



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, August 29, 2016 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

II. REVIEW OF MINUTES:

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

Constantine Kazolias 47 Noxon Street

SEVERAL COMMENTS AND OBSERVATIONS THAT SUPPRESS CITIZEN PARTICIPATION. THE IDA BOARD IS THE ONLY CITY AGENCY THAT MEETS 9:00 AM. THE CHARTER COMMISSION HAS TWO MEETINGS POSTED IN THE LEGAL NOTICES FOR THIS WEEK WITH THE FINAL WRAPUP FRIDAY. THE DAY BEFORE THE LONG LABOR DAY WEEKEND WHEN MANY WILL BE OUT OF TOWN. THIS A DEJU VUE WHEN THE YWCA POSTED A VARIANCE HEARING BEFORE THE SPRING/EASTER RECESS. QUESTION? ON YOU TUBE, THERE IS A VIDEO SHOWING INTERVIEW OF INDIVIDUAL BY POLICE!!! WHO RELEASED THAT VIDEO?

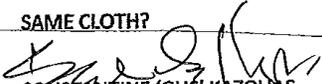
AFTER READING THE ARTICLE IN THE HYDE PARK NEWS, 'IN CASE YOU MISSED IT' BY EDITOR LANGTON, READ PASTED ARTICLE,

Poughkeepsie Mayor Rob Rollson told us what most observers already knew. Poughkeepsie is running a significant deficit and can barely pay its bills. What's interesting is that when Rollson was Dutchess County Legislative chair, he and Dutchess County Executive Marc Molinaro conspired to take more sales tax money from cities and towns and Rollson may now find himself in the awkward position of going to Molinaro and the county legislature for relief.

UNDER IX, PRESENTATIONS OF PETITIONS AND COMMUNICATIONS UNDER IX, PRESENTATIONS, 3, A COMMUNICATION FROM COUNCILMEMBER CHERRY REGARDING A PROPOSED RESOLUTION REQUESTING MAYOR ROLLISON AND COUNTY EXECUTIVE MOLINARO RENEGOTIATE THE COUNTY SALES TAX FORMULA. BEFORE LAST MONTHS DC LEGISLATIVE MEETING, I SPOKE TO CHAIRMAN DALE BORCHERT REGARDING OPENING THE COUNTY SALES TAX AGREEMENT, DALE ADVISED ME THAT ISSUE IS BETWEEN THE MAYOR ROLLISON AND C.E. MOLINARO.

UNDER THE FAST TRACKING/TYRACKING RESOLUTION R16-73, THE CITY GAVE THE COUNTY COMPLETE CONTROL / DEVELOPMENT THROUGH THE COUNTY PLANNING DEPT. BECAUSE CITY OF POUGHKEEPSIE HAS NO PLANNING DEPARTMENT. LESS WE FORGET COUNTY PLANNING DEPARTMENT APPROVAL OF JCC SITE FROM R-2 TO R-4 FOR NFP RELIGIOUS GROUP WHICH IS STILL OPEN. NOW, THE COUNTY WITH RESOLUTION 16-75 IS THE TAKE OVER OF THE CITY BUS SYSTEM WITHOUT INPUT/PUBLIC HEARING, REGARDING ROUTES, PERSONEL AND OTHER CONSIDERATIONS!!!! A FEASIBLE NON-INTERRUPTIVE COUNTY TAKEOVER WHICH WAS PROPOSED BY FORMER MAYOR TKYZIK WAS THE 911 OPERATION WHICH IS THE BACKUP TO THE COUNTY'S WHEN THE COUNTY'S SYSTEM IS DOWN. SO, WHATS THE PROBLEM?

THE ROLLISON'S BOTH THE FATHER, WHO EXPEDITED THE DEMISE OF POUGHKEEPSIE SCHOOL SYSTEM AND NOW THE SON WHO PUT THE CITY INTO 'BANKRUPTCY' THANKS TO HIS SIDE KICK CO-MAYOR/C.E. MALLINARO. BOTH SUPPORTED CANDIDATE IN THE LAST BOE ELECTION, 'TEX HARDY'. ALONG WITH BOE MEMBER WATSON. IT'S BAD ENOUGH THE BOE HAS ONE MEMBER WHO OBJECTS TO ALMOST ALL RESOLUTIONS PROLONGING MEETINGS, CAN YOU IMAGINE IF THE BOARD HAD TWO CUT FROM THE SAME CLOTH?


CONSTANTINE 'GUS' KAZOLIAS

47 NOXON STREET, POUGHKEEPSIE, N.Y. 12601 08/29/16

Damon Crumb 73 Mansion Street
Penny Lewis 20 Harrison Street
Ken Stickle 118 Catherine Street
Laurie Sandow 201 South Grand Avenue

Bruce Dooris 31 North Clover Street

IV. MAYOR’S COMMENTS:

Mayor Rolison was not present during “Mayor’s Comments”.

