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

**SECONDED BY COUNCILMEMBER HERMANN**

R15-25			Yes/Aye	No/Nay	Abstain	Absent	
		Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted						
<input type="checkbox"/>	Defeated						
<input type="checkbox"/>	Tabled						

**2. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.**

**Councilmember Mallory** made a motion to amend the resolution to correct errors, **Councilmember Johnson** seconded the motion.

**R E S O L U T I O N**  
**(R-15-18)**

**INTRODUCED BY COUNCILMEMBER RICH**

**WHEREAS**, the City of Poughkeepsie is currently working to address the rehabilitation of several vacant and abandoned properties so of which have been vacant for years, and

**WHEREAS**, the Common Council is concerned that continued vacancy will draw criminal activity and other nuisances to the properties and there is a overwhelming need to return such properties to the useful life; and

**WHEREAS**, that the Common Council has determined there is an overwhelming support for returning vacant and abandoned properties back to useful life and accumulated fines attributable to a private owner often make it financially impossible, and

**WHEREAS**, the City has negotiated a settlement with one developer to return one property back to useful life and such proposal would require the city waiving fines and penalties that are attributable to the private owner some of which may have been relieved into tax, and

**WHEREAS**, after due deliberation, the Common Council concurs, and is desirous of authorizing the Commissioner of Finance to waive any penalties and fines for the property located at 21 Hooker Avenue for the purpose of redevelopment, and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council hereby authorizes the Commissioner of Finance to waive and remove any non-tax, fines and penalty attributable to a previous owner on property located at 21 Hooker Avenue; be it further

**BE IT RESOLVED**, that the Commissioner of Finance and Corporation Counsel is and are hereby authorized and empowered to take appropriate sets to give effect to this resolution.

**SECONDED BY COUNCILMEMBER HERMANN**

R15-18						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. A motion was made by Councilmember Rich and seconded by Councilmember Hermann to receive and print.

**RESOLUTION**  
(R-15-26)

**INTRODUCED BY CHAIRMAN PETSAS AND COUNCILMEMBER PERRY**

**WHEREAS**, the members of the Board of Assessment Review are appointed by the Common Council pursuant to the Administrative Code of the City of Poughkeepsie §5.02(1) and the Section 523 of the New York Real Property Tax Law; and

**WHEREAS**, the Common Council solicited candidates for the appointment and the interviewed the same; and

**WHEREAS**, members of the Common Council, and the City Assessor, have recommended the appointment of Blair Fahey and Regina Strohman as members of the Board of Assessment Review; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie does hereby appoint the following member to the Board of Assessment Review for a term of five (5) years commencing and expiring on the following dates;

**Blair Fahey, whose term shall commence on October 1, 2014 and expire on September 30, 2019;**

**BE IT FURTHER RESOLVED**, that the Common Council of the City of Poughkeepsie does hereby appoint the following two members to the Board of Assessment Review to fill the unexpired terms of two recently vacated positions who shall serve for the remainder of those unexpired terms;

**Regina Strohman, whose term shall commence on October 1, 2012 and expire on September 30, 2017;**

**SECONDED BY COUNCILMEMBER HERMANN**

R15-26			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VIII. ORDINANCES AND LOCAL LAWS:**

**ORDINANCE AMENDING §4-9  
OF CHAPTER 4 OF THE CITY OF POUGHKEEPSIE  
CODE OF ORDINANCES ENTITLED "ANIMALS AND FOWL"**

**(O-15-4)**

**INTRODUCED BY COUNCILMEMBER RICH**

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

**SECTION 1:** §4-9 is hereby amended by the following addition(s) and deletion(s):

**Section 4-9 -Removal of Canine Wastes; Violation, Penalty, Exemption.**

- (a) It shall be the duty of each dog owner or each person in possession, custody or control of a dog to remove any feces left by his dog on any sidewalk, gutter, street or other public area in the City of Poughkeepsie.
- (b) Any such person found guilty of violating this section, by refusing or failing to comply with the provisions hereof, shall be subject to a fine or civil penalty in an amount not to exceed \$100 ~~\$250 per occurrence~~ **for the 1st occurrence, up to \$500 for the second occurrence and up to \$1,000 for each occurrence thereafter.**
- (c) The Sanitation Inspector and the Animal Control Officer shall each have the authority to issue appearance tickets for violations of this provision, which ticket shall be returnable in the City Court of the City of Poughkeepsie, which Court shall have the power to impose the fine or penalty set forth herein.
- (d) The provisions of this section shall not apply to a guide dog accompanying any blind person.

