



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, December 19th, 2011 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

II. REVIEW OF MINUTES:

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Common Council meeting March 21, 2011.

CCM 3-21-11			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Common Council meeting June 6, 2011.

Official Minutes of the Common Council Meeting of December 19, 2011

CCM 6-6-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Common Council meeting June 20, 2011.

CCM 6-20-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Common Council meeting June 29, 2011.

CCM 6-29-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and is seconded by Councilman Parise to accept the minutes of the Common Council meeting October 3, 2011.

CCM 10-3-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Common Council meeting October 17, 2011.

CCM 10-17-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Common Council meeting November 9, 2011.

CCM 11-9-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Common Council meeting November 21, 2011.

CCM 11-21-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Public Hearing of November 21, 2011.

Official Minutes of the Common Council Meeting of December 19, 2011

Public Hearing of 11-21-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Common Council meeting of December 5, 2011.

CCM 12-5-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Public Hearing of December 5, 2011 (Local Law LL-11-7).

Public Hearing of 12-5-11 (LL-11-7)						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilman Herman made a motion and seconded by Councilman Parise to accept the minutes of the Public Hearing of December 5, 2011 (Redistricting).

Public Hearing of 12-5-11 (Redistricting)						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

REMOVE

VII. MOTIONS AND RESOLUTIONS:

- 3. FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,**
Resolution R11-95, approving a Tax Review Settlement for 20 Sunfish Cove Road.

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

Harvey Flad 115 Academy Street: Issue of the waterfront advisory committee. As a member of the waterfront advisory committee and having read the agenda ahead of time I came tonight to just remind the council that the waterfront advisory committee exists to advise you on various things coming up before you. I saw on the agenda that there were two resolutions to be discussed by you all tonight neither of which had come before the waterfront advisory committee. I would suggest that if you are interested in our advice, which I think you should be in terms of having appointed us as your advisory committee. That the process should be dealt with in which issues that are in these two resolutions should have come up before WAC so that we could offer you some advice. One of these resolutions has been taken off the table so we do not have to talk about that. The other resolution that you will be talking about has to deal with the deal of all property and the plans for that which I see over on the board. I just want to remind you that unless you have the advice from the waterfront advisory committee perhaps you should put off some of the decisions that you are going to make. WAC exists to help out this city that is what we are for. We want to see good, honest, and decent development of the waterfront and that is what we are for. All the grants and other things that are going on we are in favor of all of those. We just need to have the information ahead of time, and then you folks can deal with our advice such as it might be.

Ken Stickle 118 Catherine Street: One of my pet peeves is when I see people putting up posters on telephone poles and on people's private property. I have watched three black youths this week putting them up on Main street light poles advertising for a club. I believe every poster that is put up the city should be going after these clubs collecting twenty five dollars per poster at least to take them back down same thing with someone that is having a yard sale. If you want to have a yard sell I do not have a problem. I have put up a

couple signs myself over the years, but if you cannot take the signs down then pay for them to be removed. It is just like political signs nothing worse than seeing someone's political sign that has been up for six months after they have been elected in office or thrown out of office. If your sign is still there your committee should have to pay a fine for removing that sign. I wish everyone luck in the future. I hope you have an agenda that helps the public down the road. I would like to say one thing I think that the City of Poughkeepsie needs to do something and get involved with our school board. We had the stabbing in school between two teachers I would only see this between two students, not between two teachers, and I think our city and our city school needs to work closer together. If that means that we need to increase security for that school then that is what we need to do, but our students need to be well taken care of. I would like to see something passed to fine people that put posters up on people's private property and an increase in law enforcement over at the school property so that the students can feel safe.

Mark Marinoff 2 Miller Road: Reading a statement from Abraham Marinoff. First however I would like to let you know a little bit about who my father is. Now 96 years old he has been a city of Poughkeepsie resident since 1964 and he has been a successful business man here in this community. He served three and a half years during World War II in the United States Army Air force and was honorably discharged in 1945. Back in the 1930s he took to the streets to demand that black workers receive the same pay as white workers who held the same jobs. Their chant when they took to the streets was, "black and white unite and fight". Also I must add that he and my mother who has passed on last spring were dedicated ferociously to each other throughout their 68 year marriage. Finally both my father and I want to express gratitude that this public forum to address grievances exists. Now for my father's statement: When I heard that the occupy eviction scheduled for December 1st 2011 did not take place I called the mayor's office commending him on his decision to let the occupiers stay. It is my understanding and belief that all Americans have the right to gather in public places, and complain all they want about injustices. Even if maybe I do not agree with you I stand up for your right to protest. A week later I was disappointed that the occupiers had finally been evicted, and believe it is criminal that their personal belongings and property was torn down and hauled off to the dump to be left in piles. Please protect them even if maybe you do not agree with them. If for no other reason they are Americans exercising their rights that so many have fought for.