V. CHAIRMAN’S COMMENTS AND PRESENTATIONS:

Chairman Petsas wanted to bring clarity on the Charter Review Commission, they are having a meeting tomorrow meeting in the Council Chambers at 6:15 p.m. and at 7:00 p.m. there will be a public comment period for the public to make comments on the Charter Review Commission, and at 8:00 they will be answering questions. And that will be followed a final vote on that Thursday at 5:30 p.m. in the Council Chambers.

VII. MOTIONS AND RESOLUTIONS:

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

Fire Department Capitol plan 2016

Tower Ladder 2 – 1999 American lafrance with almost 18 years of service. This is the oldest vehicle in service as a first line Ladder truck. It has over 10,000 hours of operation and, for the last 5 years been a constant state of repair to the tune of over \$70,000 to maintain in safe, NFPA compliant condition. Additionally the company that manufactured this vehicle went out of business several years ago making parts that still exist, extremely expensive. This will soon turn into a situation where repair parts will not be available to fix this very critical piece of Fire equipment.

Replacement of this Tower Ladder is essential in providing fire protection and lifesaving capabilities to the City of Poughkeepsie residents. Tower Ladder 2 is a Mid mount system with a platform that reaches over 100 ft up. This platform design has several important features that help in rescue of persons and delivery of water in major fires. Our Main Street corridor has numerous buildings of 3- 5 story buildings that house both commercial and residential occupancies. This unique piece of Fire apparatus has been used numerous times to safely remove residents trapped by fire and its water delivery system has prevented fires from spreading throughout these attached buildings, saving millions of dollars in fire losses.

Engine 2 – 2001 E-One Rescue pumper in its 17th year of service with 90,000 miles and also 10,500 hrs of operation. This is the second oldest overall and the oldest Engine in front line service. This Rescue pumper is also the busiest piece of Fire equipment in the City as not only does it respond to over 4000 City emergencies annually, it is also our Mutual Aid Engine that responds as a FAST team to other local departments and has technical rescue equipment aboard for rescue emergencies not related to fires.

In the past 3 years it has become increasingly expensive to address a multitude of mechanical, electronic and operational repairs needed to keep this critical piece of Fire Apparatus in working condition (over \$37,000 in repairs).

Replacement of the City's only Rescue Pumper is also essential in continuing to provide safe adequate fire protection to the City of Poughkeepsie and our Mutual Aid partners.

With the City continuing to grow with the Dutton, Delaval projects adding an additional 400 residential units and numerous commercial projects including more businesses, the Fire Department will need to be able to continue to provide reliable, efficient services to the community. To do this, along with proper staffing levels, the fire equipment we respond with needs to be safe and reliable as well.

Ladder 1 – 2002 E-one 100' aerial ladder with just over 5,000 aerial hours is the next oldest piece but with much fewer issues as its work time is about half the total hours.

Engine 1- a 2006 Gowens Knight 1500 GPM pumper has just over 6,000 hours of service and has recently had the engine rebuilt in 2015 due to a internal defect.

Engine 3 - 2007 Gowens Knight 1500 GPM pumper with 5,000 hours and it also has just recently had major engine work.

These 2 Engines and Ladder 1 should be in good condition for another 5/6 years before replacement is necessary.

The 3 Fire Stations - 505 Main Street, 18 NH Clover Street and 268 Hooker Ave.

505 Main is the newest station built in 2007 with no outstanding operational issues at this time other than some HVAC issues that have been addressed.

18 N Clover Street station was built in 1968 and in the last 3 years has had a new boiler system installed and a 10 kw generator. And we have just received funding from Senator Serino to replace all windows, which are originals from 1968.

268 Hooker Station has had upgrades as well, a new boiler in 2006 and a 10kw generator was also installed in 2012. Due to its nature as an historic building, anytime repairs or replacements are need it is much more expensive to maintain the outside, including windows, which are much needed.

Annually the Fire Department receives CDBG monies to purchase hose, axes, saws meters and other less expensive items , but it does not usually impact our operating budget.

We currently have grants for the 7 new Firefighters of over 960,000 and just received another \$165,000 for new Personal protective gear that was much needed. Again these grants keep us from having to include these items in our annual budgeting, thus saving in our resident's tax burden.

A handwritten signature in black ink, appearing to be 'Mark W. Johnson', located at the bottom right of the page.



The City of Poughkeepsie, NY Capital Plan 2017-2021



- I. Introduction
- ii. Debt Payments
- iii. Summary
- iv. Transportation
- v. Utilities
- vi. Facilities
- vii. Transit
- viii. Vehicles

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

City Councilmembers

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

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

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

Proposed August 22, 2016

The City of Poughkeepsie, NY
Capital Plan 2017-2021

Capital Program Committee:

Robert Rolison, Mayor

Ronald J. Knapp, Acting City Administrator

William Brady, Commissioner of Finance

Thomas Pape, Acting Police Chief

Mark Johnson, Fire Chief

Christopher Gent, Commissioner of Public Works

Joseph Chenier, Assistant Civil Engineer

Greg Bolner, City Planning Consultant

Rocco German, Microcomputer Network Support Specialist

Prepared by:

Ronald J. Knapp, Acting City Administrator

William Brady, Finance Commissioner

The City of Poughkeepsie, NY Capital Plan 2017-2021

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

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

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

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

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

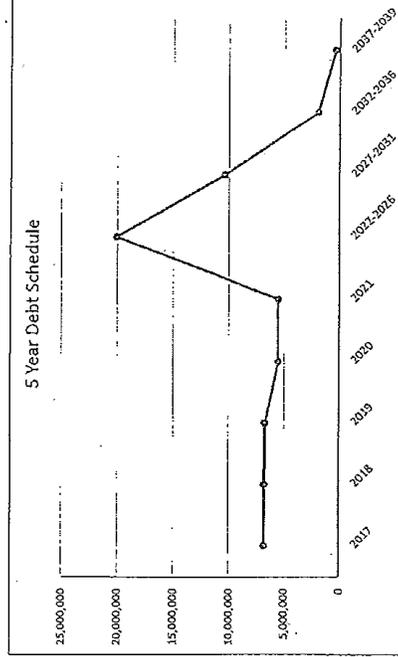
In summary, the Capital Improvement Plan calls for an estimated total expenditure of \$94,937,197 over the five-year period. Of that, the priority established in this plan calls for spending \$41,460,705 in 2017. Of that, \$27,057,705 would fall on the City, while \$9,367,000 would be funded by New York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

The City of Poughkeepsie, NY
Capital Plan 2017-2021

- Significant Projects to be undertaken in 2017 are:
- College Hill Reservoir Project: \$11,767,232 with \$3,000,000 from NYS
 - CWSRF: \$11,256,000 with \$5,000,000 from NYS
 - Main Street Reconstruction: \$3,259,000 with \$511,000 from NYS and \$2,839,000 from Federal Assistance
 - Kaal Rock Point: \$3,000,000
 - Morgan Lake Dam: \$3,000,000
 - Water System Improvements--Market St.: \$2,640,000
 - City Hall Generator: \$2,400,000
 - 2 Diesel/Electric Buses: \$1,500,000--Federally Funded
 - New Tower Ladder Truck: \$1,200,000 with \$500,000 from NYS (\$200,000 other sources)

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

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



5-Year Capital Plan Summary

DPW

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

5-Year Capital Plan Summary		2,017	2,018	2,019	2,020	2,021
Project	Description	Total				
36	Kaal Roc Bathroom	100,000		100,000		
37	Morgan Lake Bathroom	100,000			100,000	
38	Pulaski Pool Locker Room	50,000		50,000		
39	Spratt Pool Fence	100,000		100,000		
40	2 Diesel Electric Buses - HOLD OVER	1,500,000	1,500,000			
41	Bus Shelters - HOLD OVER	37,200	37,200			
42	Preventive Maintenance Bus - HOLD OVER	1,350,000	270,000	270,000	270,000	270,000
43	Operating Assistance for City Transit - HOLD OVER	1,700,000	340,000	340,000	340,000	340,000
44	Bus Lift	110,000			110,000	
45	Bus Stop Signs	50,000	10,000	10,000	10,000	10,000
46	Repair Wash Bay	200,000	200,000			
47	DPW Vehicles - HOLD OVER	3,607,800	721,560	721,560	721,560	721,560
48	Iron Trash Cans for City Streets	50,000	10,000	10,000	10,000	10,000
49	Sanitation Scale	500,000	500,000			
50	Security Cameras DPW	100,000	20,000	20,000	20,000	20,000
51	City Owned Parking Lot Repair - General Lot Repair	1,000,000	200,000	200,000	200,000	200,000
52	Tree Clearing at City Property	125,000	25,000	25,000	25,000	25,000
53	Tree and Leaf Pile Removal	80,000	80,000			
54	Park Improvements (Spratt and Pulaski)	110,000	110,000			
55	Parks Maintenance Vehicle	40,000	40,000			
58	Monument at College Hill Repair	300,000			300,000	
59	Bathrooms at College Hill	500,000				500,000
Total DPW		54,567,000	16,645,560	6,301,760	4,866,560	20,346,560
FIRE						
1	New Rescue Pumper Engine	550,000		550,000		
2	Clover Street Firehouse Window Replacement	79,000	79,000			
3	New Tower Ladder Truck	1,200,000	1,200,000			
Total Fire		1,829,000	1,279,000	550,000		
POLICE						
1	Police Car Replacement	1,071,000	300,000	150,000	300,000	125,000
Total Police		1,071,000	300,000	150,000	300,000	125,000