**SECTION 2:** This Ordinance shall take effect immediately.

**SECONDED BY COUNCILMEMBER HERMANN**

**ADDITION(S)** denoted by **Underlining and Bold**

**DELETION(S)** denoted by **Strikethrough**

O-15-4			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember McClinton	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 Johnson	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 Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted					
<input type="checkbox"/>	Defeated					
<input type="checkbox"/>	Tabled					

**IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

- 1. FROM CITY ADMINISTRATOR BUNYI, a communication regarding a Financial Restructuring Board.**

**Capital Markets Advisors, LLC**

*Independent Financial Advisors*  
1075 Route 82, Suite 4  
Hopewell Junction, New York 12533  
Telephone (845) 227-8678  
e-mail: [jnytko@capmark.org](mailto:jnytko@capmark.org)

*Office locations:*  
Long Island  
New York City  
Western New York  
Hudson Valley

To: Milo Buuyi  
Karen Sorrell

From: James Nytko  
Beth Ferguson

Re: Financial Restructuring Board

Date: March 23, 2015

Thank you for taking the time to discuss the various programs offered by the New York State Financial Restructuring Board for Local Governments (the "FRB"). As per our conversation, the FRB is a ten-member panel which pledges to offer certain types of assistance to municipalities who have been deemed to be fiscally eligible. A fiscally eligible entity is defined as any county, city (excluding a city with a population greater than one million), town, or village that the FRB determines would benefit from their services. Based on the annual information provided to the Office of the State Comptroller, the City of Poughkeepsie has been deemed to be automatically eligible. As an eligible municipality, the City is entitled to receive assistance from the FRB. One such form of assistance includes the development of a multi-year financial plan.

The FRB believes that crafting a strategic multi-year financial plan can be a valuable tool, and a first step, in improving fiscal conditions. A solid multi-year plan should enable local officials to identify developing revenue and expenditure trends, establish long-term priorities and goals, and consider the impact of near-term budgeting decisions on future fiscal years. Since the City has been deemed eligible for FRB services, it is entitled to be reimbursed for all or a part of costs incurred to hire an external financial advisor to assist with the development of a multi-year plan. We have discussed the program with City officials and believe it to be an advantageous opportunity that should be pursued. As such, over the next several months we plan to work closely with the City in order to develop a strategic fiscal plan.

On an individual basis, the FRB's multi-year plan program will assist in laying a solid foundation for the development of a fiscally stable future. However, by exploring other FRB programs it may be possible to cultivate a more comprehensive approach. For instance, by resolution, the City may request the FRB to complete a review of current operations, finances, management practice, economic base and other factors. Assuming the FRB elects to complete the review, a final report will be produced which will include recommendations on improving fiscal stability, management, and the delivery of public services. As part of these recommendations, the Board could offer grants and/or loans of up to \$5 million through the Local Government Performance and Efficiency Program for undertaking certain recommendations. Prior to making any final recommendations, the FRB would consult with the City. FRB recommendations could prove to be a very valuable tool, and more importantly the possibility of grant funding may assist in the implementing of such recommendations.

As a municipality deemed to be fiscally eligible for FRB services and assistance, we believe applying for a full review would be the most prudent approach.

Please do not hesitate to contact me with any questions or concerns that we may be able to help answer.

**2. FROM CITY ADMINISTRATOR BUNYI, a communication regarding the proposed Enterprise Vehicle Fleet Management.**



City of Poughkeepsie  
Fleet Menu Pricing

Annual Mileage
5,000

Current Fleet Vehicle Replacement Recommendations						
VIN	Department	Year	Make	Model	Assigned Category	Replacement Category
175	Garage	1984	Dodge	Wajing Van	1/2 Ton Van Cargo	1/2 Ton Van Cargo
160	Building Department	1993	Chevy	Cavalier	Compact Sedan	Compact Sedan
171	Police	1994	GMC	PU	3/4 Ton Pickup Reg 4x4	3/4 Ton Pickup Reg 4x4
162	Assessor	1996	Saturn	SL1	Compact Sedan	Compact Sedan
38	Water	1996	Chevy	S10 PU	Compact Pickup Reg 4x4	Compact Pickup Reg 4x4
204	Water	1996	Chevy	S10 PU	Compact Pickup Reg 4x4	Compact Pickup Reg 4x4
199	Violation	1996	Chevy	S10 PU	Compact Pickup Reg 4x4	Compact Pickup Reg 4x4
7	Building Department	1997	Saturn	SL1	Compact Sedan	Compact Sedan
80	Electric	1998	Chevy	PU	1/2 Ton Pickup Reg 4x4	1/2 Ton Pickup Reg 4x4
163	Parking	1998	Chevy	Cavalier	Compact Sedan	Compact Sedan
16	Recreation	1998	Chevy	PU	3/4 Ton Pickup Reg 4x4	3/4 Ton Pickup Reg 4x4
181	Building Department	1999	Chevy	Lumina	Mid-size Sedan	Mid-size Sedan