Jeffrey Schneider 28 Vassar Lake Drive: I would like to address the city's decision to forcibly remove occupy Poughkeepsie from Home Park. I am currently a member of the Town of Poughkeepsie although most of my free time is spent in the city. In the past few months I have become a frequent visitor to Home Park having become involved in the occupy Poughkeepsie movement shortly after a number of enterprising young people set up their

tents and organized their first rally there. Although I have never spent a night in the park I have supported their efforts by participating in general assembly meetings, and providing hot meals and other materials support on a regular basis. Seeing so many young people organize for democratic social change has given me and many of the older citizens who have flocked to the occupy movement a real sense of hope in this country. I recognize that the city has safety concerns about impromptu encampments and needs to apply curfew and other laws fairly and consistently. I believe that the decision to evict the occupy members from the encampment was an infringement upon our first amendment right to assemble and exercise our free speech. This has been the interpretation of the District Attorney in Albany as well as the mayor and village board in New Paltz. When it comes to balancing competing laws I hope that political freedom messy as it may be will always triumph over the desire for order. Occupy Poughkeepsie may find it easier to comply with the city's curfew in the cold winter months, but I can assure you that the occupy movement is not going away before the final thaw. I hope that you will work with us as we vigorously take to the streets, parks, and other spaces in the spring. Occupy Poughkeepsie intends to make the City of Poughkeepsie the center of activism and change in the Hudson Valley. A testament to the work that needs to be done here as well as to the amazing accomplishments that have taken place since I arrived in the Hudson Valley 15 years ago. The occupy movement has the potential to bring apathetic and disenfranchised citizens back into political discourse and public activism. I hope that as elected officials you will welcome the active participation of all your constituents and help to identify better ways that governments can meet the needs of all our citizens in a time of economic crisis.

Constantine Kazolias 47 Noxon Street: First I read in the paper that the Town of Poughkeepsie spent 300,000 dollars to pick up their leaves. I do not know how much the City spent but from what I gather they got a freebie from the workers. I agree with the idea of the occupiers, but there are upcoming holidays and barbeques I just want to make sure there is a consistence in the ordinances. I want to comment about boards if we have boards we should ask for their input that is the proper way of doing things.

V. MAYOR'S COMMENTS

Mayor Tkazyik: First I would like to wish all of you a Happy Holidays and a great New Year as we move forward to 2012. I look forward to working with all of the incoming council members, and I wish all of the outgoing council members well in their future endeavors. Just to clarify comments in relation to the agenda there is nothing on the agenda in relation to the waterfront that pertains to WAC review. These are strictly financial pieces of information that are before you. One is an authorization for bond approval and the other was a tax cert. No plan or design is necessary these things would not normally go to

WAC. WAC is informed of all development projects. We seek their input, we appreciate their participation, but these two items are strictly financial obligations that this body meets. This body is the only one that will determine the answers to these resolutions before you this evening. I would also like to inform the members of the public and invite everyone to our swearing in ceremony for the City of Poughkeepsie. It will take place on Monday January 2nd at 2pm at the Grand View in Poughkeepsie where myself and the honorable members of the common council will be sworn in. This is open to the public and we invite everyone to attend. Later that evening the reorganizational meeting will be set at 6pm here in the common council chambers. Followed at 6:30 by the first meeting of the New Year scheduled for the common council for more information you can contact the City Chamberlin. As I mentioned earlier I would like to wish all of the outgoing council well in their future endeavors. All of you have worked hard, and all of your love the city. All of you have a great commitment to the citizens that you represented in each of your wards. You severed them to the best of your ability. Thank you for your dedication to city.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Klein: First I wish to thank the mayor the two years have gone by very quickly. I have enjoyed every minute of it. I can tell you that I have at all time despite our political and personal differences only the most profound respect for every member of the council and all of our colleagues. The one thing that unites all of us is a genuine and deep devotion and love for this city. I can tell you that unequivocally and I have nothing but admiration for the council, the individual members and as a body. I would also like to thank the mayor. I thank him for his leadership, which I believe is exemplary. I also wish to thank city staff the ones who join us here at the meeting, and serve the city every day throughout the city in every possible capacity. So it has been a pleasure and a treasure. I have loved every minute of it. I thank the citizens of the city of Poughkeepsie for having the opportunity to serve you I have enjoyed it immensely. I wish everyone here and the members of the City of Poughkeepsie who reside, travel, work, and play here a Happy Holidays and a Happy New Years.

