



**THE CITY OF POUGHKEEPSIE  
NEW YORK**

**COMMON COUNCIL MEETING  
MINUTES**

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**Monday, December 6, 2010**

**6:30 pm**

**City Hall**

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**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL**

*All present*

**II. REVIEW OF MINUTES:**

**NONE**

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

**NONE**

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

**Steve Mason 1904 Fox Lane** Good evening gentlemen, ladies, common councilmembers that helped me during this time, I would like to thank you also. I am a little bit confused on what has been said in recent weeks that the city was on a hiring freeze, also there would be no layoffs. I have been told that I was being eliminated from the budget, for what reason I know not. I try to explain to different people at different times that I need one more year to go before I can receive my benefits, social security and Medicare and it seems to have fallen on deaf ears. I have

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spoken to particular members on the common council and tried to explained the situation with the bus department. My true feelings are that the bus department is a target to be eliminated from the City of Poughkeepsie. All indications point that way. Management did not do their homework as to what was going on at the bus department. They know nothing about it; they are going to be hiring part time people to fill positions that are already filled. I just can't understand why we have been manipulated and told basically lies. I approach Mayor Tkazyik and Mr. Long a couple of weeks ago and I said I have multiple health issues. Mr. Tkazyik turned around in a brash cold way and says other people have told me I have blood on my hands. I don't want to hear that, I have 3 grandchildren that have to support and there are two gentlemen up on the dais over there that know the situation that from personality use from the outside. I just think that the city is making a big mistake, they don't realize what they are doing and the discontent that will arise when this goes down. Thank you.

**Miguel Guadarrama 17 Delafield Street** wanted to thank the City of Poughkeepsie and to show his appreciation for the city for showing support their for the Latino's of Poughkeepsie soccer league.

**Philip Anspach 274 Hooker Avenue** came to show his support the proposal of the fire rescue boat for the Fire Department. He has worked on with the fire chief for several years to find funds, something that we need and is very important for the area. Currently the fire department only has a little metal row boat and we really need a heavy duty boat.

**Teresa Rotunno 160 Academy Street (Executive Towers)** stated that tonight's budget vote will impact many people in many ways. The residents at Executive Towers ask the council to remember that regardless of how the state may have them classified they are not a money making organization. They are an incorporated co-operative, a co-operative that shares living space and expenses, not a corporation in a business sense. Separate people each own their own apartment; the corporation does not rent apartments nor reap a profit. It is their hopes that your meetings and workshops the last 2 weeks has produced a budget that includes garbage pickup for us all. Many residents financial future depends on this vote tonight, your political future may depend on it also. Lastly, to contradict the comment that one councilmember made to a residents email, your job is not to support the Mayor, rather you are elected to support the residents of your ward.

**Ken Stickle 118 Catherine Street** stated that he was appalled when he picked up the Poughkeepsie Journal and saw the new thing that the Mayor would like to push through, that he would like to sell off 4 lots up on Rose Street for \$10.00 a piece to a non-profit organization to put in 30 units. First of all, Rose Street is not a very big area and were going to put in 30 units of low income housing on the North Side again, why the north side , why not the South Side, why not down by the Waterfront?

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Why not down by Dutton Lumber? We came and we screamed about Dutton Lumber being downsized, there is now way that Rose Street can handle 30 more families on that street. Likes the fact that after the property is up and going it would be taxed but if he were to buy that property he would not get it for \$10.00 a parcel and is tired of this council rubber stamping, selling city property. We had 5 lots on Main Street that went out for \$100.00 each. Why are these properties not advertised in the Poughkeepsie Journal so that other developers can come in and buy this. The other problem is that we keep talking about cutting the budget, when do we ask the County to turn around, since we are the county seat, I see the inmates there cleaning up in front of the Dutchess County Jail. He doesn't see any of those inmates going to clean up anything besides the Dutchess County Jail. When do we ask the county to come out and clean up part of the city?

**Ken Levinson 24 Garfield Place** stated that appreciate the difficulty that everyone has before them tonight, to balance the budget. It is very admirable, what you don't want to do is balance the budget at the expense of the city, the way the city looks and the citizens. There has been a little bit of misinformation going on. A lot of the city representatives have said that we are just like Beacon; Beacon doesn't do pickup for 411's. He stated that this is false; he spoke with Meredith Robson, the Beacon City Administrator, equivalent to Mike Long and she confirmed with me last week on a telephone call that all residents in Beacon get a garbage container and they get garbage pickup and they don't pay extra for it, the city pays for it so that's false number one. Number 2, Beacon has a population density of 2800 residents per square mile, totally unlike Poughkeepsie; Poughkeepsie is close to 6000 residents per square mile. Poughkeepsie is more like Buffalo 5800, Rochester, 5944, Albany 5700 or Yonkers and New Rochelle. Those population densities, every one of those districts has garbage pickup for all residents. Why, because if you don't you are going to have multiple garbage, rats, vermin, noise all over the place. Those of you who live on streets that have single family houses will still get garbage pickup, the smell, the vermin, the dumping will spread all over the city and it will hurt our businesses, people coming into rent and tourism. There has got to be another way to balance the budget, to save \$400,000 and still enable uniform garbage pickup in Poughkeepsie, like Beacon. There has go got be a way to do it. The key here is not just eliminating something; the key is trying to come up with a viable budget. The proposal of what the Mayor has put forward has a major problem; it's illegal in the face of the city. He has with him the Code of Ordinances of the City of Poughkeepsie, this is what the city is run by. He reads directly from it, "Article 5, Section 9-61, "Municipal Services to be Provided" "The Department of Sanitation of the City of Poughkeepsie shall collect and remove garbage, ashes, refuse and rubbish in the City of Poughkeepsie only from premises utilized for residential purposes. For the purposes of this section in this article, the utilization of premises for residential purposes shall be deemed such premises which are actually occupied as the residence of 1 or more persons". One or more, four is more than one, five is more than one, and six is more than one. The proposal put forth says were not going to do this, you are violating the own

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ordinances you are supposed to govern the city by. More specifically, "Section 9-62, mixed use premises, for premises having a mixed use of both residential use and non-residential uses. The City of Poughkeepsie shall collect and remove garbage, ashes and refuse and rubbish arising from and attributed to the residential portions of such mixed use premises". When you have both, the city is still required to pickup. If the Mayor and the Common Council ends up putting forth its budget, you have to change the ordinances of the City of Poughkeepsie to make it legal. In conclusion, forgetting the ordinances, the right thing to do is to balance the budget and keep the city looking clean. The last thing you want is vermin, noise and garbage spewed all over the city. He stated that no other municipality in New York State doesn't pick up garbage for residences, the non-homestead properties; the renters pay a higher share of taxes proportionality than single family residences. You need to make sure with the higher taxes they get services, finally its discriminatory, hope you do the right thing tonight and make the budget work.

**Constantine P. Kozalias 47 Noxon Street** stated that the Homestead Act separated homestead 1-3 families, non-homestead 4 families. I didn't know we are still picking up sash in the city. 65 % of homestead families pay 65 % in the city and the other 35 % , he doesn't believe that a single family like himself should have to pay for the businesses that make money The presentation by Assessor, the state wants their pound of flesh on their basis. 160 Academy Street opted out to be co-ops, they are non-homestead. The 30 units that are talking about are homeless people 1/3 of the homeless people are veterans. There is one solution to the whole thing and that is to vote for the Mayor's budget, next year you are not going to have the \$700,000 transportation money coming in from the city, what about Obama care, there are so many things coming down the line. I wouldn't want to sit in any of your shoes. These people have income property what about the person who has a single family or double family house, they can't increase, someone like me who is on a fixed social security budget.

**Wyley Jackson 160 Academy Street** stated that he is worried about his rent increasing due to the elimination of garbage pickup. Is on a fixed income, everything is going up and it is going to be tough for him to meet his utilities and his rent.

**V. MAYOR'S COMMENTS:**

**Mayor Tkazyik** Good evening, Councilmembers, would like to thank everyone for coming out tonight and giving comments on these very important issues. First I would like to thank everyone for attending the Celebration of Lights and festivities. We had a great Friday evening with the fireworks and the parade. I would like to thank Lou Strippli from the Downtown River District Association as well as Chris Silva and the Bardavon. They are the sponsors of that event, the City is a co-sponsor because we light up all of the lights along Main Street and Market and this year even to the Town line and it was a wonderful evening and there were 1000's of people here in the City.