Replacement Vehicles Estimated Lease Costs						
Vehicle Category	Model	2015 Model Year			Total Costs	
		Lease Cost	Qty	RBV	Lease Cost	RBV
Compact Pickup Reg 4x4	Toyota Tacoma Access Cab	\$333.33	3	\$6,521.09	\$1,180	\$14,160
1/2 Ton Pickup Reg 4x4	Ford F-150 Regular Cab	\$409.44	1	\$8,721.50	\$409	\$4,013
3/4 Ton Pickup Reg 4x4	Ford F-250 Regular Cab	\$425.97	2	\$8,041.75	\$852	\$10,223
1/2 Ton Van Cargo	Ford Transit-160 Cargo	\$397.51	4	\$8,368.76	\$368	\$4,650
Compact Sedan	Ford Focus	\$247.11	4	\$4,218.25	\$988	\$11,661
Mid-size Sedan	Ford Fusion	\$314.72	1	\$5,254.50	\$314	\$3,771
		\$344.30	12	\$5,722.02	\$4,132	\$49,679
		Avg. Monthly Cost Per Vehicle	Total Vehicles	Avg. RBV	Total Costs	

(1) Lease rates listed above are conservative estimates and are based on 2015 model year factory order pricing. Pricing does not include any additional aftermarket.

(2) The Reduced Book Value (RBV) is the delivered price less 1.26% depreciation over 60 months.



**PS/TAPS Pricing**  
Equity Lease with 1.25% monthly depreciation

Vehicle Description	2013 MSRP	2014 MSRP	2013 MSRP	2014 MSRP
1/2 Ton Pickup Reg 4x2	2013 Ford F-150 Regular Cab	24,500	24,500	24,500
1/2 Ton Pickup 4x2	2013 Ford F-150 Super Cab	24,500	24,500	24,500
3/4 Ton Pickup Reg 4x2	2014 Ford F-250 Regular Cab	29,000	29,000	29,000
1 Ton Pickup Reg 4x2	2014 Ford F-350 Regular Cab	34,000	34,000	34,000
Full-size Sedan	2014 Ford Taurus	24,000	24,000	24,000
Mid-size SUV 4x4	2014 Ford Explorer	24,500	24,500	24,500
Full-size SUV 4x2	2014 Chevy Tahoe	34,000	34,000	34,000
Compact Sedan	2014 Ford Focus	14,000	14,000	14,000
Mid-size Sedan	2014 Ford Fusion	14,000	14,000	14,000
Compact SUV 4x2	2014 Ford Escape	14,000	14,000	14,000
Mid-size Cargo	2014 Ford Transit Connect Cargo	14,000	14,000	14,000
Full-size Van/Passenger	2014 Ford E-350	24,000	24,000	24,000
1/2 Ton Van Cargo	2014 Ford E-150 Cargo	14,000	14,000	14,000
3/4 Ton Van Cargo	2014 Ford E-250 Cargo	14,000	14,000	14,000
1 Ton Van Cargo	2014 Ford E-350 Super Duty Cargo	14,000	14,000	14,000
Mid-size Passenger	2014 Toyota Sienna Passenger	24,000	24,000	24,000

Lease rates are based upon 2013 and 2014 factory ordered pricing and 12,000 miles per year (no taxes included in this rate). Pricing is guaranteed as long as the vehicle is still being manufactured (pending pricing adjustments from the manufacturer). Lease rates include maintenance with no brakes or tires. Physical Damage rate is pending loss runs and is with \$1000 deductible. Maintenance Management is available for \$7 per month per vehicle, plus the cost of repairs.