VII. MOTIONS AND RESOLUTIONS:

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

**RESOLUTION
(R-11-93)**

INTRODUCED BY SOCIAL DEVELOPMENT LINDA MACISSAC:

- Before you is the annual action plan for 2012 it outlines the activities that will be funded through the CDBG as well as the HOPWA. It was available at the public library, on our website, and also in my office for public review. Between November 18, 2011 to December 21, 2011. There were three public hearings held during the preparation as well once the plan was in place. Public hearings were held on August 31, 2011, September 22, 2011, and December 8, 2011. This action plan must be received by the U.S. Department of Housing and Urban Development no later than January 15, 2012.

WHEREAS, in accordance with 24 CFR, Part 91, Consolidated Submission for Community Planning and Development Programs, the City of Poughkeepsie is required to submit a Consolidated Annual Action Plan on the utilization of Community Development Block Grant (CDBG) and Housing Opportunities For Persons With AIDS (HOPWA) funds for 2012; and

WHEREAS, The City prepared a Draft Action Plan which was made available for public review and comment on November 18, 2011; and

WHEREAS, the Draft Action Plan was available for public review and comment through December 21, 2011; and

WHEREAS, A Public Hearing was held on December 8, 2011 as an additional means to gather public comment on the proposed Draft Action Plan; and

NOW, THEREFORE

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves the 2012 Consolidated Annual Action Plan; and be it further

RESOLVED, that the City of Poughkeepsie’s Consolidated Annual Action Plan shall be submitted to the Department of Housing and Urban Development.

SECONDED BY COUNCILMEMBER PARISE

R-11-93		Yes/Aye	No/Nay	Ab tain	Absent	
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

R E S O L U T I O N
(R-11-94)

INTRODUCED BY ASSISTANT CORPORATION COUNSEL PAUL ACKERMANN

- Members of the council before you is a proposed easement the owners of 40 Garden Street the building is located at 297 Mills Street it is a five story office building. They have submitted a request to the city to construct a pedestrian walkway from the building to the financial plaza deck. Before you is an easement that will control this walkway. The walkway will be constructed at the sole cost of the owner of 297 Mill Street. They will consent to maintaining sole liability of the walkway. It also comes with a onetime rental fee and there will be a separate agreement for any parking that is required by their building. This is not unlike some of the current easements that we do have. There is one right now for 1 Civic Center Plaza and 33 Academy Street. This easement is consistent to what has been done in the past.

Councilmember Mallory: If the city is compensated 10,000 dollars where does that go into our budget line?

Assistant Corporate Council Paul Ackermann: All revenues go into the general fund.

Councilmember Solomon: Are we allowed to know who the contractor is? We have done this before with no ill effect?

Assistant Corporate Council Paul Ackermann: The owner of the building is Baxter enterprise they just recently purchased the property. This easement is more formal than it has been done in the past, and it gives the City more protection to recordable easements, which the others did not have before. None of the others requested the rental fee. The rental fee was charged to offset some of the costs that may or may not occur in connection to the walkway, and also in connection to losing a spot or two because of the construction of the walkway.

Councilmember Mallory: The rental fee is that still in the negotiation process?

Assistant Corporate Council Paul Ackermann: It has been agreed to by the developer. The planning board and any other boards will be involved in this. In the design of the building it is my understanding that there will be façade remodeling, and at that time the planning board will be required to review the walkway consistent to that façade. In pursuant to the agreement the final construction and design will have to be approved by the city engineer, and signed off by the city administrator before the agreement is finalized.

Councilmember Johnson: How many other businesses have such a walkway from the building to a parking deck? What happened to that the others and are they still in effect? Has this gone to the planning board already?

Assistant Corporate Council Paul Ackermann: I believe that there is currently one other at 1 Civic Center Plaza and the other is on Academy Street to the Cannon Street deck. Pursuant to the Planning board in regards to the Academy Street walkway it was to be in effect so long as the second floor was used for a specific purpose. That purpose was discontinued by the building owner at that time and the walk way was no longer utilized, so it was either removed or closed off. This is all subject to planning board approval.

WHEREAS, the City of Poughkeepsie has received a request from the 40 Garden Street, LLC the owner of a five (5) story office building located at 287 Mill Street to connect their property to the municipal parking garage known as the Financial Plaza Deck via an elevated pedestrian walkway; and

WHEREAS, 40 Garden Street, LLC has agreed to construct the walkway at its own expense and assume the maintenance for the walkway once build; and

WHEREAS, the easement shall be permanent and run with the land; and

WHEREAS, in return for the right to construct the pedestrian walkway the City has required certain conditions and obligations which are contained in the Easement and Maintenance Agreement; and

WHEREAS, such easement will be subject to approval of the Planning Board, Building Inspector, City Engineer and the City Administrator;

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, and

NOW, THEREFORE,

BE IT RESOLVED, The Common Council of the City of Poughkeepsie, New York does hereby grant a perpetual easement to 40 Garden Street, LLC, in form and substance as attached hereto, and authorizes the Mayor, City Administrator and/or Corporation Counsel to execute any and all documents necessary to effectuate the intent of this Resolution.

