



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, December 21, 2015 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL – All Present

II. REVIEW OF MINUTES:

CCM 10-19-15			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

REMOVE:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. FROM CAPITAL MARKETS**, a presentation regarding the five year financial strategic plan.
- 2. FROM JPOD**, a presentation regarding the transportation system on Main Street.
- 3. FROM CITY ADMINISTRATOR BUNYI**, a communication regarding the acceptance of the Fleet Management program for DPW vehicles.

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

Carolyn Evelyn 52 Oakwood Blvd
Arthur Johnson 138 Garden Street

Kate and Olivia Calandra- no address given
Paul Hermann- Spoor Avenue
John Mylod- Beachwood Avenue
Laurie Sandow-201 South Grand Avenue
Suzanne-no last name or address given
David Petrovitz-120 Hudson Point Drive
Ron Knapp- City of Poughkeepsie Police Chief
Ken Stickle-118 Catherine Street
Frank Castella, Jr. President of Dutchess County Chamber of Commerce
Brian Doyle-Director Family Partnership
Naomi Brooks-56 Dutchess Avenue
Jeff Anzevino-Director of Land Use Advocacy Scenic Hudson
Elizabeth Waldstein Heart-Executive Director Walkway over the Hudson
Mike Young- 20 Barkley Street
Bill Dykus-South Hamilton Street
Natasha Cherry-173 South Cherry Street
Constantie Kazolias-47 Noxon Street
Tanya Pinea- Davies Place
Paul Calgogerakis- Waterview Drive
Sean Fitzgerald-Police PBA President
Mya Forster-16 Davies Place

V. MAYOR'S COMMENTS:

Not Present

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Petsas as the Chairman of the Council, interpreting different legal things is not his forte. Wanted to thank Councilmembers McClinton, Rich and Mallory for their service to the City of Poughkeepsie. This is not an easy job, it takes a lot of dedication, thank you all for your service.

VII. MOTIONS AND RESOLUTIONS:

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

**RESOLUTION
(R15-94)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the Dyson Foundation has approved a grant to the City of Poughkeepsie in the amount of \$50,000 to be used to retain the services of a consultant to perform a search for a City Administrator and Commissioner of Finance; and

WHEREAS, the Dyson Foundation requires a grant agreement be signed as a condition of accepting such grant; and

WHEREAS, the Common Council is desirous of accepting such grant to be used to retain a consultant to conduct a employment search; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby accepts a grant in the amount of \$50,000 which funds shall be used solely for the purpose of conducting a search for a City Administrator and/or Commissioner of Finance and any ancillary expenses; and

BE IT FURTHER RESOLVED, that the Mayor or City Administrator shall execute the Grant Agreement in substantially the same form and substance as attached hereto.

SECONDED BY COUNCILMEMBER HERMANN

R15-90			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

RESOLUTION

(R-15-92)

RESOLUTION OF THE CITY OF POUGHKEEPSIE CONCERNING A DETERMINATION OF ENVIRONMENT SIGNIFICANCE PERTAINING TO THE STATE ENVIRONMENTAL QUALITY REVIEW (SEQRA) AS IT RELATES TO THE RESTORATION OF PELTON MANSION (A/K/A HILL HOUSE) AND THE DEVELOPMENT OF APPROXIMATELY 38 RESIDENTIAL APARTMENTS IN FOUR NEW BUILDINGS; LOCATED AT 36 NORTH CLOVER STREET IN THE CITY OF POUGHKEEPSIE, NEW YORK.

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the City of Poughkeepsie Common Council has previously forwarded, to the hereto attached list of potential lead agencies, a statement expressing its intention to be designated as lead agency for a coordinated review of a Type 1 Action pertaining to the State Environmental Quality Review Act (SEQRA) for the action as outlined above; and

WHEREAS, the Common Council has determined that the above referenced action is a Type 1 Action under SEQRA due to the fact that the subject building is located in the Union Street Historic District which boundary was increased by the Mill Street-North Clover Historic District, is locally designated pursuant to §19-4.5 of the Code of Ordinances of the City of Poughkeepsie and is substantially contiguous to several properties located on both the State and National Register of Historic Places; and

WHEREAS, the Common Council has further forwarded an Environmental Assessment Form (EAF) to all potentially involved and/or interested agencies; and

WHEREAS, none of the potentially involved agencies have objected to the determination of lead agency status by the City of Poughkeepsie Common council within the mandated thirty (30) day period; and

WHEREAS, the specific action as contemplated by Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Review Act) of the Environmental Conservation Law is the proposed sale of approximately 2.45 acres of City property located at 36 North Clover Street in the City of Poughkeepsie, State of New York (the, "Project") which property was alienated by act of the New York State legislature and the development of multifamily housing with required approvals as identified in the FEAF; and

WHEREAS, in consideration of issuing this negative declaration the Common Council of the City of Poughkeepsie the Common Council considered the following;