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

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

Description	2017			
	City	State	Federal	Other
Annual Streets Paving Program	500,000	500,000		
Main St Reconstruction	3,529,000	179,000	511,000	2,839,000
Water Sys Improvements - Market St. - HOLDOVER	2,640,000	2,640,000		
General Yearly Valve Replacement Program	200,000	200,000		
Sanitary & Storm Sewer Spot Rehabilitation	250,000	250,000		
Kaal Rock Point - HOLDOVER	3,000,000	3,000,000		
City Hall Generator - HOLDOVER	2,400,000	2,400,000		
CDBG - Parks - HOLDOVER	100,000		100,000	
CDBG - Scattered Sidewalks - HOLDOVER	200,000		200,000	
Electric Main at DPW	50,000	50,000		
Transfer Station Pit Repair	20,000	20,000		
City Hall Parking Garage Repair	200,000	200,000		
Stitzel - Concession Bldg-	30,000	30,000		
2 Diesel Electric Buses - HOLDOVER	1,500,000		1,500,000	
Preventive Maintenance Bus - HOLDOVER	270,000	216,000	27,000	
Operating Assistance for City Transit - HOLDOVER	340,000	170,000	170,000	
Bus Stop Signs	10,000	10,000		
Repair Wash Bay	200,000	200,000		
DPW Vehicles - HOLDOVER	721,560	721,560		
Iron Trash Cans for City Streets	10,000	10,000		
Security Cameras DPW	20,000	20,000		
City Owned Parking Lot Repair - General Lot Repair	200,000	200,000		
Tree Clearing at City Property	25,000	25,000		
Tree and Leaf Pile Removal	80,000	80,000		
Park Improvements (Spratt and Pulaski)	110,000	110,000		
Parks Maintenance Vehicle	40,000	40,000		
Total DPW	16,645,560	8,021,560	3,788,000	4,836,000

5 Year Capital Plan
Funding for 2017 Projects

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

**RESOLUTION
(R16-74)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, in accordance with Section 5.02 of the Charter of the City of Poughkeepsie, the City Administrator has presented the 2017-2021 Capital Projects Program to the Common Council; and

WHEREAS, the Common Council held its public hearing concerning the 2017-2021 Capital Projects Program on August 29, 2016; and

WHEREAS, the Capital Projects Program is considered a planning document for the City’s anticipated Capital Projects needs for the ensuing five-year period, and as such, the Program may be amended from time to time before a particular Capital Project is implemented and final project approval will be made as sources of funds are identified; and

WHEREAS, the Common Council of the City of Poughkeepsie has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617,

NOW, THEREFORE,

BE IT RESOLVED, that the 2017-2021 Capital Projects Program budget annexed hereto is hereby approved by the Common Council subject to such amendments as may be deemed necessary and/or advisable, and also subject to such further approvals as may be required by law.

SECONDED BY COUNCILMEMBER JOHNSON

R16-74			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Young	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 McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

The City of Poughkeepsie

New York

Paul Ackermann
Corporation Counsel
pAckermann@cityofpoughkeepsie.com



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

August 25, 2016

CC Meeting: 8/29/16
ITEM VII- 2

COMMON COUNCIL
City of Poughkeepsie

RE: INTERMUNICIPAL AGREEMENT between COUNTY and CITY FOR PARATRANSIT SERVICES
Our File: G2312

Dear Chairman Petsas and Councilmembers:

Annexed hereto please find a proposed Resolution and draft Agreement between the City of Poughkeepsie and Dutchess County for the provision of paratransit services for the City of Poughkeepsie. This Agreement is a renewal of one originally adopted in 2004. It has been reviewed and found satisfactory by the Law Department and the Transit Division. I am informed that provision has been made in the 2016 Budget for the funding required by this Agreement.

The Americans with Disabilities Act (ADA) requires any operator of a fixed route transit system that accepts federal monies to provide Paratransit services for people with disabilities who cannot access the fixed route services. Since 2004, the City has contracted with Dutchess County Loop to provide the dispatcher, weekend response and curb-to-curb Paratransit services. It takes three buses to accommodate the disabled population of the City. The majority of the people who use the Paratransit services are physically and mentally disabled persons who are enrolled in mental health services.

Please consider this matter at your Council meeting on August 29, 2016. Your favorable action is requested at that time. Representatives of Dutchess County LOOP as well as the finance department will be available if you should have any questions.

Respectfully submitted,

PAUL ACKERMANN
Corporation Counsel

PA:mt
Attachment

INTERMUNICIPAL AGREEMENT
BY AND BETWEEN THE COUNTY OF DUTCHESS
AND THE CITY OF POUGHKEEPSIE

THIS AGREEMENT, bearing the date set forth on the signature page, by and between the COUNTY OF DUTCHESS, a municipal corporation with offices at 22 Market Street, Poughkeepsie, New York 12601 (hereinafter referred to as "the County") and the CITY OF POUGHKEEPSIE, a municipal corporation of the State of New York with offices at the Municipal Building, 62 Civic Center Plaza, Poughkeepsie, NY 12601 (hereinafter referred to as "the City").