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I want to thank all of the police officers, firefighters, Mobile Life support and our Department of Public Works for all of their hard work and their efforts to make this event a huge success. The council has a full agenda tonight, before us tonight is the Save-A-Lot proposal to bring a grocery store to the City of Poughkeepsie at the Crannell Street Lot. This is a win-win for really for the City of Poughkeepsie and this deal outside of other deals that you see, a portion of this property will be sold outright for \$75,000 and it will be fully taxable. Previous deals required either tax abatements or PILOT agreements. Also wanted to make a correction to a couple of the comment in relation to the Mayor's preliminary budget being illegal. As you know the Mayor proposes a budget on October the 15<sup>th</sup> and the Common Council has to adopt a budget prior to the end of the year and or course reading the Code of Ordinances until the Common Council is able to adopt a budget the Sanitation, Garbage Ordinance could not be amended until the budget is adopted. There is nothing illegal about it because the Common Council has not adopted the budget. Also before you tonight is the Hudson River Housing and BRAC proposal. This proposal goes back to 2006, prior to when I was a Mayor and I was a councilmember, sitting as a member of the IDA. The Base Realignment proposal for the old Army base on Oakley Street and the City had received at the time 4 proposals. At that time the City had selected its self to create a public works space at 25 Oakley Street. In those realignments the Federal Government requires that a homeless assistance be met by the local municipality. Two years ago the City received CDBG funds, Community Development Block Grant Funds through the stimulus grant. The city used those funds to demolish properties that were falling apart on Rose Street. Part of the requirements for using those special CDBG funds was that when you construct new housing, A) they have to be affordable and B) the construction has to be green. In combining these two projects what we are seeing here is balancing the needs of the homeless by A) creating affordable housing opportunities on Rose Street. B) reserving the City's right on Oakley Street to get the property in the City's hands, putting it back on the tax roles and to sell to a neighboring business to maintain his business in the City, not to create a homeless shelter than was mentioned before. In all of this ladies and gentlemen, when you drive around at night, during the day, you see many of the homeless people in our community stand at the corner here of Civic Center Plaza and the Arterial, during the winter, in the rain, during late hours of the night. That's because at the Family Partnership Center the Lunch Box closes at 6:00 p.m. and the intake for the homeless men and women of our community to get out to LaGrange or the Town of Poughkeepsie where the homeless shelters are can't begin until 8:00 p.m. because there is a childcare facility at the church where this intake center happens. So realizing that this was a need in our community I brought all parties together at the table and so that working with Dutchess Outreach, working with Hudson River Housing, working with the Family Partnership Center, the Lunch Box hours are going to be extended at the Family Partnership Center and the intake will begin immediately because with this plan the Common Council is going to adopt tonight, the intake center will now happen at the Family Partnership Center and you will no longer see the homeless men and women of our community standing out here late hours of the

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evening or in the cold. This plan for Hudson River Housing and the City and the BRAC property is a win-win by maintain and keeping a local business here in the City, putting property back on the tax roles, balancing the needs of the homeless within our community and for getting those men and women off their knees and onto their feet by providing affordable housing opportunities as well as getting them into the workforce environment which Hudson River Housing so proudly does. So the Council has a full plate tonight Mr. Chairman and I appreciate working with the members of the Council and the Department Heads through the 2011 budget and I know the Council will put their best foot forward in making these decisions this evening. Thank you.

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

**Chairman Klein** stated that these are tough times, those who read the paper, watch the news realize that challenges of a financial nature face the City of Poughkeepsie, face every municipality in the region in Dutchess County, across the State and these financial challenges are Nationwide, they are International. They stem from a variety of measures that have been undertaken over the last several decades in which government has spent more than it has. Common sense tells individuals that they cannot spend money that they do not have, but they do and there are risks. Those risks have become apparent to individuals, which we know, we read the papers. Those risks also apply to governments, local, state and federal governments. Not just our government here in America, I'm sure you understand that it's all over the world. People in government have accommodation of good will, they wish to do the right thing, they wish to provide services and programs that do good, that help people that appear to be necessary and desirable. Sometimes they are a function of a political purgative; regardless the can has been kicked down the road generation after generation. That cannot be done anymore, the can is here and con not be kicked down the road anymore. As a result the choices are tough, real tough, I don't blame members of our City of Poughkeepsie organizations and residents who live in certain areas, in certain neighborhoods, who own certain properties for being angry and concerned, I am concerned as well. New York State has lost between 1 ½ and 2 million people in a decade, as a result to the Census that just took place, New York State stands to lose 1 Congressional seat, if not 2 maybe 3. We all sit here tonight in a Common Council Chamber in a City that is actually an oasis or economic vitality in a region which is a sea and a state which is an ocean in a nation of economic dire straits. That Ladies and Gentlemen is no accident, it is a result of the efforts of a part of this administration and this Council, regardless of party affiliation to do the right thing here, to make decisions that are tough and that may adversely affect people in this audience who may certainly feel and have the right to be upset. I can tell you from a personal perspective, I understand exactly what you mean, I am self employed, in my private sector life. This is the reality, what happens with good government is a combination of fiscal responsibility and overall responsibility to make sure things run smoothly, efficiently and is cost effective as possible. We are trying to do that. I can

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assure you that regardless of your circumstances and your own personal anger over what's taken place, what's been done and what you feel might be done, you sit in a Common Council Chamber with a Mayor, a City Council regardless of party and an Administrative Staff that are doing their utmost to ensure that the can doesn't get kicked down the road because Ladies and Gentlemen if you think 2010 was a tough year, read the papers, watch the news, 2011 and 2012 promise to be even more challenging. The City of Newark, New Jersey just had 13% of its police force turn in their badges and guns, layoffs, cutbacks of services. The Mayor of Newark and Philadelphia were on TV this morning discussing these issues. There are no fun reserves; this is all over the county, all over the world. This can cannot be kicked down the road and tough decisions have to be made. I'm not one to sit here and preach shared sacrifice but the reality is these are tough times, we are not laying people off, we are not cutting back services, read the newspaper, watch the news, you will see municipalities that are doing that. Right here in Dutchess County, right next door in Orange County, high double digit raises in taxes. Regardless of what you do or how you live in the City, if you think a substantial raise in taxes wouldn't affect you and your lifestyle and you're bottom-line, think again. This budget, as proposed, which will be discussed and voted on tonight maintains payroll and personnel, keeps taxes and contains them at a very low raise and maintains services in large measures. I ask for your patience, your understanding and just be assured that this city is doing everything it can to do the best we can and if you read the paper we are doing things that other cites, other municipalities are not. Businesses, private enterprise, growth, livability, all of those things are happening right here in the City of Poughkeepsie where other communities are in very dire circumstances. Please be advised, I mean this from the bottom of my heart in all sincerity, we are doing the best we can and we hear your complaints and we hear your issues and we feel them and were going to work very, very hard and you are welcome to stay and see us do it. Thank you.

### **VII. MOTIONS AND RESOLUTIONS:**

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

**Assistant Corporation Counsel Ackermann** informed the Council that before them tonight is a resolution which would authorize an option agreement and eventually a purchase or a portion of the Crannell Street parking lot. Representative of Save-A-Lot, Dean Kalavritinios is here.

**Councilmember Herman** made a motion to suspend the rules to allow for Dean Kalavritinios from Save-A-Lot to speak, **Councilmember Parise** seconded the motion.

**Dean Kalavritinios, Senior Real Estate Manager** for Save a Lot

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**Assistant Corporation Counsel Ackermann** added that before the Council is an Option Agreement, it is presented as an Option Agreement and will eventually be a Purchase Agreement. This is for the sale of approximately 1/3 of the Crannell Street lot, the purchase price is \$75,000 and would be subject to a development agreement that is being presented by Save-A-Lot and would eventually be the location of a 16, 285 square foot grocery store. As the Mayor indicated prior this sale would be an outright sale before a purchase and therefore would be on the tax roles. There have been other previous development agreements for similar grocery stores at that location however none of them were an outright sale. They were either based on tax abatements or tax programs or PILOT Agreements that would lead to significant reduced tax revenue. The reason that it is being presented as an Option Agreement is that it is a little bit at the early stages with regard to a final plan that will have to go before the Planning Board who would undertake a SEQRA Review process as well as Storm Water prevention program and any review processes. Once that aspect of the project is complete which I believe we intend for it to be rather quickly than the actual Contract Agreement which is attached to the Option Agreement would become automatically effective and we would move to actually transfer the property at that time.