**PS/TAPS Pricing**

Equity Lease with 1.50% monthly depreciation

1/2 Ton Pickup Reg 4x2	2013 Ford F-150 Regular Cab	3322.73	333.17	335.00	3400.00
1/2 Ton Pickup Sxt 4x2	2013 Ford F-150 Super Cab	3394.01	339.17	335.00	3423.17
3/4 Ton Pickup Reg 4x2	2014 Ford F-250 Regular Cab	3463.31	339.37	335.00	3475.37
1 Ton Pickup Reg 4x2	2014 Ford F-350 Regular Cab	3459.33	343.10	335.00	3529.43
Full-Size Sedan	2014 Ford Taurus	3426.23	337.83	335.00	3487.27
Mid-Size SUV 4x4	2014 Ford Explorer	3322.53	341.07	335.00	3398.60
Full-Size SUV 4x2	2014 Chevy Tahoe	3301.04	333.37	335.00	3379.31
Compact Sedan	2014 Ford Focus	3370.09	337.83	335.00	3382.90
Mid-Size Sedan	2014 Ford Fusion	3357.07	337.83	335.00	3403.90
Compact SUV 4x2	2014 Ford Escape	3384.32	337.83	335.00	3427.11
Minivan-Cargo	2014 Ford Transit Connect Cargo	3410.32	339.17	335.00	3465.09
Full-Size Van-Passenger	2014 Ford E-350	3471.32	339.17	335.00	3535.49
1/2 Ton Van Cargo	2014 Ford E-150 Cargo	3370.43	339.17	335.00	3444.50
3/4 Ton Van Cargo	2014 Ford E-250 Cargo	3393.23	339.37	335.00	3487.26
1 Ton Van Cargo	2014 Ford E-350 Super Duty Cargo	3449.02	343.10	335.00	3518.72
Minivan-Passenger	2014 Toyota Sienna Passenger	3463.74	339.17	335.00	3525.31

Lease rates are based upon 2013 and 2014 factory ordered pricing and 12,000 miles per year (no taxes included in the rate)  
 Pricing is guaranteed as long as the vehicle is still being manufactured (pending pricing adjustments from the manufacturer)  
 Lease rates include: Maintenance with no brakes or tires  
 Physical Damage rate is pending loss runs and is with \$1000 deductible  
 Maintenance Management is available for \$7 per month per vehicle, plus the cost of repairs

**3. FROM ASSISTANT CORPORATION COUNSEL AQEEL, communication regarding the proposed Safe House Ordinance.**

Official Minutes of the Common Council Meeting of April 6, 2015

The City of Poughkeepsie  
New York

Victor Aqeel  
Assistant Corporation Counsel  
[vaqeel@cityofpoughkeepsie.com](mailto:vaqeel@cityofpoughkeepsie.com)



62 Civic Center Plaza  
Poughkeepsie, New York 12602  
TEL: (845) 451-4065  
FAX: (845) 451-4070

April 2, 2015

COMMON COUNCIL  
City of Poughkeepsie

Re: Proposal requiring Safe Storage

Dear Chairman Petsas and Council Members:

Please consider the following proposed ordinance which will require owners of firearms, rifles, shotguns or air guns to store said articles in a safe manner in conformance with City Code.

Reason for Proposal

Safe Storage would ensure that less guns are stolen and used to commit crimes.

Proposed Safe Storage Ordinance

No person shall store a firearm, rifle, shotgun or air gun in a dwelling in the City unless said firearm, rifle, shotgun or air gun is completely enclosed or contained in a nontransparent locked carrying case or in a locked gun rack, cabinet, closet or safe, or a locking device is attached to the weapon and locked in a manner so as to prevent the weapon from being fired. This requirement shall not apply to a rifle, shotgun or licensed firearm carried on the body of the owner or within such close proximity of the owner that the owner can retrieve it as quickly and easily as if it were carried on the owner's body.

Points of Contest

- The Second Amendment of the U.S. Constitution says people have a right to keep and bear arms and that right shall not be infringed. The proposed ordinance may be challenged on the grounds that it may prohibit the use of functional firearms within the home, which is a protected right under the second amendment.
- Case law dictates that a law requiring that any lawful firearm in the home be disassembled or bound by a trigger lock makes it impossible for citizens to use arms for the core lawful purpose of self-defense and is therefore unconstitutional (*Heller v. District of Columbia*).
- A law which seeks to mandate the use of lock boxes or similar devices would frustrate an owner's ability to immediately access an operable weapon for the lawful purpose of defending oneself and household members.
- Under New York Penal Law §265.45, "No person who owns or is a custodian of a rifle, shotgun or firearm who resides with an individual who such person knows or has reason to know is prohibited from possessing a firearm pursuant to 18 U.S.C. §922(g) (1)(4)(8), or (9) shall store or otherwise leave such rifle, shotgun or firearm out of his or her immediate possession or control without having first securely locked such rifle, shotgun or firearm in an appropriate safe storage depository or rendered it incapable of being fired by use of a gun locking device appropriate to that weapon..."