1. Full Environmental Assessment Form including Parts 1-3 Dated 10/30/15
2. Supporting information contained in FEAF dated 10/30/15
3. NYSOPRHP submittal with supporting Documentation dated November 20, 2015
4. NYSOPRHP submittal including revised concept plan;
5. Proposed Pelton Mansion elevations;
6. Rendering of proposed new residential buildings;
7. Elevations of proposed new residential buildings;
8. Photographs of Pelton Mansion and nearby structures;
9. Aerial view of site and vicinity
10. Proposed Contract of Sale with Pelton Partners, LLC
11. NYSOPRHP letter dated 12/7/2015;
12. Numerous correspondence from public submitted as well as comments obtained from public;
13. Memorandum to Paul Ackermann from Greg Bolner dated 12/14/2015;
14. Revised Full Environmental Assessment Form dated 12/14/15 including Parts 1-3;

15. Supporting information contained in the Revised FEAF dated 12/14/15; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. That the City of Poughkeepsie Common Council be and hereby is designated as lead agency for the purposes of the New York State Environmental Quality Review Act (SEQRA), in connection with the proposed project as previously outlined herein.
2. That the attached Negative Declaration dated December 14, 2015 is hereby accepted and incorporated as part of this resolution.
3. That the Common Council, as lead agency, hereby determines that the proposed action, as previously outlined herein, and for the reasons set forth in the attached determination of non-significance, will not result in a significant adverse impact on the environment and thus declares, authorizes and approves that a negative declaration in the form and substance annexed hereto be authorized and approved.
4. That based upon the determination that the proposed action will not have a significant impact on the environment, the Common Council further determines as lead agency that an Environmental Impact Statement (EIS) is not required for the proposed action.
5. That pursuant to Section 617.12(b)(2) of the New York State Environmental Quality Review Act (SEQRA), the Common Council shall maintain a file of its determination and supporting reasons that shall be available for public inspection in the Office of the City Chamberlain, First Floor, Municipal Building, 62 Civic Center Plaza, Poughkeepsie, New York 12602; and shall file a copy with the City of Poughkeepsie chief executive officer; with the lead agency; with any person requesting a copy; with all other involved agencies; with the New York State Department of Environmental Conservation; and with the applicant.

SECONDED BY COUNCILMEMBER HERMANN

R15-92			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**R-E-S-O-L-U-T-I-O-N
(R-15-93)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the City of Poughkeepsie is the current owner of a parcel of property located at 36 North Clover Street improved by a building commonly known as the Pelton Mansion which since approximately 1911 has been occupied by the Poughkeepsie Day Nursery, a not-for-profit organization; and

WHEREAS, the Poughkeepsie Day Nursery has vacated the premises and discontinued operations of a daycare center; and

WHEREAS, after the property was vacated by the Poughkeepsie Day Nursery the City issued a Request for Proposal and determined that there is no municipal use for the property; and

WHEREAS, subsequent to the issuance of the RFP, a proposal was received from Pelton Partners, LLC which proposes to restore the former Pelton Manor and construct approximately 38 residential units in four buildings on the site; and

WHEREAS, pursuant to Chapter 408 of the Laws of New York State of 2015 the New York State Legislature authorized the alienation of any parkland designation constraining the sale of the property; and

WHEREAS, Pelton Partners, LLC has offered to purchase the property for \$600,0000 along with other consideration including an amount up to \$25,000 for the construction of a pocket-park or other park improvements which amounts are subject to certain conditions which are contained in the Contract of Sale attached hereto; and

WHEREAS, the Common Council has determined that the offer from Pelton Partners, LLC is the best offer and adequately represents the properties fair market value after consideration of the contract in its totality and an appraisal obtained by the City; and

WHEREAS, the Common Council by Resolution (R-15-92) officially makes a determination of non-significance in that the proposed sale is not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and

WHEREAS, the Common Council, pursuant to Section 2.10(b) of the Administrative Code, do hereby, by a vote of 2/3 of its membership, waive the requirement for the consideration of a fiscal impact statement; and

NOW, THEREFORE,

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

RESOLVED, that the offer from Pelton Partners, LLC to purchase 36 North Clover Street known as Grid # 6162-78-178075 in the City of Poughkeepsie for a sum as set forth in the Contract of Sale which is attached hereto and is hereby approved subject to the conditions contained therein

and further subject to such other and conditions which the Corporation Counsel shall deem appropriate; and be it further

RESOLVED, that by resolution R-15-92 the Common Council pursuant to the State Environmental Quality Review Act, has determined that this action will not have a negative environmental impact; and be it further

RESOLVED, that the Mayor is authorized to enter into an the Contract of Sale of the Property, subject to the conditions contained therein; and be it further

RESOLVED, that the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution including but not limited to the execution of the attached Contract of Sale and any documents necessary to convey title pursuant to said contract.

SECONDED BY COUNCILMEMBER HERMANN

R15-93			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-95, approving the collective bargaining agreement with the Police Benevolent Association.

R15-95			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Accepted <input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM CAPITAL MARKETS**, a presentation regarding the five year financial strategic plan. **Removed**
2. **FROM JPOD**, a presentation regarding the transportation system on Main Street. **Removed**
3. **FROM CITY ADMINISTRATOR BUNYI**, a communication regarding the acceptance of the Fleet Management program for DPW vehicles. **Removed**
4. **FROM CAMILO'S DELI CORP** (located at 399 Main Street), a notice of intent to obtain a liquor license. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Rich and Councilmember Mallory to adjourn the meeting at 9:35 p.m.

Dated: January 26, 2015

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, December 7, 2015 at 6:30 p.m.

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**

Official Minutes of the Council Meeting of Monday, December 21, 2015