WITNESSETH:

WHEREAS, both the County and the City operate separate public transit systems pursuant to law, including General Municipal Law Article 5-I, and

WHEREAS, because of, among other things, the proximity of the systems, certain efficiencies are to be gained by both if limited aspects of the systems are shared, and

WHEREAS, pursuant to General Municipal Law Article 5-G, the County and the City are authorized to enter into agreements to provide jointly, any service or facility each may provide separately, and

WHEREAS, the parties desire to do so, as hereinafter set forth, and

WHEREAS, the Common Council of the City of Poughkeepsie, by Resolution, _____ authorized execution of this Agreement, and

WHEREAS, the Legislature of the County of Dutchess, by Resolution No. _____ authorized execution of this agreement, now, therefore, it is mutually agreed by and between the parties hereto as follows:

1. **COUNTY AND CITY SYSTEMS.** Both the County, through its Department of Public Works – Public Transit Division, and the City, operate public transit systems. The Americans With Disabilities Act (ADA) and related legislation require that each provide certain accommodations for the disabled. These include, among other things, demand paratransit service (complementary paratransit services) in the vicinity of fixed route service when buses do not deviate from those routes to provide more accessible services for the disabled.
2. **SCOPE OF SERVICES.** The County shall provide demand paratransit service in accord with the Americans With Disabilities Act for any route of the fixed

Official Minutes of the Council Meeting of Monday, August 29, 2016

route transit service of the City's Public Transit System during the days and hours the City operates that route of its fixed route service.

The County shall provide an annual report to the City listing the services provided under this Agreement.

The City will provide the County with ten (10) days written notice, prior to any schedule or route change, that will affect the paratransit service provided hereunder

3. **TERM OF AGREEMENT.** This Agreement shall be effective January 1, 2016 and shall terminate on December 31, 2016, unless otherwise terminated as set forth herein. This agreement may be extended for up to four (4) additional one year terms as mutually agreed upon by the parties.
4. **PAYMENT.** As payment for the services so rendered, the City shall pay a total sum not to exceed \$9,250.00 for 2016. During July of each year, the City shall make one annual payment to the County for the services provided hereunder. In the event of early termination, payments shall be prorated to termination and promptly made.
5. **MUTUAL INDEMNIFICATION.**
 - a. The City shall keep, save and hold the County harmless from any and all damages and liabilities for anything and everything whatsoever arising from or out of this Intermunicipal Agreement due to any fault or negligence by the City for any failure on the City's part to comply with any of the covenants, terms, and conditions herein contained. The City will maintain appropriate insurance, if available, to provide for the obligations it has assumed hereunder.
 - b. The County shall keep, save, and hold the City harmless from any and all damages and liabilities for anything whatsoever arising from or out of this Intermunicipal Agreement due to any fault or negligence by the County for any failure on the County's part to comply with any of the covenants, terms, and conditions herein contained. The County will maintain appropriate insurance, if available, to provide for the obligations it has assumed hereunder.
6. **NON-ASSIGNMENT.** This Agreement may not be assigned by the County, nor its right, title, or interest therein assigned, transferred, conveyed, sublet, or disposed of without the previous written consent of the City, which shall not be unreasonably withheld.

Official Minutes of the Council Meeting of Monday, August 29, 2016

7. **ACCIDENTS**. The County shall immediately notify the City of any accident involving the paratransit services provided hereunder, and shall upon request, furnish the City with a detailed written statement concerning such accident.
8. **NOTICE**. Any notice required or desired to be given or served by either party to this Agreement, shall be deemed to have been given or served by either party when made in writing and mailed by ordinary mail, postage pre-paid, addressed as follows:

To the County: Dutchess County Commissioner of Public Works
626 Dutchess Turnpike
Poughkeepsie, NY 12603

To the City: Rob Rolison, Mayor
City of Poughkeepsie
62 Civic Center Plaza, 3rd Floor
Poughkeepsie, NY 12601

Commissioner of Public Works
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

The addresses may be changed from time to time by either party by serving notice provided, however, any notice must be received by the party at least three (3) business days prior to the date what such change is to be effective.

9. **CONFIDENTIALITY AND HIPAA COMPLIANCE**: The County and the City shall comply with applicable federal and state requirements for confidentiality of records and information, and agree not to allow examination of records or disclosures of information, except as required by law or where permissible on the mutual consent of the parties. The County and the City, their officers, agents, and employees, and subcontractors will treat all client/patient information which is obtained through performance under this Agreement, as confidential information to the extent required by the laws and regulations of the State of New York and of the United States including, but not limited to the Federal Health Insurance Portability and Accountability Act of 1996 (Public Law 104.191 also known as HIPAA) and the Federal Health and Human Services (HHS) Administrative Rule: "Standards for Privacy of individually identifiable Health Information" (the "Privacy Rule").
10. **TERMINATION**: Notwithstanding anything to the contrary contained in this Agreement between the County and the City, both parties agree that either party may terminate this Agreement upon thirty (30) days notice. Notice shall be given in accordance with Paragraph "8" above.

11. **ENTIRE AGREEMENT.** The terms of this Agreement, including its attachments and exhibits, represent the final intent of the parties. Any modification, rescission or waive of the terms of this Agreement must be in writing and executed and acknowledged by the parties with the same formalities accorded this basic Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement made this day of _____, 2016.