**Dean Kalavritinios** gave the following information to the Common Council:

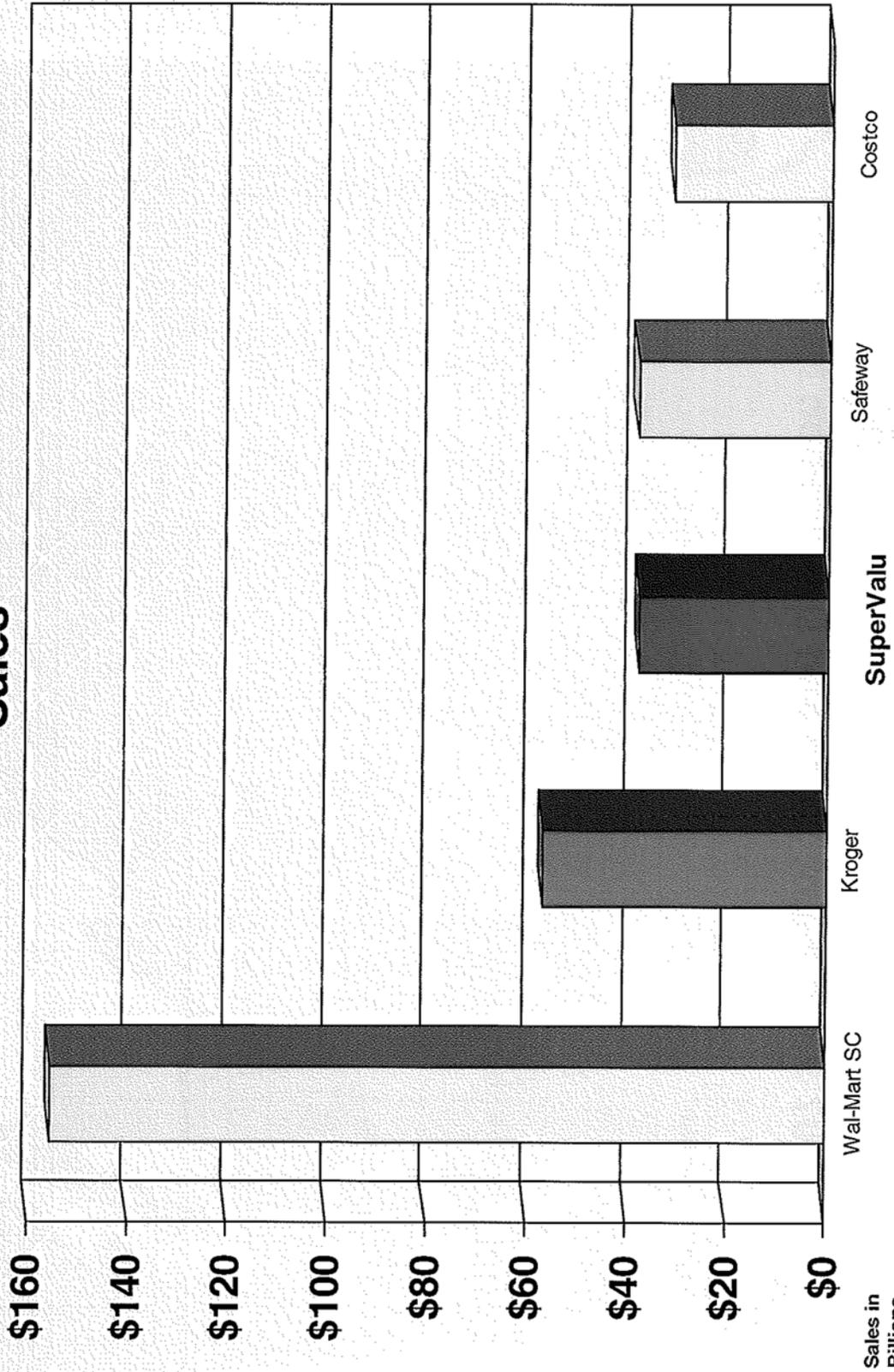
**save**  
*alot*

***A Partner With The  
Communities We Serve.***

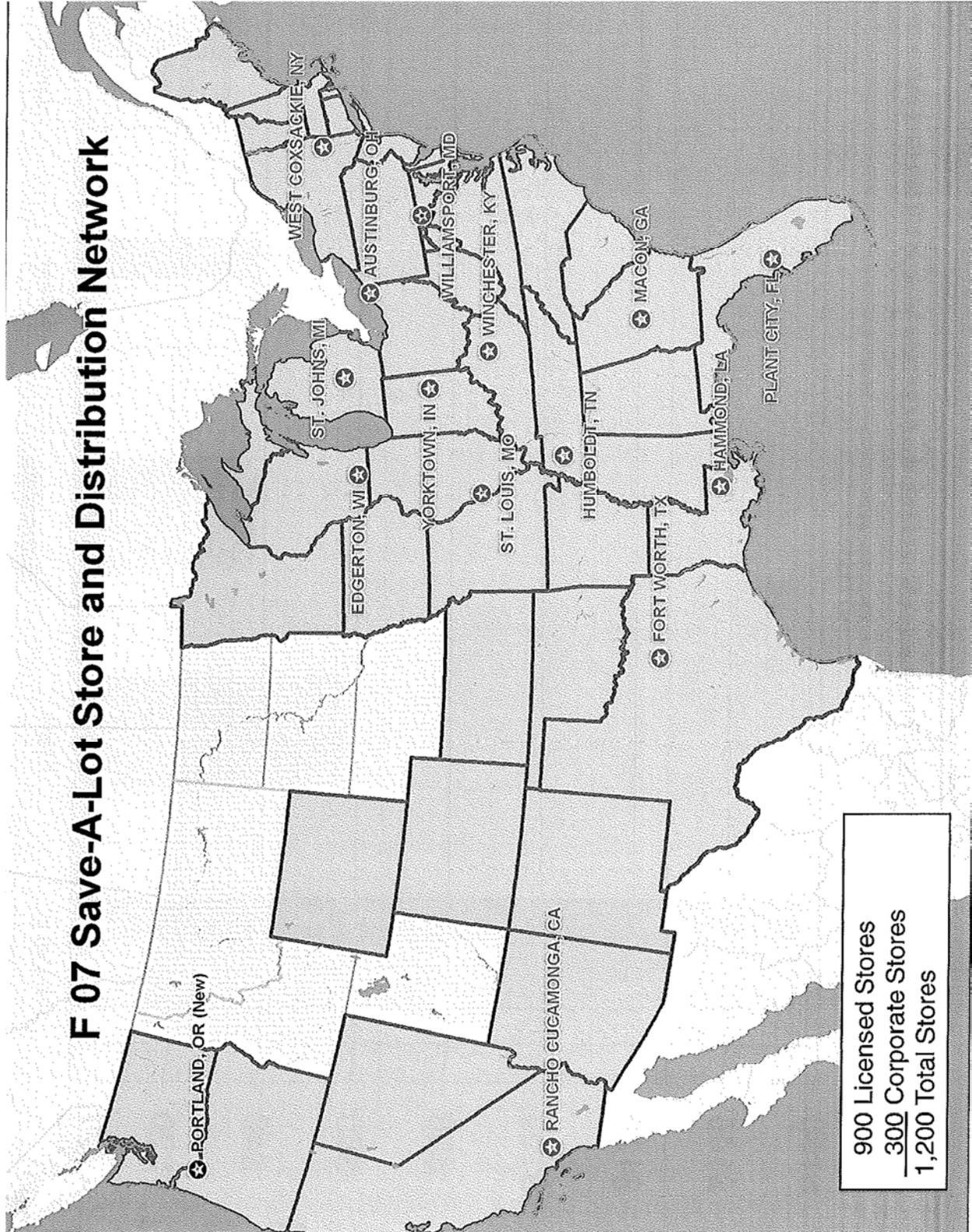
# **Save-A-Lot is:**

- The #1 “Edited Assortment” Grocer in the United States operating and/or supplying a virtual chain of 1,200 “licensed” and corporate stores in 39 States.
- A community minded company with locations in urban and rural communities.
- A wholly owned subsidiary of SUPERVALU:
  - > The 3<sup>rd</sup> Largest Grocery Retailer in the U.S. made up of 12 grocery banners with over 2,500 stores.
  - > A major Food Distributor serving 4,270 grocery retail stores.
  - > Has the resources necessary for continued expansion for Save-A-Lot.
  - > A Fortune 500 Company.