SECONDED BY COUNCILMEMBER PARISE

R-11-94			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

R-E-S-O-L-U-T-I-O-N
R11-96

EXTRACT OF MINUTES

[Southern Waterfront —Supplemental 2011]

INTRODUCED BY DPW COMMISSIONER DAPILKA: Power point presentation

Councilmember Solomon: I wonder if this is still true that on this site housing and permanent dwellings cannot exist is that correct? So no one is going to build condos down there?

DPW Commissioner DaPilka: Right now there is nothing anticipated for that right now it is mixed use and designated for that. It is planned for commercial use. It will be mixed commercial uses.

Councilmember Mallory: For the MTA tunnel liner. Did MTA help us at all with the cost of that?

DPW Commissioner DaPilka: The MTA gave us permits and leases, so we have public utilities that go through that channel that did not exist before.

Councilmember Johnson: How much was the total cost of the DeLaval project?

DPW Commissioner DaPilka: The construction cost 15.8 million.

Mayor: This resolution completes the city’s financial obligation to the DeLaval project, and we look forward to the completion of the project on that site.

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 December 19, 2011 at 6:30 o'clock p.m., local time.

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

PRESENT:

Councilmember Thomas E. Parise
 Councilmember John C. Murphy
 Councilmember Robert L. Mallory, Jr.

Councilmember Lee David Klein
Councilmember Yvonne Flowers
Councilmember Mary Solomon
Councilmember Gwen Johnson
Councilmember Paul T. Herman

ABSENT:

The following persons were ALSO PRESENT:

Commissioner of Finance Camilo Bunyi

The following resolution was offered by Councilmember Herman, seconded by Councilmember Parise, to wit;

SUPPLEMENTAL BOND RESOLUTION DATED DECEMBER 19, 2011

A RESOLUTION SUPPLEMENTING BOND RESOLUTION R06-56 DATED JUNE 19, 2006, AS AMENDED AND SUPPLEMENTED BY SUPPLEMENTAL BOND RESOLUTION NO. R09-35 DATED MARCH 16, 2009, AND SUPPLEMENTING BOND RESOLUTION R06-55 DATED JUNE 19, 2006, AS AMENDED AND SUPPLEMENTED BY SUPPLEMENTAL BOND RESOLUTION NO. R09-36, AND SUPPLEMENTING BOND RESOLUTION NO. R05-139 DATED JULY 19, 2005, AS AMENDED AND RESTATED NOVEMBER 14, 2005, AUTHORIZING SOUTHERN WATERFRONT ADDITIONAL BULKHEAD IMPROVEMENTS AND ENVIRONMENTAL RESTORATION AND RELATED IMPROVEMENTS, AND AUTHORIZING THE ISSUANCE OF ADDITIONAL SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,664,380 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

WHEREAS, the City has previously adopted its Bond Resolution No. R06-56 dated June 19, 2006, as amended and supplemented by Supplemental Bond Resolution No. R09-35 dated March 16, 2009 (the "Prior Additional Costs Resolution") authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$6,329,246, with an estimated maximum project cost of \$9,325,400, consisting of Southern Waterfront additional bulkhead improvement and environmental restoration; and

WHEREAS, the City has previously adopted its Bond Resolution No. R06-55 dated June 19, 2006, as amended and supplemented by Supplemental Bond Resolution No. R09-36 dated March 16, 2009 (the "Prior Local Share Resolution") authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$8,492,980, with an estimated maximum project cost of \$8,492,980, to finance (i) construction and installation of bulkhead improvements for the Southern Waterfront Development Project, including completion of design, permanent hard and soft bulkhead improvements and related improvements at an estimated maximum cost of \$1,317,417, (ii) completion of a portion of the environmental restoration for the Project, including completion of design and related improvements at an estimated maximum cost of \$3,975,563, and (iii)

completion of additional environmental restoration, including completion of design and related improvements, at an estimated maximum cost of \$3,200,000; and

WHEREAS, the City has previously adopted its Bond Resolution No. R05-139 dated July 19, 2005, as amended and restated November 14, 2005 (the "Prior Preliminary Costs Resolution") authorizing the issuance of serial bonds in an aggregate principal amount not to exceed \$700,000, with an estimated maximum project cost of \$700,000, to finance design and Pine Street water line improvements for the Project; and

WHEREAS, it is necessary to modify the plan of financing for such purposes, to increase the aggregate estimated maximum project cost for the Prior Local Share Resolution, the Prior Additional Costs Resolution, and the Prior Preliminary Costs Resolution, and to increase the authorized bond amount by \$2,664,380 for such purposes;

NOW THEREFORE 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), that the Prior Local Share Resolution, the Prior Additional Costs Resolution and the Prior Preliminary Costs Resolution are hereby supplemented as follows:

SECTION 1. The completion of additional bulkhead improvements and environmental restoration for the Southern Waterfront Development Project and related improvements, is hereby authorized at an additional estimated maximum cost of \$7,685,424 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 91 of paragraph a of Section 11 of the Local finance Law, and that the period of probable usefulness of said purpose is fifteen years.