APPROVED AS TO FORM:

ACCEPTED: COUNTY OF DUTCHESS

County Attorney's Office

BY: _____
Marcus J. Molinaro
County Executive

APPROVED AS TO CONTENT:

CITY OF POUGHKEEPSIE

D. C. Department of Public Works

By: _____
Rob Rolison, Mayor

Public Transit

**RESOLUTION
(R-16-75)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, both the County of Dutchess and the City of Poughkeepsie operate separate public transit systems; and

WHEREAS, because of the proximity of both systems, certain efficiencies of scale can be gained by both systems if limited aspects of the transit systems are shared; and

WHEREAS, the County of Dutchess and the City of Poughkeepsie are authorized by law to enter into agreements to provide jointly any services or facility each may provide separately

NOW, THEREFORE,

BE IT RESOLVED, that the terms of the Intermunicipal Agreement providing for the delivery of paratransit 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 JOHNSON

R16-75			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

R E S O L U T I O N
(R-16-76)

INTRODUCED BY COUNCILMEMBER CHAIRMAN PETSAS

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

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

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

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

NOW, THEREFORE,

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

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

SECONDED BY COUNCILMEMBER CHERRY

Poughkeepsies' Joint Water Project Board

3431 North Road
Poughkeepsie, New York 12601



Friday, August 5, 2016

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

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

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

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

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

Phone (845) 451-4173 x2003 Fax (845) 451-4175
E-mail: ralstadt@pokwater.com

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

Summary

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

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

Summary

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

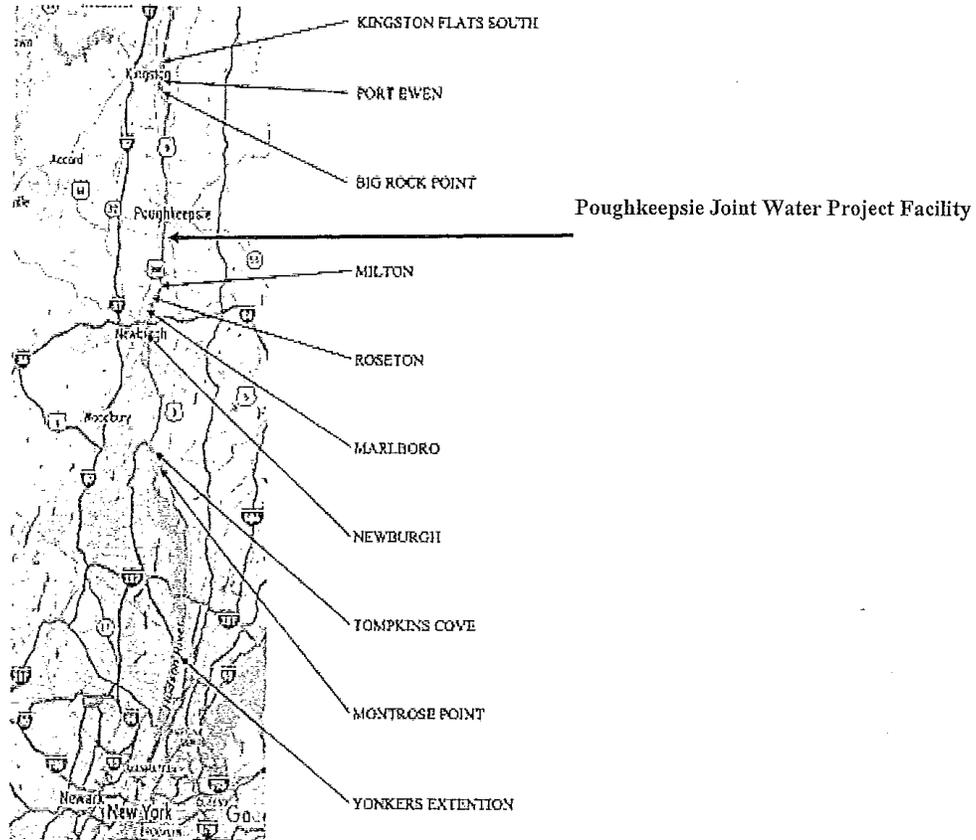
The Joint Water Project Board would point out that the net effect of the adopted regulation disestablishing anchorage grounds (05/02/16) moves all of the vessels including barges with oil or petroleum products in them, to the newly proposed anchorage grounds in the Hudson River above Yonkers. Further,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

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

Yours truly,

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

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



Telephone (845) 451-4173 x16

Fax (845) 451-4175

E-mail: ralstadt@pokwater.com

R16-76			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

RESOLUTION

R16-77

CALLING UPON THE COAST GUARD TO HOLD A PUBLIC MEETING IN THE CITY OF POUGHKEEPSIE TO DISCUSS THE PROPOSED NEW ANCHORAGE GROUND IN THE HUDSON RIVER

INTRODUCED BY COUNCILMEMBER MCNAMARA

WHEREAS, the United States Coast Guard is considering establishing new anchorage grounds in the Hudson River from Yonkers, NY to Kingston, NY as it has received requests from industry associations that suggest additional anchorage grounds may improve navigation safety along an extended portion of the Hudson River, which currently has no anchorage grounds; and