# Top U.S. Supermarkets and Grocery Chains by Sales



Source: FMI

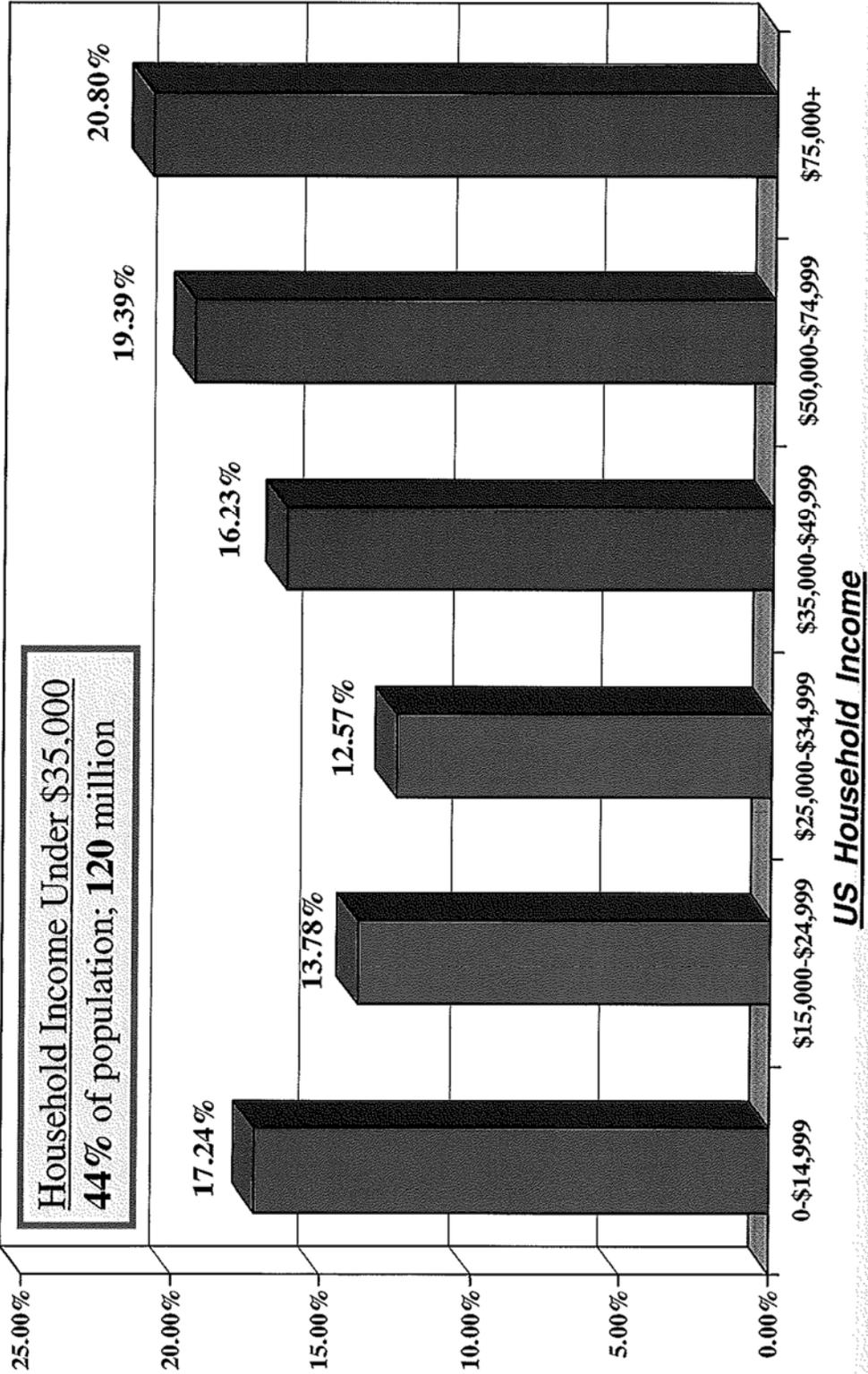


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## **Our Customers**

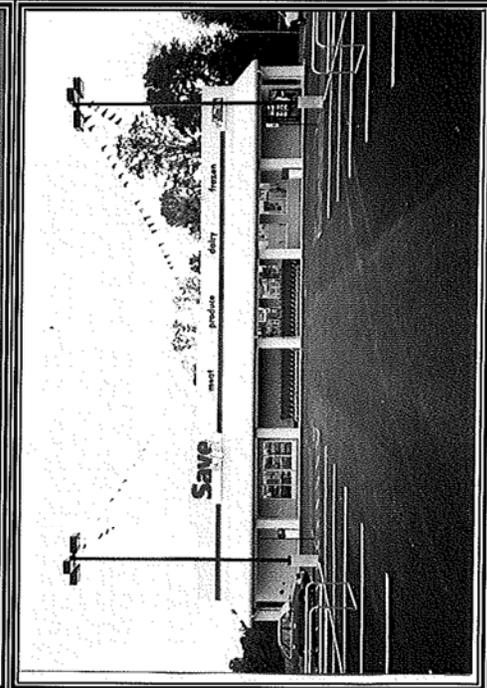
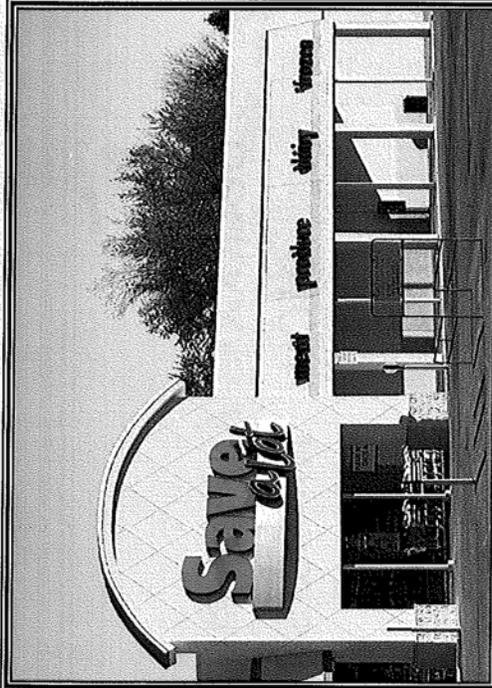
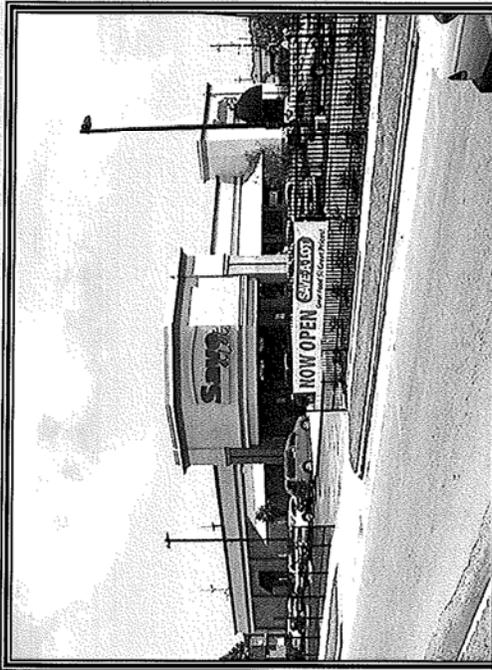
- Average income of \$35K/year or less
- 55% live on a fixed income
- 55% receive some form of government assistance
- 34% have households with children

# Our Customer Base Is Large



Source: Equifax National Decision Systems

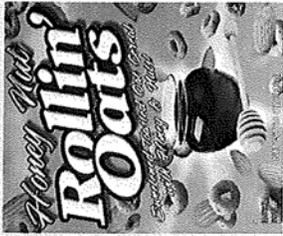
Save-A-Lot from the Outside



## **“Edited Assortment” Defined**

- Our product mix is made up of the most frequently purchased food items in the most frequently purchased sizes under our own “custom label” and select national brand products.
- This model enables a smaller, more convenient store, that is easily shopped.

Save-A-Lot develops and owns custom labels and brands

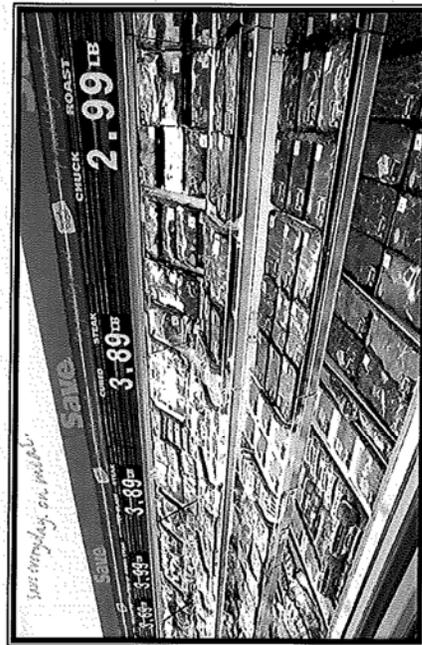
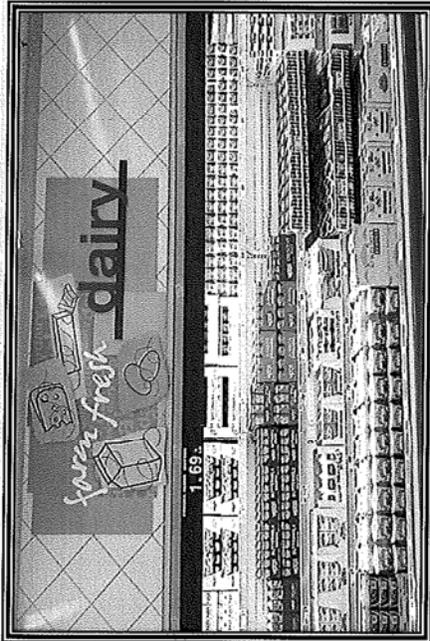


Having our own products allows us to pass the savings onto our Customers.

## **Our Product Mix**

- Grocery
  - Bakery
- Non Foods/HBA
  - “Special Buy” items
- Frozen Foods
  - Ethnic items
- Dairy
  - General Merchandise
- Meat
- Produce

# Inside a Save-A-Lot



**Customers shop Save-A-Lot because of:**

- Price – Average prices up to 40% below conventional grocery stores.
- Convenience – Smaller stores are easy to shop, and conveniently located in their neighborhood.
- Quality- All products are of the highest quality backed by a 100% money back guarantee.
- Pleasant Shopping Experience- Stores are inviting, clean, and bright with exceptional customer service.

## **Our Mission**

- Is to serve those who desire or need extreme value.
- Provide a needed service in many communities that are ignored by other companies.
- Hire our workforce directly from the community
- To focus “Buying Power” on an edited selection of high quality products, which allows us to pass the savings onto our customers (approximately 40% below conventional grocers).
- To provide a dignified shopping experience for our customers.

## **A Partner in the Communities we Serve.**

- Emphasis on Healthy and Nutritious Food.
- Experience with Government Assistance Programs ( EBT, Food Stamps, WIC, etc).
- Proven track record of hiring store employees including store management from the community.
- Meet the “Living Wage” .
- Positive Impact on The Community
- Stabilize “ignored communities” with a value-priced grocery store and jobs.
- Offer dignity and independence by employing from the community.
- Assist in the revitalization of communities.

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW  
ACT (SEQRA) RESOLUTION REGARDING A SALE OF  
CERTAIN CITY OWNED PROPERTIES  
(R-10-123)**

**INTRODUCED BY COUNCILMEMBER HERMAN:**

**WHEREAS**, the Common Council of the City of Poughkeepsie is considering the sale of certain properties now owned by the City of Poughkeepsie, a listing of which is described as 12 North Hamilton Street and which is a part and parcel of the Crannell Street Parking Lot; and

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

**WHEREAS**, Title 6 NYCRR, Section 617.6 specified that an agency will be the lead agency when it proposes to undertake or receives an application for funding or approval of a Type I Action that does not involve another agency; and

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

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

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

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

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
2. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and
3. In accordance with Section 617.5(a) (4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of

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the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and

4. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and
5. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
6. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
7. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

**SECONDED BY COUNCILMEMBER PARISE**

R10-123			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 Coates	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.

**RESOLUTION  
(R-10-124)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, the City of Poughkeepsie is the owner of a parcel located at 12 North Hamilton Street known as a part and portion of the Crannell Street Parking Lot (Grid# 6162-78-178075) in the City of Poughkeepsie hereinafter referred to as the “Property”; and

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**WHEREAS**, the City has been negotiating with Moran Foods, Inc. for the development of a grocery store in a central location of the City of Poughkeepsie; and

**WHEREAS**, as part of the negotiated development an offer has been received to purchase the Property under certain circumstances from MORAN FOODS, INC. for the sum of \$75,000.00; and

**WHEREAS**, the City of Poughkeepsie has recommended that an option to purchase the Property be offered to MORAN FOODS, INC. conditioned upon MORAN FOODS, INC. obtaining, among other things, all government approvals including site plan; and

**WHEREAS**, the Option Agreement to Purchase the Property shall also be conditioned on the planning board conducting necessary review under the State Environmental Quality Review Act; and

**WHEREAS**, the Common Council hereby finds that it is in the best interests of the City of Poughkeepsie to approve the offer from Moran Foods Inc., to purchase the Property;

**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 MORAN FOODS, INC. to purchase 12 North Hamilton Street known as Grid # 6162-78-178075 in the City of Poughkeepsie for the sum of \$75,000.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel and the City Administrator shall deem appropriate; and be it further

**RESOLVED**, that the Mayor is authorized to enter into an option agreement for the sale of the Property, subject to the following conditions, and such other terms and conditions that the Mayor, Director of Property Development and the Corporation Counsel shall deem appropriate:

- A. Developer must obtain, on condition satisfactory to Developer, all government approvals, including site plan approvals, approvals for grading, drainage, lighting, utility, landscaping, and traffic plans, sign permits and such Site Plan must be reviewed under the State Environmental Review Act and include an acceptable Storm Water Pollution Prevention Plan;**
- B. The Option shall be exercisable only in the event that Purchaser, has complied with Paragraph "A" above;**

Office Minutes Common Council Meeting of December 6, 2010

- C. In the event that the Purchaser has not exercised its option on or before twelve months and one day from the date the option agreement is signed by both parties and the option agreement has not been extended the option agreement shall terminate and be of no further force and affect;
- D. In the event that Purchaser and the City of Poughkeepsie, subject to future action by the Common Council, agree upon an alternate plan for the development of the Property other than the Project, then Purchaser may exercise the Option notwithstanding the terms of Paragraph "A" above, in which case such alternate plan shall be deemed the "Project.";
- E. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title, and subject to a restrictive covenant in form and substance satisfactory to the Corporation Counsel that no self-service credit or currency-operated pay telephones shall be placed on the exterior of the premises;
- F. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record;
- G. Purchasers agree that they shall not use the purchase price agreed to as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and
- H. Prior to the closing of title, Purchaser is authorized to and shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law in order to carry out the Project.
- I. Purchaser agrees that said sale is contingent upon the Purchaser granting to the City an easement, in form and substance acceptable to the City and it's Corporation Counsel, for the use of land along the southern border for the purpose of public access to Crannell Street and the rear of the properties that are adjacent to such border.
- J. Said deed shall contain a restrictive covenant prohibiting the installation of coin operated or public telephones.

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.