SECTION 2. The City has determined that the aforesaid purpose constitutes a Type I Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR part 617, with respect to which the City has previously issued its statement of findings and supplemental statement of findings in accordance with 6 NYCRR part 617.11 of SEQRA.

SECTION 3. The aggregate estimated maximum cost for the purposes described in the Prior Additional Costs Resolution, the Prior Local Share Resolution, and the Prior Preliminary Costs Resolution, together with this supplemental Resolution, is \$26,203,804. The City has previously authorized and issued its obligations in the aggregate principal amount of \$6,329,246 pursuant to the Prior Additional Costs Resolution, and has previously authorized and issued its obligations in the aggregate principal amount of \$8,492,980 pursuant to the Prior Local Share Resolution and has previously authorized and issued its obligations in the amount of \$700,000 pursuant to the Prior Preliminary Costs Resolution for the purposes described therein. Nothing in this resolution is intended to or shall be construed to alter or impair the authorization for such obligations. Grant proceeds received in the amount of \$9,325,400 have been applied to redeem a portion of the prior obligations issued and to pay a portion of the estimated maximum costs. The City plans to finance the remaining increased cost of the purposes

described in Section 1 hereof by the issuance of additional serial bonds of the City in an amount not to exceed \$2,664,380, which are hereby authorized to be issued 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 may be applied to reimburse the City for expenditures made after the effective date of this resolution for the purpose for which said 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 his 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 object or purpose set forth herein, or a portion thereof, by a serial bond and/or bond anticipation note issue of the City and the sale of such issue or issues to the New York State Environmental Facilities Corporation.

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

(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, 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 Thomas E. Parise	VOTING ___ Aye
Councilmember John C. Murphy	VOTING ___ Aye
Councilmember Robert L. Mallory, Jr.	VOTING ___ Aye
Councilmember Lee David Klein	VOTING ___ Aye
Councilmember Yvonne Flowers	VOTING ___ Aye
Councilmember Mary Solomon	VOTING ___ Aye
Councilmember Gwen Johnson	VOTING ___ Aye
Councilmember Paul T. Herman	VOTING ___ Aye

The foregoing resolution was thereupon declared duly adopted.

Approved: _____ December 19, 2011

John C. Tkazyik
Mayor

R-11-96			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

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

LOCAL LAW No. 7 of 2011 AMENDING ARTICLE IV OF CHAPTER 2
OF THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED “DIVISION OF CITY INTO WARDS”

INTRODUCED BY ASSISTANT CORPORATION COUNSEL PAUL ACKERMANN

Before the council today is a local law pursuant to the charter of the city amending the wards. The redistricting commission has presented a plan to the common council. The plan was presented at a previous meeting, a public hearing was held, and this is before you for a final vote today.

Councilmember Johnson: After reviewing the redistricting plan, because the last time we had a redistricting the 7th ward took a hit. I lost many constituents that I loved. I do not want to see my ward cut up again.

Councilmember Solomon: I am unhappy because I lost an entire district and people that I have been serving for many years. Although I did receive new constituents I think that this is an unfortunate redistricting, and I in general do not agree with the guiding principle. As far as keeping neighborhoods together they did not keep my neighborhood together my neighborhoods are all over town and I am really unhappy.

Councilmember Mallory: During the presentation presented on November 21st a resolution was presented and it shared basically that there sixteen hundred people that were not in the right location between the town and the city. He also shared that a letter of appeal had been written to the census bureau. Has there been a response from the census bureau?

Assistant Corporate Council Paul Ackermann: We contacted them a couple days ago. The town is actually the lead applicant it consented that on the behalf of the city that it is incorrect and that it is a technicality. We anticipate that it will be corrected on the maps shortly. They indicated about two weeks ago that we should have it in two weeks so we are waiting to receive that. The city charter and federal statue states that redistribution must be based on population. Any violations would have to be corrected and take into account the district that was established. There is an obvious error in the redistribution of population within the city and the town. The city must abide by equal protection and one person one vote and must fix that based on the actual population.

A CALL TO QUESTION WAS MADE BY COUNCILMEMBER PARISE, AND SECONDED BY COUNCILMEMBER HERMAN

Call To Question On LL-11-7			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

SECTION 1: Article IV of the City of Poughkeepsie Code of Ordinances entitled “Division of City into Wards” is hereby amended to read in its entirety as follows:

Sec. 2-43. First Ward.