WHEREAS, the Coast Guard is required to considering such request, but is seeking comment and information about the operational needs for new anchorage grounds and what form possible regulations should take; and

WHEREAS, the Coast Guard's notice advises that it is considering proposing that an anchorage ground covering approximately 75 acres for up to two vessels be established as a Milton anchorage ground as just south of the City's waterfront on the west bank of the Hudson River; and

WHEREAS, a map is attached to this Resolution depicting the proposed Hudson River Anchorage proposal, specifically such anchorage area in Milton which would directly impact the City's Southern Waterfront where the City has spent considerable time, energy and money developing; and

WHEREAS, the proposed Milton Anchorage Site's proximity to the Southern Waterfront will have a direct impact on the City's view shed, quality of life and tourist economy; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby requests that the Coast Guard hold a public meeting to be hosted by the City of Poughkeepsie and held at City Hall for the purpose of the receiving public comment and to allow the Coast Guard to explain the proposed Milton Anchorage Ground which proximity to the City of Poughkeepsie's Southern Waterfront will have a direct impact on the City's view shed, quality of life and impact its tourist economy; and be it further

RESOLVED, the City Council requests further information be provided including, but not limited, to the following:

- a) Whether in considering adopting proposed rules permitting new anchorage grounds, will the Coast Guard comply with the National Environmental Protection Act ("NEPA")?
- b) On average, how many ships per year would use such anchorage positions?
- c) On average how long would a ship be anchored?
- d) What are the potential impacts associated with noise from the ships?
- a) What are the potential impacts associated with lights on the ship?
- b) What are the potential impacts to the view shed when considered from all points in the City of Poughkeepsie?
- c) What is the potential economic impact on tourism in the City of Poughkeepsie from locating such anchorage points opposite the City's Southern Waterfront?
- d) Are the proposed anchorage points consistent with the City of Poughkeepsie's Local Waterfront

Revitalization Plan?

- e) Details as to the height, length and width of the ships that would be expected to anchor at the Poughkeepsie anchorage ground.
- f) Types of materials that ships would be hauling that would be potentially anchored at the Poughkeepsie anchorage ground.
- g) Safety measures in place to protect the City of Poughkeepsie’s drinking water which draws water directly from the Hudson River.

And be it further

RESOLVED, that the City Chamberlain be and hereby is directed to send a copy of this resolution to the United States Coast Guard and our federal representatives.

SECONDED BY COUNCILMEMBER CHERRY

R16-77			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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



William Brady
Commissioner of Finance

The City of Poughkeepsie
New York

August 29, 2016

To: Chairman Chris Petsas
Common Council Members

From: William Brady, Commissioner of Finance

Re: Engineering Planning Grant – City of Poughkeepsie Waterfront Development

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

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

I recommend the adoption of the attached Resolution.

Thank you for your consideration.

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

**RESOLUTION
R16-78**

INTRODUCED BY COUNCILMEMBER CHERRY

NOW, THEREFORE, BE IT:

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

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

NOW, THEREFORE,

BE IT RESOLVED that the City of Poughkeepsie authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the CITY OF POUGHKEEPSIE WASTEWATER IMPROVEMENT PROJECT. Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Commissioner of Finance shall not exceed \$20,000 based upon a total estimated maximum project cost of \$50,000. The Commissioner of Finance may increase this local match through the use of in kind services without further approval from the City of Poughkeepsie.

SEQR Type II Determination Resolution

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

NOW, THEREFORE,

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

SECONDED BY COUNCILMEMBER JOHNSON

R16-78						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

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

O-16-6						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- 2. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.**

O-16-7						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM FIRE CHIEF JOHNSON**, a presentation regarding Fire Department Equipment.
2. **FROM COUNCILMEMBER LORRAINE JOHNSON**, a communication regarding the proposed sale of a portion the Smith Street parking lot.
3. **FROM CHAIRMAN PETSAS AND COUNCILMEMBER CHERRY**, a communication regarding a proposed Resolution requesting Mayor Rolison and County Executive Molinaro renegotiate the County’s sales tax formula.
4. **FROM MOLLY JENKINS**, a notice of property damage sustained on June 12, 2016. **Referred to Corporation Counsel.**
5. **FROM WHITE AND WILLIAMS, LLP**, a notice of property damage sustained by Timothy Lang on May 4, 2016. **Referred to Corporation Counsel.**
6. **FROM STEVEN TREJOS**, a notice or property damage sustained in August, 2016. **Referred to Corporation Counsel.**
7. **FROM ROYAL CARTING SERVICE**, a notice of property damage sustained on August 2, 2016. **Referred to Corporation Counsel.**
8. **FROM DEVON JONES**, a notice of property sustained on July 28, 2016. **Referred to Corporation Counsel.**
9. **FROM VIRGINIA PATTERSON**, a notice of intent for Karma One, LLC (located at 369 Main Street), to obtain a Liquor License. **Referred to Corporation Counsel.**

X. UNFINISHED BUSINESS:

Councilmember Klein asked that the attached be entered into the minutes, with reference to R16-76:



801 N. Quincy Street, Suite 200
Arlington, Virginia 22203
(703) 841-9300
www.americanwaterways.com

About the Proposed Hudson River Anchorages

- Since the earliest days, moving goods on the water has been part of the fabric of life on the Hudson River. Called "invisible" by some, the domestic maritime industry provides the safest, most environmentally-friendly method to deliver vital cargoes, including home heating oil, fuel, construction materials, grains, and food products.
- Year-round, modern tank barges, towboats and articulated-tug barges are marvels of efficiency and safety, leaving the smallest carbon footprint while carrying the largest tonnage of any mode of commercial transportation.
- Commercial maritime vessels and operators are regulated by a myriad of Federal and state requirements which mandate safety, training, and inspections. These regulations are designed to enhance the safety, security and environmental stewardship of vessels, and the waterways in which they operate.
- New York maritime operators live and work on the river and it is important to everyone to keep the waterways, safe, clean, and secure. The New York maritime industry has been operating consistent with these principles for decades on the Hudson River and the many other navigable waterways in the region.
- Safety is the primary concern for the domestic maritime towing industry. Therefore, when fog, bad weather or storms force the vessels to halt their trips, they seek a temporary safe harbor to wait for first light or better weather. This has been the safety practice for decades on the Hudson.

Myths & Facts About the Proposed River Anchorages

- **Myth # 1: The proposed anchorages will allow the Hudson River to become a parking lot for barges.**
 - **Fact:** Anchorage areas are not "parking lots". Vessels are usually anchored for a very limited period of time (typically 4-6 hours), they are always manned during this time, and lit in accordance with US Coast Guard regulations. Anchorages allow vessels to have a temporary safe harbor. Vessels are forced to anchor for many safety reasons, including fog, weather conditions, and ice. The anchorages will also allow vessels to wait to navigate at first light and at high tide. A safe place to anchor is essential to safety.
- **Myth #2: These anchorages will increase the amount of crude oil transported on the water.**
 - **Fact:** The anchorages are all about safety. Indeed, the proposed anchorages will not in themselves encourage additional vessel traffic on the Hudson – rather, the anchorages will safely accommodate vessels that are *already* actively trading up and down the river. The number of vessels moving crude oil on the river is directly tied to the demand for crude oil, and has nothing to do with the number of anchorages on the Hudson River.

The Tugboat, Towboat and Barge Industry Association

- **Myth #3: The proposed anchorages will undo progress on environmental protections for the Hudson River and mar the views of the waterfront.**
 - **Fact:** For centuries, vessels have anchored as necessary on the Hudson River. The proposed anchorages would simply formalize decades of safe industry practice and give the U.S. Coast Guard oversight of the anchorage areas. Anchorages do not require construction or placement of infrastructure in or around the river.

Safety, Homeland Security & the Environment

- The maritime industry supports the proposed anchorages because they help to promote navigational safety on the Hudson River. A safe place to anchor is essential to the safety of the crew, the vessels, other operators, property, and cargoes, as well as the health of the river environment itself.
- The proposed anchorage sites have been selected due to a variety of physical characteristics that facilitate safety, including depth of water, shelter from currents, width of river, interval of spacing, and the location of "usual and customary" anchoring locations.
- From a security standpoint, these vessels are American owned, American flagged and crewed by Americans, who military leaders have called vital to homeland security.
- The vessels are required to comply with U.S. Coast Guard approved security plans and all professional mariners are required to be U.S. Citizens who are required to hold Transportation Worker Identification Credentials issued by the Transportation Security Administration, which provide a digital photo ID and require extensive criminal and drug background checks. Additionally, U.S. Coast Guard regulations require all waterborne crew to hold proper licenses, ratings, and training certifications.
- These security measures are intended to strictly control access to vessels at all times, including while they are at anchor.
- Environmentally, the industry is subject to numerous environmental regulations, including the Oil Pollution Act – which as of 2015 required all new barges be double-hulled. The anchorage areas would further serve to protect the environment by allowing operators to avoid navigating during unsafe conditions that could lead to accidents and/or oil spills.
- The environmental benefits of maritime transportation are supported by the industry's track record: According to the latest available data from the U.S. Army Corps of Engineers, no oil from tank barges has spilled into the Hudson since data tracking began in 2012.
- Waterborne transport reduces roadway congestion and emissions by reducing the need for truck transport. As an example, a New York City Economic Development Corp. study found that in one single year waterborne transportation eliminated 3.1 million truck trips within New York City alone. This is because of the efficiency of maritime transportation: for example, a typical inland barge has a capacity 15 times greater than one rail car and 60 times greater than one semi-trailer truck.

XI. UNFINISHED BUSINESS:

XII. NEW BUSINESS:

XIII. ADJOURNMENT:

A motion was made by Councilmember Cherry and Councilmember Johnson to adjourn the meeting at 10:00 p.m.

Dated: September 14, 2016

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, August 29, 2016

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**