**SECONDED BY COUNCILMEMBER PARISE**

Office Minutes Common Council Meeting of December 6, 2010

R10-124						
			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 Coates	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.**

**City Administrator Long** informed the Council that as the Mayor indicated on October 15<sup>th</sup> the Mayor’s budget was released, there was a press release and a lot of information was delivered at that particular time. Following that there were public workshops on October 18<sup>th</sup>, 19<sup>th</sup>, 20<sup>th</sup> and November 1<sup>st</sup> so we had 4 open workshops and workshop meetings with the various Department Heads and want to thank the Common Council for all of their questions, they certainly asked many of them over the last weeks. Also thanked the Finance Department, especially Commissioner Bunyi, Regina Sweat and Barbara Biron who compiled the majority of the information on the budget as well as all of the Department Heads. It’s a work in progress; there were many questions and many answers throughout that period of time. At the November 15<sup>th</sup> Council Meeting the intent was to have a public vote to try to get the budget put to bed, so to speak. As the members of the Council are aware but maybe the public is not, once the Common Council adopts a budget it then goes to the Mayor and the Mayor then has the option to take line items and either approve and except them or to veto them. If there are items that are vetoed then it would go back possibly to the Common Council for a veto over-ride and at that point it would require super majority of the voters of the Common Council to over-turn the Mayor’s veto. In our case, of the 8 votes it would require 6 positive votes to over-turn a veto. Tonight what I believe we have boiled all of these questions down to basically 3 amendments that are being proposed for the Common Council’s consideration. The 1<sup>st</sup> one is by Councilmember Ralph Coates who has asked for some changes in the Recreation Department at

**RESOLUTION  
(R-10-122)  
Amended 12/6/10**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, pursuant to the Administrative Code of the City of Poughkeepsie, estimates of budget requirements for the year 2011 have been certified to the Mayor, City Administrator and the Commissioner of Finance by the various departments, officers, agencies and boards of the City of Poughkeepsie, and

Office Minutes Common Council Meeting of December 6, 2010

**WHEREAS**, the Mayor with the help of the City Administrator and the Commissioner of Finance did review the aforementioned estimates with the various departments, officers, agencies and boards, and

**WHEREAS**, the Mayor did prepare a proposed budget for the year 2011 based on these aforementioned reviews, which proposed budget with the Mayor's budget message was submitted to the Common Council on October 15, 2010; and

**WHEREAS**, subsequent to a notice of public hearing being published in the official newspaper in compliance with provisions of the City Administrative Code, a public hearing was duly held on November 1, 2010, and

**WHEREAS**, the Committee of the Whole has submitted the annexed budget for the year 2011,

**NOW, THEREFORE, BE IT**

**RESOLVED**, that the 2011 preliminary budget amended by the changes set forth on the annexed schedule C, be and hereby is adopted and declared to be the budget of the City of Poughkeepsie for the year 2010, and be it further

**RESOLVED**, that the amounts of said budget appropriations, estimated revenues, and contributions from fund balances, be and are hereby appropriated as therein specified in accordance with the provision of the Charter and Administrative Code of the City of Poughkeepsie and General and Special laws of the State of New York applicable to said City, and be it further

**RESOLVED**, that the aforementioned general ad valorem taxes required to be raised for such budget purposes would need a homestead tax rate of \$ 7.7976 per one thousand dollars and a non-homestead tax rate of \$9.5244 of assessed valuation upon all taxable property of the City of Poughkeepsie according to the valuation of the assessment roll for the current year, and be it further

**RESOLVED**, that the required water rate for taxable and nontaxable properties is established at \$2.59 per 100 cubic feet, and be it further

**RESOLVED**, that the required sewer rate for taxable and nontaxable properties is established at \$2.59 per 100 cubic feet, and be it further

**RESOLVED**, in accordance with the Charter and Administrative Code of the City of Poughkeepsie and on or before the date therein specified, a warrant shall be issued to the Commissioner of Finance as City Treasurer, to collect such taxes in accordance with the provisions of the Charter and Administrative Code of the City of Poughkeepsie applicable thereto, with penalties and interest therein provided.

**SECONDED BY COUNCILMEMBER PARISE**

R10-122			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 Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Malloy	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"/>

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

**Commissioner of Finance Bunyi** informed the council that the City is in need of replacing three important pieces of equipment in the Department of Public Works. This includes a street sweeper, a pickup truck and an all purpose jeep. Furthermore with the development of the Waterfront it has become imperative that the City of Poughkeepsie address the need to be prepared for any incidents/accidents that may require the use of the fire boat. This resolution is seeking authorization to be able to finance these items through a lease to own option with the use of the banks that the Common Council had previously authorized the City to engage in financial transactions. This resolution calls for a financing not to exceed \$500,000.

Office Minutes Common Council Meeting of December 6, 2010

Resolution

R10-125

EXTRACT OF MINUTES

[Lease Purchase-- Maintenance and Rescue Vehicles and Apparatus]

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 6, 2010 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 Ralph S. Coates II  
Councilmember Robert L. Mallory, Jr.  
Councilmember Lee David Klein  
Councilmember Yvonne Flowers  
Councilmember Mary Solomon  
Councilmember Gwen C. Johnson  
Councilmember Paul T. Herman

ABSENT:

The following persons were ALSO PRESENT:

Commissioner of Camilo Bunyi

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

RESOLUTION DATED DECEMBER 6, 2010

A RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT FOR CERTAIN MAINTENANCE AND RESCUE VEHICLES AND APPARATUS FOR THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$500,000

WHEREAS, in order to acquire certain maintenance and rescue vehicles and apparatus, the City proposes to enter into a lease purchase agreement (the "Agreement") providing for lease purchase of such vehicles and apparatus; and

WHEREAS, the Common Council deems it for the benefit of the City and for the efficient and effective administration thereof to enter into the Agreement for the purchase, acquisition and leasing of the maintenance and rescue vehicles and apparatus described herein on the terms and conditions therein provided;

Office Minutes Common Council Meeting of December 6, 2010

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

**SECTION 1. Maximum Cost and Useful Life.** (a) The acquisition of a fire boat is hereby authorized at an estimated maximum cost of \$160,000 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 26 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is ten years. (b) The acquisition of a pickup truck and jeep for DPW maintenance purposes is hereby authorized at an estimated maximum cost of \$70,000 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 29 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years. (c) The acquisition of a sweeper is hereby authorized at an estimated maximum cost of \$270,000 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen years.

**SECTION 2. SEQR.** It is hereby determined that the aforesaid purpose constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which is determined under SEQR not to have a significant impact on the environment.

**SECTION 3. Plan of Financing.** The City plans to enter into the Agreement to pay the total cost of the projects described in Section 1. The Commissioner of Finance is authorized to solicit proposals for the Agreement on the basis of the terms set forth herein with an interest rate not to exceed 3.00% per annum. Certificates of Participation are not authorized in the absence of further approval by the Common Council.

**SECTION 4. Approval of Documents.** Subject to the provisions of this Resolution, the Commissioner of Finance is hereby authorized and directed to execute, and the City Chamberlain is hereby authorized and directed to attest and countersign, the Agreement and any related exhibits and certificates, and the City Chamberlain is hereby authorized to affix the seal of the City to such documents. The Agreement shall separately state principal and interest components of the annual payments and the total of all periodic payments during each year of the Agreement shall be substantially level or falling during each year throughout the term of the Agreement. The Agreement shall include the provisions required by Section 109-b(2)(a) and 6.

**SECTION 5. Other Actions Authorized.** The officers and employees of the City shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

**SECTION 6. Required Terms.**

(a) **No General Liability.** Nothing contained in this Resolution and the Agreement or any other instrument shall be construed with respect to the City as incurring a pecuniary liability or charge upon the general credit of the City or against its taxing power, nor shall the breach of any agreement contained in this Resolution and the Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the City or any charge

Office Minutes Common Council Meeting of December 6, 2010

upon its general credit or against its taxing power, except to the extent that the rental payments payable under the Agreement are special limited obligations of the City as provided in the Agreement. The Agreement shall not be a general obligation of the City. The Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of such Agreement and no liability on account therefor shall be incurred beyond the amount of such monies. It is understood that neither such Agreement nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate or make available monies for the purchase of such Agreement.

(b) Non-Appropriations. Nothing in the Agreement shall, in the event of non-appropriation, preclude a political subdivision from acquiring equipment, machinery or apparatus for the same or similar purpose as the equipment, machinery or apparatus included in the Agreement for a period of more than sixty days from the date of expiration, termination or cancellation of such Agreement, provided, however, that in no case shall the Agreement contain any provision which would preclude the City from performing any statutorily or constitutionally required duties or functions, or require the City to pay liquidated damages.

(c) Security. In the case of the failure to appropriate, the sole security, apart from any security provided by a credit enhancement, for any remaining periodic payments shall be the equipment, machinery or apparatus subject to the Agreement.

(d) Term. The term of the Agreement shall not exceed five years.

SECTION 7. Tax-Exempt Status. 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 obligations represented by the Agreement authorized by this resolution, 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 Agreement authorized by this resolution as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 8. No Real Property. The Agreement shall in no event be construed as or deemed a lease or lease-purchase of a building or facility.

SECTION 9. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 10. Effective Date. This Resolution shall be effective immediately.

Thomas E. Parise	VOTING ___Aye
Ralph S. Coates II	VOTING ___Aye
Robert L. Mallory, Jr.	VOTING ___Aye
Lee David Klein	VOTING ___Aye
Yvonne Flowers	VOTING ___Aye
Mary Solomon	VOTING ___Aye
Gwen C. Johnson	VOTING ___Aye
Paul T. Herman	VOTING ___Aye

Office Minutes Common Council Meeting of December 6, 2010

The foregoing resolution was thereupon declared duly adopted.

Approved: \_\_December 6, 2010

John C. Tkazyik  
Mayor

R10-125						
			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	Vote	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Malloy	oter	<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"/>

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

The City of Poughkeepsie  
New York

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



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

December 1, 2010

COMMON COUNCIL

City of Poughkeepsie

CC Meeting: 12/6/10  
ITEM: VII-4  
ITEM: VII-5

**RE: MOA regarding BRAC- 25 Oakley Street**

Dear Chairman Klein and Councilmembers:

In 2005 the federal government passed the Base Realignment and Closure Act (“BRAC”). The purpose of this law is to dispose of access military properties across the Country. One of the parcels that was slated for closure was 2 LT Glen Carpenter Army Reserve Center with a property address of 25 Oakley Street in the City of Poughkeepsie.

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In 2006, the City of Poughkeepsie IDA, acting as the Local Redevelopment Authority solicited Notice of Interest for the property. Four proposals were received including an offer to purchase the property from the City of Poughkeepsie and an offer from Hudson River Housing to utilize the space for homeless assistance. BRAC and HUD require the local needs of the homeless to be considered as part of any transfer of federal property.

The City has been negotiating with Hudson River Housing to withdraw their Notice of Interest which would allow the purchase of the Property by the City. The final agreement accomplishes this while balancing the needs of the local homeless community. As you will see from the Memorandum of Understanding, the agreement is a global resolution that provides for the transfer of a number of parcels on Rose Street that are owned by the City and in which federal stimulus monies were used to demolish dilapidated buildings. The use of federal monies requires that any development on these parcels include low income housing as well as green technology. Hudson River Housing is aware of this requirement and intends to comply. The development of these parcels fit in with Hudson River Housing's Main Street initiative.

Lastly, a major concern for the City was the fact that those wishing to utilize the shelter would be required to vacate the Living Room (where most spend their days) two to three hours before they would be allowed to register for the shelter. This is especially problematic for the homeless in the winter months. To solve this the agreement will move the intake location for the shelter back to the Family Partnership Center where the Living Room is located and extend the Living Room's hours of operation eliminating this gap in time.

December 1, 2010  
MOA regarding BRAC-25 Oakley Street  
Page 2

Representatives from the IDA as well as Hudson River Housing will be present at your December 6<sup>th</sup> meeting to answer any questions or concerns. Additionally, the Council will be asked to act on the corresponding property sales.

Respectfully submitted,

PAUL ACKERMANN  
Assistant Corporation Counsel

PA/mt  
Enc.

**R E S O L U T I O N**  
**(R-10-126)**

**INTRODUCED BY COUNCILMEMBER HERMAN:**

**WHEREAS**, the property known as 2 LT Glen Carpenter Army Reserve Center and more commonly known as 25 Oakley Street, City of Poughkeepsie (hereinafter, the “Property”) was declared surplus property in accordance with the Base Realignment and Closure Law of 2005 (hereinafter, “BRAC”) and

**WHEREAS**, the City of Poughkeepsie responded to a Notice of Interest by submitting a proposal to purchase the Property; and

**WHEREAS**, the City of Poughkeepsie Industrial Development Agency, acting as the Local Redevelopment Authority, after duly convening voted to accept the Notice of Interest from the City of Poughkeepsie; and

**WHEREAS**, BRAC requires the LRA balance the local needs of the homeless and as such, the City of Poughkeepsie has negotiated in good faith with Hudson River Housing who also responded to the Notice of Interest; and

**WHEREAS**, an agreement in the form of a Memorandum of Understanding has been reached between the parties, which agreement has been supported by the City of Poughkeepsie Industrial Development Agency and Hudson River Housing, Inc.; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the City of Poughkeepsie Common Council hereby approves the Memorandum of Understanding as attached in substantially the same form and substance as attached hereto; and

**BE IT FURTHER RESOLVED**, that the Mayor, City Administrator and/or Corporation Counsel are authorized to sign any and all documents necessary to give effect to the intent of this agreement including but not limited to the signing of the Memorandum of Understanding between the City of Poughkeepsie Industrial Development Agency, the City of Poughkeepsie and Hudson River Housing.

**SECONDED BY COUNCILMEMBER PARISE.**

Office Minutes Common Council Meeting of December 6, 2010

R10-126						
			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 Coates	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"/>

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

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW  
 ACT (SEQRA) RESOLUTION REGARDING A SALE OF  
 CERTAIN CITY OWNED PROPERTIES  
 (R-10-127)**

**BY COUNCILMEMBER HERMAN**

**WHEREAS**, the Common Council of the City of Poughkeepsie is considering the sale of certain properties now owned by the City of Poughkeepsie, a listing of which is attached hereto as Schedule A; and

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

**WHEREAS**, Title 6 NYCRR, Section 617.6 specified that an agency will be the lead agency when it proposes to undertake or receives an application for funding or approval of a Type I Action that does not involve another agency; and

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

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

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

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

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and

Office Minutes Common Council Meeting of December 6, 2010

2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and
6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

**SECONDED BY COUNCILMEMBER PARISE**

R10-127			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 Coates	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"/>

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

**RESOLUTION  
(R-10-128)**

**INRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, the City of Poughkeepsie has previously taken title to five (5) vacant parcels of real property by reason of unpaid real property taxes, which parcels are known and described as follows: 517 Main Street, 33 Rose Street, 31 Rose Street, 17 Rose Street and 5 Rose Street, all of which parcels of vacant property are collectively referred to as the “Parcels”; and

**WHEREAS**, the City of Poughkeepsie and Hudson River Housing are parties to a three-party agreement whereby Hudson River Housing has agreed to relinquish its interest in 25 Oakley Street and whereby in return the City agrees to transfer the Parcels; and

**WHEREAS**, as part of the Memorandum of Understanding which is attached hereto and made a part hereof, Hudson River Housing agrees to utilize the properties in furtherance of its low income housing initiative; and

**WHEREAS**, Hudson River Housing has agreed to pay to the City property taxes on the parcels once developed or if such parcels are exempt from property taxes, Hudson River Housing shall be required to negotiate a payment in lieu of taxes; and

**WHEREAS**, the Director of Development has recommended that they City accept this offer; and

**WHEREAS**, the Common Council hereby finds that the Memorandum of Understanding attached hereto and made a part hereof will serve the interest of the City of Poughkeepsie and constitutes fair and adequate consideration; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the sale of 517 Main Street (6161-23-322999), 33 Rose Street (6162-79-364021), 31 Rose Street (6162-79-363017), 17 Rose Street (6162-79-360012) and 5 Rose Street (6161-23-354999) to Hudson River Housing, Inc. is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel and the Director of Development shall deem appropriate; and be it further

**RESOLVED**, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for the Parcels, and (b) that the sale of the Parcels will serve the interest of the City of Poughkeepsie and its residents; and be it further

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

- A. the conveyance of title and the payment of the purchase price shall take place within ninety days of the date of this resolution, unless the Director of Development shall grant such extension as she deems appropriate;**

- B. Purchaser shall obtain a building permit inconformity with the proposed redevelopment plan submitted to the City within six (6) months of the date of closing of title;
- C. Purchaser shall obtain a valid Certificate of Occupancy for all structures and all other parcels shall be developed in accordance with the development plan submitted to the City within one (1) year after obtaining the building permit;
- D. The transfer of title and Purchaser’s use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;
- E. City shall transfer by quit-claim deed and makes no representation of the marketability of title, and subject to a restrictive covenant in form and substance satisfactory to the Corporation Counsel that no self-service credit or currency-operated pay telephones shall be placed on the exterior of the premises;
- F. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and
- G. Purchaser shall promptly apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and
- H. The sale shall be subject to a permanent easement to City over the parcel known as 517 Main Street.
- I. Any parcel in which federal monies have been used to demolish dilapidated buildings shall be used for low-income housing and incorporate green technology.

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

**SECONDED BY COUNCILMEMBER PARISE**

R10-128			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 Coates	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"/>

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

**RESOLUTION  
(R-10-129)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, an application for Amended Site Plan Approval, Special Permit Approval and Subdivision Approval has been received by Vassar Brothers Medical Center for the Vassar Campus Expansion; and

**WHEREAS**, Vassar Brothers Medical Center has previously gained planning board approval for the Vassar Campus Expansion on or about June 1, 2010; and

**WHEREAS**, the application request the previously approved site plan be amended to reflect an additional floor at the Center for Ambulatory Surgery and corresponding parking requirements; and

**WHEREAS**, the planning board previously was declared lead agency for the approved site plan; and

**WHEREAS**, it is the intention of the City of Poughkeepsie Planning Board to be lead agency for the Amended Application and the Common Council of the City of Poughkeepsie consents to such designation; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie does hereby consent to the City of Poughkeepsie Planning Board acting as lead agency for the application by Vassar Brothers Medical Center for Amended Site Plan Approval, Special Permit Approval and Subdivision Approval.

**SECONDED BY COUNCILMEMBER PARISE**

<b>R10-129</b>			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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 Coates	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"/>

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

**VIII. ORDINANCES AND LOCAL LAWS:**

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

**LOCAL LAW AMENDING CHAPTER 4-10 OF THE CODE OF ORDINANCES OF THE  
CITY OF POUGHKEEPSIE  
(LL-10-06)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**SECTION 1. BE IT ENACTED**, by the Common Council of the City of Poughkeepsie, a local law amending Section 4-10 of the Code of Ordinances of the City of Poughkeepsie entitled "Fees for Dog Licenses", to provide as follows:

**Section 4-10: Fees for Dog Licenses**

(a) ~~In addition to the annual fee for each dog license established and mandated by New York State law,~~ there shall be a license fee due to the City of Poughkeepsie as follows:

(1) For a one-year license, the fee shall be:

(a) For each spayed or neutered dog: ~~\$4.50~~ **\$7.00**.

(b) For each unspayed or unneutered dog: ~~\$10.00~~ **\$20.50**.

~~(2) For a two-year license, the fee shall be:~~

~~(a) For each spayed or neutered dog: \$9.00~~

~~(b) For each unspayed or unneutered dog: \$20.00~~

~~(3) For a three year license, the fee shall be:~~

~~(a) For each spayed or neutered dog: \$13.50~~

~~(b) For each unspayed or unneutered dog: \$30.00~~

(b) No dog license shall be issued for a period expiring after the expiration date of the current rabies certificate for the dog being licensed. In the event an applicant for a license presents, in lieu of a rabies certificate, a statement certified by a licensed veterinarian as provided in New York Agriculture and Markets Law § 109(3), a license

shall be issued or renewed for a period of one year from the date of said statement. (Ord. of 1-6-1992, § 1; Ord. of 12-4-1997, § 1; Ord. of 12-17-1998, § 1; Ord. No. 0-06-01, § 1)

**(c) Dog License Violations – It shall be unlawful for**

- (1) Any owner to fail to license any dog**
- (2) Any person to furnish any false or misleading information on any form required to be filed with the City.**

**(d) Penalties. A violation of this section shall be deemed an offense, and any person convicted of violating any provision in subsection (c) after a trial or a plea of guilty shall be held liable to a penalty of not more than \$100.00 for the first violation, \$200.00 for the second violation, and \$250.00 for three or more violations.**

**SECTION 2.** This Ordinance shall take effect immediately upon filing with the New York State Secretary of State.

~~STRIKETHROUGH~~ INDICATES DELETION  
**BOLD** INDICATES LANGUAGE ADDED

**SECONDED BY COUNCILMEMBER PARISE**

LL-10-6			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 Coates	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.**

**ORDINANCE AMENDING CHAPTER XIII, SECTION 13-172 OF  
 THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES  
 ENTITLED “ONE-WAY STREETS DESIGNATED”**

**(O-10-33)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

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

**SECTION 1:** Section 13-172 of Chapter 13 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following deletion:

**Section 13-172 One-way streets designated**

The following streets or parts of streets are hereby designated one-way streets, and when appropriate signs giving notice thereof are erected, no vehicle shall pass over said streets except in the direction indicated:

~~[Livingston Street, from Fox Street to South Avenue, except in a northerly direction]~~

**SECTION 2:** This Ordinance shall take effect upon the erection of appropriate signage and final approval of the Commissioner of Public Works.

**SECONDED BY COUNCILMEMBER PARISE**

**Underlining ( ) indicates ADDITION.**  
**~~Brackets and strikethrough~~ indicate DELETION.**

O-10-33						
			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 Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallo y	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"/>

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

- 1) **FROM ARLETTE JOY HOLZ-MAY**, a notice of property damage sustained on November 10, 2010. **Referred to Corporation Counsel**
- 2) **FROM KATINA PRUITT**, a notice of property damage sustained on August 21, 2010. **Referred to Corporation Counsel**

- 3) **FROM CORBALLY, GARTLAND & RAPPLEYEA, LLP**, a notice of intent for Twisted Karma, LLC, d/b/a Karma Lounge to apply for a Liquor License. **Referred to Corporation Counsel**
- 4) **FROM POLICE CHIEF KNAPP**, police update.
- 5) **FROM COMMISSIONER OF FINANCE BUNYI**, October 2010 year to date financials.

**X. UNFINISHED BUSINESS:**

**XI. NEW BUSINESS:**

**XII. ADJOURNMENT:**

A motion was made by Chairman Doyle and Councilmember moved to adjourn meeting at 10:22 p.m.

Dated:

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, December 6, 2010 at 6:30 p.m.

Respectfully submitted,

Deanne L. Flynn  
City Chamberlain



## **COMMON COUNCIL MEETING**

Common Council Chambers

Monday, December 6, 2010

6:30 p.m.

*6:00 public hearing regarding proposed Local Law LL10-6*

*Presentation by Commissioner of Assessment DeMarco*

*regarding Real Property Regulation*

**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL**

**III. REVIEW OF MINUTES:**

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

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

**VI. MAYOR'S COMMENTS:**

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

**VIII. MOTIONS AND RESOLUTIONS:**

- 1) FROM CITY ADMINISTRATOR LONG, Resolution R10-122, adopting the 2011 Budget.**

- 2) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, SEQRA Resolution R10-123 and Resolution R10-124, approving an option agreement for the purchase of Grid # 6162-78- 178075 with Moran Foods, Inc., d/b/a Save-A-Lot.
- 3) **FROM COMMISSIONER OF FINANCE BUNYI**, Resolution R10-125, authorizing the financing of capital equipment in the Department of Public works and Fire Department.
- 4) **FROM ASSISTANT CORPORATON COUNSEL ACKERMANN**, Resolution R10-126, approving a three party Memorandum of Understanding regarding 25 Oakley Street.
- 5) **FROM ASSISTANT CORPORATOUN COUNSEL ACKERMANN**, SEQRA Resolution R10-127 and R10-128, approving the sale of properties to Hudson River Housing pursuant to a three party Memorandum of Understanding under the Base Realignment and Closure Act.
- 6) **FROM DEVELOPMENT DIRECTOR WOJTOWICZ**, Resolution R10-129, consenting to the Planning Board serving as lead agency for amended site plan approval of Vassar Brothers Medical Center Campus Improvement Plan.
- 7) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, Resolution R10-130, authorizing the settlement of a tax cert settlement with DOC Properties, LLC.

**IX. ORDINANCES AND LOCAL LAWS:**

- 1) **FROM ASSISTANT CORPORATION GILDARD**, Local Law LL10-06, amending Section 4-10 of the city code, entitled “Fees for dog licenses”.
- 2) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, Ordinance O-10-33, changing a portion of Livingston to 2 way street.

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

- 1) **FROM ARLETTE JOY HOLZ-MAY**, a notice of property damage sustained on November 10, 2010.
- 2) **FROM KATINA PRUITT**, a notice of property damage sustained on August 21, 2010.

- 3) **FROM CORBALLY, GARTLAND & RAPPLEYEA, LLP**, a notice of intent for Twisted Karma, LLC, d/b/a Karma Lounge to apply for a Liquor License.
- 4) **FROM POLICE CHIEF KNAPP**, police update.
- 5) **FROM COMMISSIONER OF FINANCE BUNYI**, October 2010 year to date financials.

**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT:**