The First Ward shall consist of the following area:

Beginning at the intersection of the Hudson River and the northerly city line; thence proceeding easterly along the city line to the intersection of Green Street; thence southerly along the center line of Green Street to the intersection of Clark Street; thence westerly along the center line of Clark Street to the intersection of Washington Street; thence southerly along the center line of Washington Street to the intersection of Mansion Street; thence easterly along the center line of Mansion Street to the intersection of Civic Center Plaza; thence southerly along the center line of Civic Center Plaza to the intersection of Mill Street; thence easterly along the center line of Mill Street to the intersection of Catharine Street; thence southerly along the center line of Catharine Street

to the intersection of Main Street; thence westerly along the center line of Main Street to the intersection of State Route 9; thence southerly along the center line of State Route 9 to the intersection of State Route 44/55; thence westerly along the center line of State Route 44/55 to the Hudson River; thence northerly along the Hudson River to the point of beginning.

Sec. 2-44. Second Ward.

The Second Ward shall consist of the following area:

Beginning at the intersection of the Hudson River and State Route 44/55; thence easterly along the center line of State Route 44/55 to State Route 9; thence northerly along the center line of State Route 9 to the intersection of Main Street; thence easterly along the center line of Main Street to the intersection of Academy Street; thence southerly along the center line of Academy Street to the intersection of Church Street; thence easterly along the center line of Church Street to the intersection of South Hamilton Street; thence southerly along the center line of South Hamilton Street to the intersection of Franklin Street; thence westerly along the center line of Franklin Street to the intersection of Lincoln Avenue; thence westerly along the center line of Columbia Street to the intersection of Pine Street Spur; thence westerly along the centerline of a private drive known as Southview Drive located in the Hudson Point Condominium Complex; thence westerly along the northernmost property line of 122 Hudson Pointe Drive to the Metro North Railroad; thence southerly along the center line of the Metro North Railroad to the city line; thence westerly along the city line to the Hudson River; thence northerly along the Hudson River to the point of beginning.

Sec. 2-45. Third Ward

The Third Ward shall consist of the following area:

Beginning at the intersection of Green Street and the northerly city line; thence easterly along the city line to the intersection of Fairview Avenue; thence southerly along the center line of Fairview Avenue to its intersection with Parker Avenue; thence continuing southerly along the center line of North Hamilton Street to the former property of CSX railroad; thence easterly along the southernmost property line of the former CSX railroad to the center line of North Clinton Street; thence southerly along the center line of North Clinton Street to its intersection with Cottage Street; thence easterly along the center line of Cottage Street to its intersection with Smith Street; thence southerly along the center line of Smith Street to its intersection with Harrison Street; thence easterly along the center line of Harrison Street to its intersection with Grant Street; thence southerly along the center line of Grant Street to its intersection with Mill Street; thence westerly along the center line of Mill Street to its intersection with Civic Center Plaza; thence northerly along the center line of Civic Center Plaza to its intersection with Mansion Street; thence westerly along the center line of Mansion Street to its intersection with Washington Street; thence northerly along the center line of Washington Street to its intersection with Clark Street; thence easterly along the center line of Clark Street to its intersection with

Green Street; thence northerly along the center line of Green Street to the point of beginning.

Sec. 2-46. Fourth Ward

The Fourth Ward shall consist of the following area:

Beginning at the intersection of the Metro North Railroad and the southerly city line; thence northerly along the Metro North Railroad to the northernmost property line of 122 Hudson Pointe Drive; thence easterly along the property boundary of 122 Hudson Pointe Drive to and along the center line of a private drive known as Southview Drive located in the Hudson Pointe Condominium complex to its intersection with Pine Street Spur; thence northerly along the center line of Pine Street Spur to its intersection with Columbia Street; thence easterly along the center line of Columbia Street to its intersection of Lincoln Avenue; thence continuing easterly along the center line of Franklin Street to its intersection with South Hamilton Street; thence southerly along the center line of South Hamilton Street to its intersection with Platt Street; thence easterly along the center line of Platt Street to its intersection with Whitehouse Avenue; thence southerly along the center line of Whitehouse Avenue to its intersection with Adriance Avenue; thence easterly along the center line of Adriance Avenue to its intersection with Hooker Avenue; thence southerly along the center line of Hooker Avenue to its intersection with DeGarmo Place; thence easterly along the center line of DeGarmo Place to its intersection with South Cherry Street; thence southerly along the center line of South Cherry Street to its intersection with Underhill Avenue; thence easterly along the center line of Underhill Avenue to its intersection with Beechwood Terrace; thence southerly along the center line of Beechwood Terrace to its intersection with Hooker Avenue; thence easterly along the center line of Hooker Avenue to its intersection with Woodland Avenue; thence southerly along the center line of Woodland Avenue to its intersection with Ferris Lane; thence easterly along the center line of Ferris Lane to its intersection with Thornwood Drive; thence southerly along the center line of Thornwood Drive to its intersection with Lilling Road; thence westerly along the center line of Lilling Road to its intersection with Tamidan Road; thence southerly along the center line of Tamidan Road to its intersection with Justamere Lane; thence westerly along the center line of Justamere Lane to its intersection with Beechwood Avenue; thence southerly and westerly along the center line of Beechwood Avenue to the city line; thence northerly and westerly along the city line to the point of beginning.