Official Minutes of the Common Council Meeting of April 6, 2015

- Based on the last point, we already have a safe storage law in New York State which applies only to those gun owners who knowingly or have reason to know they live with someone who is prohibited to own a firearm; therefore, by creating or re-writing the same law to include a larger class of people would be above and beyond the scope of our authority.
- Lastly, for enforcement purposes, a person who is found to be in violation of the proposed ordinance may only be found liable if someone other than the owner gains access to the firearm without lawful permission AND uses the gun or possesses the gun unlawfully.

Please let me know if you have any questions or concerns.

Respectfully submitted,

Victor Aqeel, Esq.  
Assistant Corporation Counsel

4. **FROM ANTHONY DALLEO**, a notice of property damage sustained on March 18, 2015. **Referred to Corporation Counsel.**
5. **FROM LUCINA LOPEZ**, a notice of personal injury sustained on January 1, 2015. **Referred to Corporation Counsel.**
6. **FROM SOCRATES ALICEA**, a notice of property damage sustained on February 2, 2015. **Referred to Corporation Counsel.**
7. **FROM RONALD C. KING**, a notice of property damage sustained on February 11, 2015. **Referred to Corporation Counsel.**
8. **FROM JAMES J. RANIERI, III**, a notice of property damage sustained on February 17, 2015. **Referred to Corporation Counsel.**
9. **FROM TODD SACKETT AND LOUIS ROSSI**, a notice of intent for 167 Cedar Avenue to obtain a Liquor License. **Referred to Corporation Counsel.**

**X. UNFINISHED BUSINESS:**

**Councilmember Mallory** – asks the chamberlain about TWC, also asks City Administrator Bunyi if Albany used a financial advisor

**Councilmember Hermann** – wants the walking signs put back up, announces the second Poughkeepsie Youth Expo

**Councilmember Klein** – mentions the fire mentioned earlier by an audience member, also thanks people for bringing up TWC, asks about the charter review commission

**Councilmember Johnson** – inquires about the LED lights

**Councilmember McClinton** – asks Commissioner of Public Works Gent for a hard copy of the CBGD break down, also announces a public forum and the Spring Bring

**XI. NEW BUSINESS:**

**Councilmember McClinton** – has the stats for the police department

**Councilmember Perry** – looking forward to the parks getting refreshed

**Councilmember Rich** – announces Make Poughkeepsie Shine clean up

**Councilmember Petsas** – asks about the notices for abandoned buildings being sent out, asks for a break down for how many properties that are off the tax rolls and for what reasons, city hall roof concerns

**XII. ADJOURNMENT:**

A motion was made by Chairman Petsas and Vice Chair Rich to adjourn the meeting at 9:10 p.m.

**Dated:**

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, March 2, 2015 at 6:30 p.m.

**Respectfully submitted,**

**Deanne L. Flynn**  
**City Chamberlain**



**COMMON COUNCIL MEETING**

Common Council Chambers

Monday, April 6, 2015

6:30 p.m.

*5:00 Public Hearing regarding a project  
to sell city owned property located at  
36 North Clover Street including the potential  
alienation of parkland commonly known as "Wheaton Park".*

- I. ROLL CALL:**
  
- III. REVIEW OF MINUTES:**
  
- IV. READING OF ITEMS by the City Chamberlain of any resolutions not listed on the printed agenda.**
  
- V. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.**
  
- VI. MAYOR'S COMMENTS:**
  
- VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**
  
- VIII. MOTIONS AND RESOLUTIONS:**
  - 1. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-25, introducing ordinance to amend zoning for 110 South Grand Avenue, declaring Lead Agency and setting a Public Hearing.**
  
  - 2. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-18, regarding the redevelopment of vacant property located at 21 Hooker Avenue.**
  
  - 3. FROM CHAIRMAN PETSAS AND COUNCILMEMBER PERRY, Resolution R15-26, approving two appointments to the BAR (Assessment Review Board).**
  
- IX. ORDINANCES AND LOCAL LAWS:**

1. **FROM ASSISTANT CORPORATION COUNSEL AQEEL**, Ordinance O-15-4, amending Section 4-9 entitled "Removal of canine wastes; violation, penalty, exemption", to increase the fine.

**X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

10. **FROM CITY ADMINISTRATOR BUNYI**, a communication regarding a Financial Restructuring Board.
11. **FROM CITY ADMINISTRATOR BUNYI**, a communication regarding the proposed Enterprise Vehicle Fleet Management.
12. **FROM ASSISTANT CORPORATION COUNSEL AQEEL**, communication regarding the proposed Safe House Ordinance.
13. **FROM ANTHONY DALLEO**, a notice of property damage sustained on March 18, 2015.
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**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT:**