Sec. 2-47. Fifth Ward

The Fifth Ward shall consist of the following area:

Beginning at the intersection of the northerly city line and Fairview Avenue; thence easterly and southerly along the city line to its intersection with Arnold Road; thence westerly along the center line of Arnold Road to its intersection with West Arnold Road; thence southerly along the center line of West Arnold Road to its intersection with Mansion Street; thence westerly along the center line of Mansion Street to its intersection

with Pershing Avenue; thence southerly along the center line of Pershing Avenue to its intersection with Maple Street; thence easterly along the center line of Maple Street to its intersection with Corlies Avenue; thence southerly along the center line of Corlies Avenue to its intersection with Main Street; thence westerly along the center line of Main Street to its intersection with North Cherry Street; thence northerly along the center line of North Cherry Street to its intersection with Maple Street; thence westerly along the center line of Maple Street to its intersection with Grant Street; thence northerly along the center line of Grant Street to its intersection with Harrison Street; thence westerly along the center line of Harrison Street to its intersection with Smith Street; thence northerly along the center line of Smith Street to its intersection with Cottage Street; thence westerly along the center line of Cottage Street to its intersection with North Clinton Street; thence northerly to the former property of the CSX Railroad; thence westerly along the southernmost property line of the former CSX railroad continuing to the centerline of North Hamilton Street; thence northerly along the center line of North Hamilton Street to the intersection of Parker Avenue; thence continuing northerly along the center line of Fairview Avenue to the point of beginning.

Sec. 2-48. Sixth Ward

The Sixth Ward shall consist of the following area:

Beginning at the intersection of Mill Street and Catherine Street; thence easterly along Mill Street to its intersection with North Clinton Street; thence continuing easterly on Maple Street to its intersection with North Cherry Street; thence southerly along the center line of North Cherry Street to its intersection with Main Street; thence easterly along Main Street to its intersection with Church Street; thence westerly along the center line of Church Street to its intersection with May Street; thence southerly along the center line of May Street to its intersection with Forbus Street; thence southerly and easterly along the center line of Forbus Street to its intersection with Lown Court; thence southerly along the center line of Lown Court to its intersection with College Avenue; thence westerly along the center line of College Avenue to its intersection with South Cherry Street; thence southerly on South Cherry Street to its intersection with DeGarmo Place; thence westerly along the center line of DeGarmo Place to its intersection with Hooker Avenue; thence northerly along the center line of Hooker Avenue to its intersection with Adriance Avenue; thence westerly along the center line of Adriance Avenue to its intersection with Whitehouse Avenue; thence northerly along the center line of Whitehouse Avenue to its intersection with Platt Street; thence westerly along the center line of Platt Street to its intersection with South Hamilton Street; thence northerly along the center line of South Hamilton Street to its intersection with Church Street; thence westerly along the center line of Church Street to its intersection with Academy Street; thence northerly on Academy Street to its intersection with Main Street; thence continuing northerly on Catherine Street to the point of beginning.

Sec. 2-49. Seventh Ward

The Seventh Ward shall consist of the following area:

Beginning at the intersection of Arnold Road and the city line; thence southerly and westerly along the city line to its intersection of College Avenue; thence westerly along the center line of College Avenue to its intersection with Meyer Avenue; thence southerly along the center line of Meyer Avenue to its intersection with Glenwood Avenue; thence westerly along the center line of Glenwood Avenue to its intersection with South Cherry Street; thence northerly along the center line of South Cherry Street to its intersection with College Avenue; thence easterly along the center line of College Avenue to its intersection with Lown Court; thence northerly along the center line of Lown Court to its intersection with Forbus Street; thence westerly along the center line of Forbus Street to its intersection with May Street; thence northerly along the center line of May Street to its intersection with Church Street; thence easterly along the center line of Church Street to its intersection with Main Street and Corlies Avenue; thence northerly along the center line of Corlies Avenue to its intersection with Maple Street; thence westerly along the center line of Maple Street to its intersection with Pershing Avenue; thence northerly along the center line of Pershing Avenue to its intersection with Mansion Street; thence easterly along the center line of Mansion Street to its intersection with West Arnold Road; thence northerly along the center line of West Arnold Road to its intersection with Arnold Road; thence easterly along the center line of Arnold Road to the point of beginning.

Sec. 2-50. Eighth Ward

The Eighth Ward shall consist of the following area:

Beginning at the intersection of College Avenue and the city line; thence along the City line easterly to Park Avenue; thence continuing southerly along the city line to Hooker Avenue; thence continuing easterly on Hooker Avenue to New Hackensack Road; thence continuing easterly and southerly and westerly and northerly along the city line to the intersection of Beechwood Avenue; thence easterly and northerly along the center line of Beechwood Avenue to its intersection with Justamere Lane; thence easterly along the center line of Justamere Lane to its intersection with Tamidan Road; thence northerly along the center line of Tamidan Road to its intersection with Lilling Road; thence easterly along the center line of Lilling Road to its intersection with Thornwood Drive; thence northerly along the center line of Thornwood Drive to its intersection with Ferris Lane; thence westerly along the center line of Ferris Lane to its intersection with Woodland Avenue; thence northerly along the center line of Woodland Avenue to its intersection with Hooker Avenue; thence westerly along the center line of Hooker Avenue to its intersection with Beechwood Terrace; thence northerly along the center line of Beechwood Terrace to its intersection with Underhill Avenue; thence westerly along the center line of Underhill Avenue to its intersection with South Cherry Street; thence northerly along the center line of South Cherry Street to its intersection with Glenwood Avenue; thence easterly along the center line of Glenwood Avenue to its intersection with Meyer Avenue; thence northerly along the center line of Meyer Avenue to its

intersection with College Avenue; thence easterly along the center line of College Avenue to the point of beginning.

SECTION 2: The boundaries of the several Wards as described in Section 1 of this Local Law shall govern for purposes of electing members of the Common Council at the General Election to be held in November, 2013 for terms beginning on January 1, 2014 and for the filing of vacancies and the election of members thereafter.

SECTION 3: The boundaries of the several Wards from which the members of the Common Council to be sworn in on January 1, 2012 as set forth in Article IV of Chapter 2 of the Code of Ordinances of the City of Poughkeepsie shall continue to govern until the expiration of the terms of the members set to be sworn into office on January 1, 2012.

SECTION 4: This Local Law shall take effect upon compliance with all requirements of law for the enactment of a Local Law, including, but not limited to, the requirement for filing of this Local Law with the New York State Secretary of State.

SECONDED BY COUNCILMEMBER PARISE

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

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

None

X. UNFINISHED BUSINESS:

Councilmember Johnson: First I would like to ask Mr. Long is there overtime money for DPW to pick up the leaves? We need to hire temps because we are racing against the clock.

Mr. Long: I believe what we have tried to do is pick up as many leaves as possible during the typical work day, but as you know we had events and weekends were overtime was designated.

Mayor: Overtime has been authorized to pick up leaves the city has also during that same period of time has dealt with unexpected snow storms, and the city has also picked up brush and limbs at homeowners property for free,

and the city also puts up lights. We are making every effort to approve time when man power is feasible.

XI. NEW BUSINESS:

No items of new business

XII. ADJOURNMENT:

A motion was made by Councilwoman Solomon and seconded by Councilmember Parise moved to adjourn meeting at 7:53 p.m.

Dated: December 28, 2011

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, December 19, 2011 at 6:30 p.m.

Respectfully submitted,

City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers
Monday, December 19, 2011
6:30 p.m.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

III. REVIEW OF MINUTES:

Common Council Meeting of March 21, 2011
Common Council Meeting of June 6, 2011
Common Council Meeting of June 20, 2011
Special Common Council Meeting of June 29, 2011
Common Council Meeting of October 3, 2011
Common Council Meeting of October 17, 2011
Common Council Meeting of November 9, 2011
Common Council Meeting of November 21, 2011
Public Hearing of November 21, 2011
Common Council Meeting of December 5, 2011
Public Hearing of December 5, 2011 regarding proposed Local Law LL-

11-7

Public Hearing of December 5, 2011 regarding amendments to the zoning code

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

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

VI. MAYOR'S COMMENTS:

VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VIII. MOTIONS AND RESOLUTIONS:

- 1) **FROM COMMUNITY DEVELOPMENT DIRECTOR MACISAAC,** Resolution R11-93, approving the 2012 CDBG Action Plan.
- 2) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,** Resolution R11-94, approving an easement for a pedestrian walkway from 287 Mill Street to the Financial Plaza Deck.
- 3) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,** Resolution R11-95, approving a Tax Review Settlement for 20 Sunfish Cove Road.
- 4) **FROM BOND COUNSEL CHRISTINE CHALE, ESQ.,** Resolution R11-96, approving a project and bond authorization for the DeLaval cleanup.

IX. ORDINANCES AND LOCAL LAWS:

- 1) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,** Local Law No. LL-11-7, approving the proposed plan of redistricting pursuant to Section 2.10 of the City Charter.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: