



COMMON COUNCIL MEETING

Common Council Chambers

Monday, December 7, 2015

6:30 p.m.

5:30 p.m. Public Hearing regarding the Mayor's
proposed 2016 Budget

I. ROLL CALL:

II. REVIEW OF MINUTES:

Common Council Meeting of September 21, 2015

Common Council Meeting of October 5, 2015

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

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

V. MAYOR'S COMMENTS:

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VII. MOTIONS AND RESOLUTIONS:

- 1. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-90, approving the collective bargaining agreement with United Federation of Police (Joint Water Employees).**
- 2. FROM CHAIRMAN PETSAS AND COUNCILMEMBER HERMANN, Resolution R15-83, approving appointments to the WAC (Waterfront Advisory Committee).**
- 3. FROM CITY ADMINISTRATOR BUNYI, Resolution R15-84, authorizing the execution of an engineering planning grant regarding Dutton Avenue.**

4. **FROM CHIEF KNAPP**, Resolution R15-85, authorizing the acceptance of a grant under the Federal COPS hiring program.
5. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R15-86, authorizing an agreement with the Potter House for the release of outstanding liens.
6. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R15-87, authorizing the issuance for a request for interest in 253 Main Street.
7. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R15-88, approving the designation of Soldiers Memorial Fountain and Park as an historic landmark.
8. **FROM CITY ADMINISTRATOR BUNYI**, Bond Resolution R15-89, authorizing and approving the Phase II of the LED Lighting program.

VIII. ORDINANCES AND LOCAL LAWS:

1. **FROM ASSISTANT CORPORATION COUNSEL AQEEL**, Ordinance O-15-8, amending the parking on Wilbur Boulevard.

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM LORELEI POLLOCK**, a notice to appeal the rejection of her application for a vendor permit.
2. **FROM CORPORATION COUNSEL ACKERMANN**, a communication regarding the Inter-municipal Agreement between the Poughkeepsie School District and the City of Poughkeepsie with regard to Pop-Warner Football.
3. **FROM AMBER SUMMERSON**, a notice of property damage sustained on September 13, 2015.
4. **FROM KEITH S. RINALDI, P.C.** a notice of personal injury sustained by Heather Knapp on August 5, 2015.
5. **FROM EL PATRON**, a notice of intent to renew their Liquor License.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

EXECUTIVE SESSION: The Council anticipates a motion to adjourn to Executive Session.

XII. ADJOURNMENT:

RESOLUTION
(R-15-83)

INTRODUCED BY _____:

WHEREAS, there currently exists vacancies on the Waterfront Advisory Committee which the Common Council is desirous of filling; and

WHEREAS, in accordance with the Section 18 ½-5(b) the Common Council shall appoint three members to the Waterfront Advisory Committee and shall further appoint the committee chair; and

WHEREAS, the Common Council has solicited members of the community who are interested in serving on such board, and has interviewed those who have submitted their names; and

WHEREAS, it is in the best interest of the City of Poughkeepsie and its citizens that the Waterfront Advisory Board should have a full complement of members in order to properly conduct the business required of the Board;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints the following individuals to the Waterfront Advisory Committee for a two (2) year term:

Arnie Serotsky	(Exp.: March 5, 2017)
Harvey Flad	(Exp.: March 5, 2017)
Lynn Spens	(Exp.: March 5, 2017)

BE IT FURTHER RESOLVED, that the Common Council hereby appoints the following member as Chair:

Arnie Serotsky

SECONDED BY _____.

A RESOLUTION OF THE CITY OF POUGHKEEPSIE ACCEPTING ENGINEERING
PLANNING GRANTS (EPG)

(R-15-84)

INTRODUCED BY COUNCILMEMBER _____ :

WHEREAS, the City of Poughkeepsie in conjunction with Dutton-ONeil applied for an Engineering Planning Grant (“EPG”) for the purpose of engineering and design to correct and extend public infrastructure resources in the area of the Hudson River waterfront running from the Walkway Over the Hudson north to the Marist College Boat House and from the Hudson River East to the CSX railway right of way (collectedly, “Dutchess Avenue Engineering” or the “Project”); and

WHEREAS, the City has been awarded a grant through the New York State Environmental Facilities Corporation toward the Dutchess Avenue Engineering in an amount of \$30,000 with a local match of \$6,000; and

WHEREAS, the O’Neill-Dutton has agreed to supply the \$6,000 local match toward the Dutchess Avenue Engineering; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of accepting such grant and local match and authorizing the execution of the Grant Agreement; and

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby accepts the grant from the New York State Environmental Facilities Corporation and authorizes the Mayor to execute a Grant Agreement and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City’s obligations under the Engineering Planning Grant (“EPG”) Agreement; and be it further

RESOLVED, that the City of Poughkeepsie accepts the pledge of \$6,000 from The

O'Neill Group-Dutton, LLC for the local match required by the EPG for the Project but in the alternative the City of Poughkeepsie authorizes and appropriates a minimum of 20% local match as required by the EPG for the Dutchess Avenue Engineering project. Under the EPG Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Common Council shall not exceed \$6,000 based upon a total estimated maximum project cost of \$30,000. The Mayor may increase this local match through the use of in kind services without further approval from the Common Council; and be it further

RESOLVED, that the Common Council hereby determines that the proposed Dutchess Avenue Engineering is a Type II action in accordance with 6 NYCRR Section 617.5(c) (18) which constitutes engineering studies which do not commit the agency to undertake, fund or approve any Type I or unlisted action and therefore no subject to review under 6 NYCRR Part 617.

SECONDED BY COUNCILMEMBER _____ .

THE O'NEILL GROUP-DUTTON, LLC
241 Hudson St.
Hackensack, NJ 07601

(201) 488-4455
Fax (201) 488-8283
lkaufman@theoneillgroup.us

November 17, 2015

Hon. John Tkazyik, Mayor
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

Re: \$30,000 Empire State Development Grant

Dear Mayor Tkazyik,

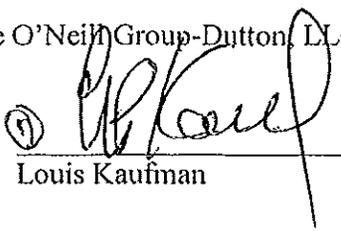
First, thank you for your leadership on the grant the City has been able to garner in support of our project at Poughkeepsie's waterfront. The City's partnership has been a great enhancement to our efforts.

I am writing to confirm the O'Neill Group's commitment to provide a \$6,000 cash match, as required, to the \$30,000 Empire State Development Grant the City is receiving from its Consolidated Funding Application of 2014. This will be provided to the City upon its signing of the grant contract with New York State for engineering services that are pertinent to the development of infrastructure (water, sewer, storm water, roads, sidewalks, curbing, etc.) in the Dutchess Avenue area.

We at the O'Neill Group want to thank you for providing the City's aegis for this, and other, grants we are pursuing. And I want to personally wish you the best for your future activities after leaving office as Mayor.

Best regards,

The O'Neill Group-Dutton, LLC


By: Louis Kaufman

NYS Consolidated Funding Application
Application Number 40558
Registration Email: tomjudson@mac.com
File created June 16, 2014 - 12:04 PM
Application finalized on June 16, 2014 - 12:00 PM

Region

Mid-Hudson

Questionnaire Questions & Answers

Threshold

Engineering Planning Grant Program

Q_1321 Are you a municipality as defined by 21 NYCRR 2602 New York State Clean Water Revolving Fund Regulations (<http://www.nysefc.org/DocumentCentral.aspx>)?

Yes

Q_1397 Is this a planning project that will lead to either the restoration or protection of a surface waterbody?

Yes

Q_3473 Is your municipality's median household income (MHI) equal to or less than \$65,000 according to the United States Census 2010?

Yes

Q_3472 Is this planning project in the 2014 Clean Water State Revolving Fund (CWSRF) Intended Use Plan (IUP) listed on the Annual Project Priority List?

No

Q_2192 Will the municipality provide a local match of at least 20% of the total cost of the planning project?

Yes

Location

Q 184

NYS Assembly District(s) where the project is located. (please enter a number between 1 and 150 that represents your Assembly District)

104

Q_190 NY Senate District(s) where the project is located. (please enter a number between 1 and 63 that represents your Senate District)

41

Q_565 Project City

City of Poughkeepsie

Q_568 Project State

NY

Q_572 Project Latitude

41.707489

Q_573 Project Longitude

-73.940006

Q_616 For more than one project location, please provide full address(es) for each location. If Not Applicable, indicate "NA".

N/A

Q_928 Project Street Address: if the project does not have a definite street address, please skip to "Project without a Street Address" below.

No Answer

Q_971 Project Without a Street Address: please enter a description of the project location. Include project starting/ending street addresses, cities & zip codes if applicable.

Hudson Riverfront City of Poughkeepsie 12601

Q_972 Project county or counties.

Dutchess

Q_1034 Project ZIP Code. (please use ZIP+4 if known)
12601

Q_3527 US Congressional District where the project is located.
18th

Basic

General Project Information

Q_550 If you are a DBA, what is your DBA name?
No Answer

Q_549 Type of Applicant (select all that apply)
City

Q_556 Select an applicant ID type from the list below that you normally use to identify your organization on application forms.
Federal Tax ID Number

Q_969 If you are a business, have you been certified as a New York State Minority or Women-owned Business Enterprise (MWBE)?
N/A

Applicant

	Answer
Legal Name	City of Poughkeepsie
Street Address	62 Civic Center Plaza

City	Poughkeepsie
State	NY
Zip Code (use ZIP+4 if known)	12601
Email Address	jtkazyik@cityofpoughkeepsie.com
Telephone Number (include area code)	845-451-4073

Contacts

	Primary Contact	Additional Contact
First Name	Victor	John
Last Name	Cornelius	Tkazyik
Title	Development Consultant	Mayor
Street Address	PO Box 187	62 Civic Center Plaza
City	Germantown	Poughkeepsie
State	NY	NY

ZIP Code	12526	12601
Email Address	victorcornelius@aol.com	jtkazyik@cityofpoughkeepsie.com
Telephone Number	518-697-0437	845-451-4073

Q_3656

Is the project included in a NY Rising Community Reconstruction Program plan or a NY Rising Countywide Resiliency Plan?

No

Q_3744

If the project is included in a NY Rising Community Reconstruction Program plan or a NY Rising Countywide Resiliency Plan, please indicate the planning committee name, project name, and location.

No Answer

Q_3762

Does your project directly address the needs of people in your region who are living in poverty and who seek resources for inclusion in the economic life of New York State?

Yes

Q_3763

How does your project seek to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in your region, as identified by the Opportunity Agenda? Please describe any efforts to collaborate at the local or regional level (i.e. public, private, labor, philanthropic sectors).

The design of waste water and storm water infrastructure on the floodplain that is the Poughkeepsie waterfront will open the doors to an exponentially increased residential, retail and commercial development of this underutilized Hudson River asset. The proposed development will result in a very large increase in employment opportunities in the region.

Q_3764

How does your project build workforce development programs, improve physical infrastructure, and/or establish social services that connect people living in poverty in your region with skilled employment, in correspondence with the economic revitalization priorities, distressed community targets, and the industry growth areas identified in the Opportunity Agenda and Strategic Plan?

The project will redefine and increase the area's waste water and storm water infrastructure. It will also result in a redefinition of the access roads as well as the implementation of new curbing and sidewalks, insuring a fulsome of residences, stores and light industrial activities in this abandoned and moribund area.

Q_3766

Is this a Global NY Project?

No

Q_3768

If this is a Global NY Project, please describe how this project relates to the identified goals of your region's Global Marketing and Export Strategies as part of the Global NY initiative?

No Answer

Project Description

Q_575

Project Description. Concisely describe the project, indicating the location, what will be planned, designed, acquired, and/or constructed, the issues/opportunities to be addressed, and expected outcomes and deliverables. Additional details will be collected later in the application process.

The City of Poughkeepsie is proposing the request for funding of engineering plans to correct and extend public infrastructure resources in the area of the Hudson River waterfront running from the Walkway Over the Hudson to the south, to the Marist College boathouse to the north, and from the Hudson River east to the CSX railway right of way to the east. Poised for a major expansion of development, the area (now a NY State listed brownfield) is slated for dense residential, retail and public waterfront assets.

Q_930

Explain what makes your project a regional economic priority - for example creates jobs, economic investment, sustainability and community revitalization, government efficiency or consolidation etc.

The entire project, currently under development by the O'Neill Dutton group, will be an economic generator for the entire City of Poughkeepsie. It is the cornerstone of the city's economic revitalization. It builds upon the economic resurgence brought by the hundreds of thousands of increasing visitors engendered by the Walkway and benefits from easy Amtrak/Metro-North rail and vehicular access.

Q_929

Current State of Project Development (i.e. planning, preliminary engineering, final design, etc. You may enter N/A for non-project related applications)

Planning.

Q_975

Estimated Project Timeline: including project start/completion dates, estimates for design, permitting and construction or other major steps. (You may enter N/A for non-Project related applications)

The engineering design process will initiate in April, 2015 and be completed by April, 2016. Estimates for the design phase constitute approximately \$120,000.

Q_976

Statement of Need

The City of Poughkeepsie sustains a median household income of \$30,847 according to the

2010 federal census. Infrastructure support or the creation of a large block of middle income housing provides an answer to these disappointing statistics and falls, squarely, upon the nature and extent of its requisite public investment.

Q_580 Provide a list of all federal, state, and local reviews, approvals, or permits needed or completed, including the dates when they are expected to be completed or were completed. If Not Applicable, indicate "NA".

There are no federal, state and local reviews, approvals or permits that directly engage the planning for this infrastructure. SEQR, however, will be employed upon its completion, bringing the project to a state of 'shovel readiness'.

Q_2364 What is the status of State and/or Federal Environmental Review? If review of the project is underway or completed pursuant to the State Environmental Quality Review Act (SEQRA) or National Environmental Policy Act (NEPA), please indicate the lead agency (if applicable).

N/A

Q_1054 If National Environmental Policy Act (NEPA) Record of Decision has been issued, please explain (include date of Record of Decision).

N/A

Prior CFA Funding

Q_2362 If funding was awarded in prior CFA rounds, what were the CFA numbers for which funding was awarded? (separate multiple CFA numbers with commas)

N/A

Standard Question

Engineering Planning Grant Program

Q_2622 Provide the population of the municipality applying for the grant. Cities and Villages should use municipal wide 2010 Census data. Towns and Counties should use the 2010 Census data for the area that is being served. In cases where the service area has not been established, provide an estimate for the envisioned service area.
http://www.dec.ny.gov/docs/water_pdf/censusinstructions3.pdf

32736

Q_582 Estimated Service Life

100 years.

Q 1450

Will the proposed project result in the creation of construction jobs? If so, estimate the number of construction jobs to be created.

Enter zero if not applicable.

180

Q_1459 Will the proposed project directly or indirectly result in the creation of permanent jobs? If so, estimate the number of permanent full-time equivalent jobs that will be created.

Enter zero if not applicable.

325

Q_2193 What is the name of the surface waterbody that could be restored or protected as a result of the planning project? If known, provide the latitude and longitude of the discharge causing the water quality impairment.

The Hudson River

Q_2194 Has the municipality applied for or received funding from other State or Federal agencies for the completion of an engineering report for the proposed project?

No.

Q_1324 Does the municipal system have a State Pollutant Discharge Elimination System (SPDES) permit?

Yes

Q_1325 If your municipal system has a State Pollutant Discharge Elimination System (SPDES) permit, list the permit number.

No Answer

Q_1374 If the municipal system discharges to a State Pollutant Discharge Elimination System (SPDES) permitted facility controlled by another municipal entity (i.e., satellite collection system) describe any water quality impacts associated with the discharge.

None.

Q_1326 Is this planning project required by a State Pollutant Discharge Elimination System (SPDES) permit to protect the receiving water?

No Permit

Q_1330 Is this planning project required by an Order on Consent executed between the NYS

Department of Environmental Conservation and the municipality?

No

Q_1331

Is this planning project for the preparation of a Flow Management Plan as required by a State Pollutant Discharge Elimination System (SPDES) Permit?

Yes

Q_2307

Is the planning project identified in a Total Maximum Daily Load (TMDL)?

No

Q_2308

If the planning project is identified in a Total Maximum Daily Load (TMDL), please identify the TMDL.

N/A.

Q_1332

Is this project for the planning of an upgrade to an existing collection and/or treatment system?

Yes

Q_1333

Is the project for the planning of a new wastewater treatment and/or collection system to replace an existing municipal treatment and/or collection system?

Yes

Q_1376

Is this project for the planning of a treatment and/or collection system for a currently unsewered area?

No

Q_1461

Is the planning project part of a regional wastewater improvement effort?

No

Q_3480

Is the project specifically identified in any of the following formally adopted plans? (check all that apply)

No Answer

Q_3481

If the project is specifically identified in a formally adopted plan, provide the plan's title and date of publication. If available, provide the plan's web address/URL. If the project is not identified in any plan, in the answer box please answer "Not in any plan."

Not in any plan

Q_1463

Describe how the public and stakeholders who will be affected by, or who can advance the project, will be engaged in project planning and implementation.

The City of Poughkeepsie, as the responsible municipal entity charged with waste water management, will supervise and contribute to the development of the engineering. Local stakeholders, such as the O'Neill/Dutton group, will contribute to the cost of the project, Local residents and businesses will be engaged, in public hearings, regarding the systems' expansion and development.

Q_1464

Describe how local officials are committed to this planning project and its future implementation.

The development of supporting infrastructure for the waterfront' maximization as an economic generator for the City is its key contribution to the extraordinary partnership that is making the plan possible Local officials have endorsed, in public session and the press, the project's vision and its goals.

Q_370

Explain the strategy and resources for going forward after the project is complete; that is, for implementing grant-funded plans, developing and using grant-funded acquisitions, and maintaining grant-funded improvements.

The City of Poughkeepsie, in partnership with the O'Neill/Dutton group, will pool its design and financial expertise to effectively define sewer capacity and collections systems design for the maximum benefit of the residential project and its supporting retail establishments. A 20-year maintenance plan to be carried out by the City will be included as a product of the design process and a rate structure for the future residences and businesses of the area will be developed, informed by the maintenance schedule.

Q_1434

Describe the administrative structures in place to administer the requested grant. Identify individuals who will be responsible for specific tasks, such as contract and grants administration, fiscal accounting, and project management. For those managers and professionals already hired, describe their qualifications. Summarize consultant selection process and schedule, noting whether it is completed, underway or proposed. For future hires, describe qualifications sought and procurement/hiring method.

The grant will be administered in joint consultation between the City of Poughkeepsie's engineers and the consultant engineering firm associated with the project's design.

Q_2516

Is the municipality submitting more than one application for the New York State DEC/EFC Wastewater Infrastructure Engineering Planning Grant program? If so, please list the proposed projects in priority order, 1 - highest priority, 2 - second priority and 3 - third priority and so forth.

No.

Smart Growth

Smart Growth Questions:The NYS Smart Growth Public Infrastructure Policy Act requires that a project meet the relevant smart growth criterion to the extent practicable. Please respond to the questions below regarding smart growth criteria.

Q_1059

Does the proposed project use, maintain, or improve existing infrastructure? Y/N/Not Relevant. Please explain all responses.

The engineering plan will be utilized to define waste water management capacity, geographic placement of the collections system, the final project's maintenance and the rate structure which will be funded by the residents and businesses of the new complex. The plan will include any requisite plant capacity increases which may utilize new technologies such as state-of-the-art aeration systems and will improve the existing collections system by pinpointing inflow and infiltration complications. The collections system will also engage an appropriate analysis of the benefits of slip lining technologies as well as increases in pipe capacity, line extensions and potential new pump stations.

Q_1060

Is the proposed project located in a municipal center? Y/N/Not Relevant. Please explain all responses.

The project is located on the Poughkeepsie Waterfront which was, in the 17th and 18th centuries, the City Center and subsequently the site of dense industrial development. Now a designated brownfield, the site is undergoing DEC-supervised pollutant remediation. It will become a residentially dense city center once again at the completion of a series of adjoining town house residences, shops and small businesses.

Q_1061

Is the proposed project located in a developed area or an area designated for concentrated infill development in a municipally approved comprehensive land use plan, local waterfront revitalization plan and/or brownfield opportunity area plan? Y/N/Not Relevant. Please explain all responses.

The site is a designated brownfield and has received, in the 2013 CFA process, \$253,000 in Local Waterfront Revitalization Program planning grants for the development of a riverfront public passive recreational park. This 2.4 acre park site is immediately adjacent to the proposed high-density residential development to be constructed by the O'Neill/Dutton group.

Q_1062

Will the proposed project protect, preserve and enhance the State's resources, including agricultural land, forests, surface and groundwater, air quality, recreation and open space, scenic areas, and significant historic and archeological resources? Y/N/Not Relevant. Please explain all responses.

The project will enhance the Hudson River Waterfront and the Walkway Over the Hudson State Historic Site which runs along the proposed site's southern border. It will create acres of public parkway along the riverfront which had not existed before and will link the lower exit of the new elevator pod from the Walkway with the Marist College Boathouse to the north of the development property.

Q_1063

Will the proposed project foster mixed land uses and compact development, downtown revitalization, Brownfield redevelopment, the enhancement of beauty in public spaces, the diversity and affordability of housing in proximity to places of employment, recreation and commercial development and the integration of all income and age groups? Y/N/Not Relevant. Please explain all responses.

Yes. The O'Neill/Dutton project at One Dutchess Ave. will be primarily residential but it will

also house mixed-use development containing retail spaces. It will completely redevelop a brownfield site with a highly dense townhouse development concept while creating new public open space along the Hudson River. Positioned to provide middle-income housing, the project will highly diversify the City of Poughkeepsie's housing stock which has reached the extremes of great poverty and, in isolated areas, great wealth. All ages of residents are welcome.

Q_1064

Will the proposed project provide mobility through transportation choices including improved public transportation and reduced automobile dependency? Y/N/Not Relevant. Please explain all responses.

Yes, the site is within ten minutes' walking distance of the historic Amtrak/Metro-North train terminal. It will provide easy pedestrian commuter access for more than 500 families by public transportation to New York City. It will also provide public transportation to Montreal, Toronto, Chicago and beyond.

Q_1065

Will the proposed project involve coordination between state and local government and inter-municipal and regional planning? Y/N/Not Relevant. Please explain all responses.

The project already functions as a partnership among New York State as current owner of the riverfront parcels, as well as regional planning among Dutchess County and the City and Town of Poughkeepsie.

The State Agencies already invested in the project include:

The New York State Department of Environmental Preservation
The New York State Department of State
New York State Office of Parks, Recreation and Historic Preservation

Q_1066

Will the proposed project involve participation in community based planning and collaboration? Y/N/Not Relevant. Please explain all responses.

Community-based planning is being accomplished with the full participation of the planning boards of both the City and Towns of Poughkeepsie as a portion of the development will lie outside of the City and in the Town. In addition, public hearings on the full implementation of the mixed-use concepts for the One Dutchess site are underway on a semi-annual basis as the project approaches its approvals.

Q_1067

Will the proposed project ensure predictability in building and land use codes? Y/N/Not Relevant. Please explain all responses.

The project involves the redevelopment of a brownfield within the most ideal of possible circumstances. Land use codes and local zoning law are being revised to accommodate the project. State planning resources, through the Department of State's Division of Coastal Resources, are being carefully applied.

The One Dutchess Ave. project is perceived as a model of inter-municipal, inter-governmental planning with private resources being brought to bear in the context of the project's remediation and build-out.

Q_1068

Will the proposed project promote sustainability by strengthening existing and creating new communities which reduce greenhouse gas emissions and do not compromise the needs of

future generations, by among other means encouraging broad based public involvement in developing and implementing a community plan and ensuring the governance structure is adequate to sustain its implementation? Y/N/Not Relevant. Please explain all responses.

This is, indeed, the creation of a new community well within walkable distance of commuter rail services to New York City and municipalities in southern Dutchess, Putnam and Westchester Counties.

Certification

General Certifications

Q_1037

By entering your name in the box below, you certify and agree that you are authorized on behalf of the applicant and its governing body to commit the applicant to comply with the requirements of Article 15-A of the New York State Executive Law: Participation By Minority Group Members and Women With Respect To State Contracts by providing opportunities for Minority-owned Business Enterprise (MBE)/Woman-owned Business Enterprise (WBE) participation. You further certify that the applicant will maintain such records and take such actions necessary to demonstrate such compliance throughout the completion of the project.

John Tkazyik, Mayor

Q_1038

By entering your name in the box below, you certify that you are authorized on behalf of the applicant and its governing body to submit this application. You further certify that all of the information contained in this Application and in all statements, data and supporting documents which have been made or furnished for the purpose of receiving Assistance for the project described in this application, are true, correct and complete to the best of your knowledge and belief. You acknowledge that offering a written instrument knowing that the written instrument contains a false statement or false information, with the intent to defraud the State or any political subdivision, public authority or public benefit corporation of the State, with the knowledge or belief that it will be filed with or recorded by the State or any political subdivision, public authority or public benefit corporation of the State, constitutes a crime under New York State Law.

John Tkazyik, Mayor

Q_2309

New York State DEC/EFC Wastewater Infrastructure Engineering Planning Grant Program Certification. By entering your name in the box below, you agree on behalf of the applicant that, if New York State DEC/EFC Wastewater Infrastructure Engineering Planning Grant Program funding is provided for the project described in this Application, the applicant shall comply with all laws, regulations, provisions and guidance with respect thereto, as each may be amended from time to time, including but not limited to the Clean Water Act, 33 U.S.C. 1251 et seq. , Chapter 565 of the Laws of 1989, 6 NYCRR Part 649, and 21 NYCRR Part 2602.

John Tkazyik, Mayor

Net New Jobs

No job answers necessary due to your associated programs.

Qualified Investments

No investment answers necessary due to your associated programs.

Total Project Cost

Total project cost: \$ 120000

Funding Requested from Program

Program	Amount Requested
Engineering Planning Grant Program	\$ 50000 maximum funding allowed: \$50,000

Program Budget

Engineering Planning Grant Program

Use	Source	Amount	Indicate Source / Comments
Planning	Local	\$70000	O'Neill/Dutton Group
Planning	State	\$50000	Engineering Grant Program

RESOLUTION
(R-15- 85)

INTRODUCED BY _____:

WHEREAS, the City of Poughkeepsie Police Department submitted a grant proposal under the U.S. Department of Justice, COPS Office under its' Cops Hiring Program ("CHP"); and

WHEREAS, on September 21, 2015 the City was awarded a grant from CHP in the amount of \$625,000 to fund five (5) newly-hired and/or rehired, full-time sworn law enforcement officers for thirty-six (36) months; and

WHEREAS, the City is required to provide a financial commitment above that which is provided under the CHP program; and

WHEREAS, the City Administrator must execute agreements and documents necessary to accept and receive said grant; and

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

NOW, THEREFORE,

BE IT RESOLVED, that the grant in the sum of \$625,000.00 from the U.S. Department of Justice, COPS Office under its' Cops Hiring Program ("CHP") be and the same is hereby accepted on behalf of the City of Poughkeepsie; and be it further

RESOLVED, that the City shall be obligated for and will budget appropriately the difference in salary and benefits of the five (5) officers hired under this program; and be it further

RESOLVED, that the City Administrator of the City of Poughkeepsie is hereby authorized and directed to execute in the name of the City of Poughkeepsie Police Department and City of Poughkeepsie, any agreements, and all other documents required by CHP and any amendments thereto, as well as any necessary documents; and be it further

RESOLVED, that the City will retain the newly hired or re-hired full-time sworn law enforcement officers for no less than twelve (12) months after expiration of the three year term CHP grant.

SECONDED BY _____.

The City of Poughkeepsie

New York

Paul Ackermann
Corporation Counsel
packermann@cityofpoughkeepsie.com



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

November 30, 2015

CC Meeting: 12/7/15
Item # VII-5
R-15-86

COMMON COUNCIL
City of Poughkeepsie

Re: Authorization and Approval to waive tax liens on former YMCA property

Dear Chairman Petsas and Council Members:

Attached hereto is a proposed resolution which would authorize the waiving of several years of tax liens specifically 2007, 2008, 2009, 2010, 2011, 2012, 2013 & 2014 as requested by the Potter House Inc. and the Common Council. The total amount of liens being waived is approximately \$102,306 plus interest. The resolution would give the Potter House Inc. five years to obtain a Certificate of Occupancy for the building permitting it to be used as a youth center. If the Potter House, Inc. fails to obtain a Certificate of Occupancy within five years, a judgment for the amount of the liens waived would attach to the property.

The Potter House Inc., has indicated that they have commitments for financing, but the lenders will not consider lending to it until the tax lien is resolved. This will, provided it has funding opportunities, permit them to proceed. It should be noted that unless specific plans of development are presented to the assessor by taxable status date next year, the owner would not be entitled to a tax exemption.

Lastly, at the request of Councilman Klein a provision will be added requiring regular updates on the progress of the development.

Trusting this is satisfactory. I am,

Very truly yours,

CITY OF POUGHKEEPSIE
PAUL ACKERMANN
Corporation Counsel

By: _____
Paul Ackermann, Esq.,
Corporation Counsel

RESOLUTION
(R-15- 86)

INTRODUCED BY _____ :

WHEREAS, the Potter House, Inc. a local not-for-profit organized has purchased the former YMCA property located at 35 Montgomery Street in the City of Poughkeepsie and more specifically known as Tax Map No.: 6128-94-691400; and

WHEREAS, the city is currently the holder of tax liens for the years 2008, 2009, 2010, 2011, 2012, 2013 and 2014 in an outstanding amount of approximately \$102,306 which liens represent unpaid fees and assessments; and

WHEREAS, such liens which are attributable to the former YMCA present an obstacle to redevelopment of the building prohibiting Potter House, Inc. from seeking financing; and

WHEREAS, the Potter House, Inc. wishes to redevelop the property into a youth center for the betterment of the City of Poughkeepsie and more specifically it's' youth; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of assisting the Potter House, Inc. by waiving the 2008, 2009, 2010, 2011, 2012, 2013 and 2014 tax liens held by the City in an approximate amount of \$102,306 plus interest; and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby determines that the redevelopment of the former YMCA building located at 35 Market Street in the City of Poughkeepsie by the Potter House, Inc. a not-for-profit organization into a youth center is in the best interest of the residence of the City of Poughkeepsie; and be it further

RESOLVED, that in furtherance of this action, the City of Poughkeepsie hereby agrees to waive the City held 2008, 2009, 2010, 2011, 2012, 2013 and 2014, tax liens which liens shall be stricken for the records by the Commissioner of Finance; and be if further

RESOLVED, that the Potter House, Inc shall enter into an agreement and confession of judgment in an amount of the liens waived and in form satisfactory to the Corporation Counsel which shall provide that in the event that the Potter House In., does not obtain a Certificate of Occupancy for the former YMCA located at 35 Market Street, Poughkeepsie, New York, County of Dutchess, allowing for the property to be used as a youth center, the amount of the lien waived shall immediately become due and owing and a lien on the property; and be it further

RESOLVED, that the Mayor of the City of Poughkeepsie, its City Administrator and Corporation Counsel shall do all things necessary to give effect to the intent of this resolution including but not limited to signing an agreement or documents necessary.

SECONDED BY _____.

RESOLUTION
(R-15-87)

INTRODUCED BY COUNCILMEMBER _____:

BE IT RESOLVED, that pursuant to the 2015 purchasing policy as adopted, the Common Council hereby approves the issuance of the Request for Proposal for the sale of 253 Main Street in form and substance as attached hereto; and

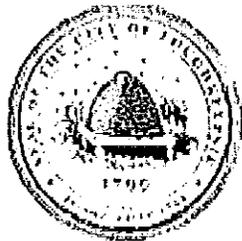
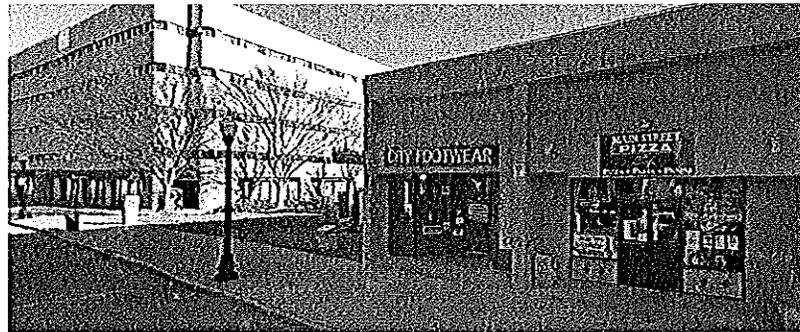
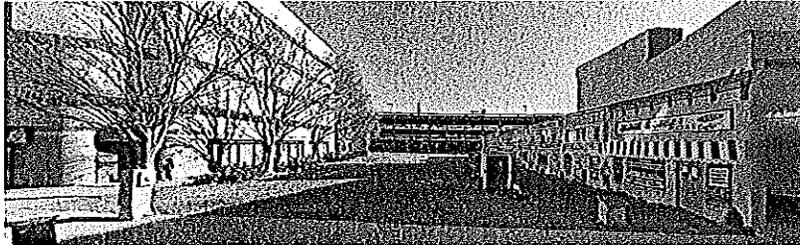
BE IT RESOLVED, the such action is a Type II action pursuant to Section 617.5 as such action is administrative in nature and does not commit the agency to commence, engage in or approve such action; and

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

SECONDED BY COUNCILMEMBER _____.

REQUEST FOR PROPOSAL

THE CITY OF POUGHKEEPSIE SEEKS QUALIFIED PARTIES INTERESTED IN PURCHASING AND DEVELOPING CITY-OWNED PROPERTY LOCATED AT 253 MAIN STREET IN THE CITY OF POUGHKEEPSIE



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

SECTION 1

GENERAL INFORMATION AND

INSTRUCTIONS

PURPOSE

The City of Poughkeepsie (the “City”) is seeking high quality proposals for the purchase and development of two vacant City-owned parcels, totaling approximately 0.30 acres, located in a desirable downtown location on Main Street.

SUBJECT PROPERTY

“Subject Property” is located at 253 Main Street, in the City of Poughkeepsie, County of Dutchess and State of New York. It is more specifically known as Tax Id # 6162-77-062103 and 6162-77-064109. The adjacent parcels are currently vacant.

GOALS FOR THE SITE

- A unique in-fill development that is consistent with the history of the City of Poughkeepsie, its architecture and its downtown Main Street location.
- Maximize the financial return to the City for the sale of the property.
- Provide a use that is pedestrian friendly and consistent with commuter living.
- In keeping with the Poughkeepsie Main Street Economic Development Strategy

CITY’S VISION

- A project design that is appropriate for this area of downtown that takes into consideration its Main Street location with access to the Financial Plaza Parking Deck.

- A pedestrian friendly building(s) that relates well to the street and which includes amenities consistent with a walking and commuter population.
- A project that will help activate the area.
- A project that consist of either a commercial, retail or a mixed use building consisting of residential and retail.
- A project that will include a number of environmentally sensitive design features that follow Leadership in Energy Environmental Design (LEED) standards.
- A project that is consistent with the Poughkeepsie Central Business District Revitalization Strategy as adopted by the Common Council.

REQUIREMENTS

1. Proposals must be submitted in the proposal format required. Sealed proposals will be received by the City Chamberlain, located on the 1st floor of City Hall, 62 Civic Center Plaza, Poughkeepsie, New York 12601 at the time stipulated.
2. One original and nine copies of the Proposal and an electronic version of the report in Adobe Acrobat (PDF) format shall be submitted. The information included therein should be as concise as possible. To be considered, each Submitter must submit a complete response to this RFP using the format found in Section 3 of this RFP.
3. Proposals must arrive no later than Monday, February 19, 2015 at 3:00 p.m. local time. Proposals received after the deadline will be deemed unacceptable for further consideration. Regardless of the delivery method, the Submitter is responsible for the actual delivery of the proposal to the City Chamberlain as of the deadline. Submitters agree to honor their proposals for a period of one hundred twenty (120) days from the proposal due date. All proposals become the property of the City of Poughkeepsie after the deadline whether awarded or rejected.
4. All information in a Submitter's proposal is subject to disclosure under the provisions of the Freedom of Information Act. It should be noted that submission contents will not be deemed proprietary information, and individuals who submit proposals will be provided opportunities to review other proposals, if requested, after the submission deadline.
5. The City accepts no financial responsibility for costs incurred by any Submitter in responding to this RFP. By responding to this RFP, the Submitter agrees to hold the City harmless in connection with the release of any information contained in its proposal.
6. Should any prospective Submitter be in doubt as to the true meaning of any portion of this RFP, or should the Submitter find any ambiguity, inconsistency, or omission therein, the Submitter shall make a written request for an official interpretation or correction. All questions concerning the solicitation and specifications shall be submitted in writing via e-mail or fax to the name below. You are encouraged to submit your questions via e-mail.

Corporation Counsel
Attn: Nancy L.B. Griffin
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12601
ngriffin@cityofpoughkeepsie.com
Facsimile No. 845-451-4070

Questions must be submitted no later than February 9, 2015 at 4:00 p.m. (5 business days prior to submission deadline.

7. Any oral responses to any questions shall be unofficial and not binding on the City of Poughkeepsie. The City staff will make such interpretation or correction, as well as any additional RFP provisions that the City may decide to include, only as an RFP addendum. Staff will mail or deliver addendums to each prospective Submitter recorded as having received a copy of the RFP. Any addendum issued by the City shall become a part of the RFP. Submitters should consider issued addendums in preparing his or her proposal.
8. A pre-proposal meeting will be held on January 15, 2015 at 10:00 a.m. in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York 12601. The purpose of the meeting is to discuss the Request for Proposal, its goals and objectives with prospective Submitters and to answer questions concerning the RFP. Any questions and answers furnished will not be official until verified in writing by the City of Poughkeepsie. Answers that change or substantially clarify the RFP will be affirmed in writing. Copies will be provided to all in attendance.
9. It is required that interested parties attend this meeting. Prospective Submitters may bring up to two persons to the pre-proposal meeting. It is strongly suggested that one of the two persons in attendance be the intended primary contact for the Submitter if the contract is awarded to that Submitter.

NON-COLLUSION

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

1. The Submitter declares that this Proposal is made in good faith, without fraud or collusion with any person or persons submitting a proposal on the same Agreement.
2. The Submitter has carefully read and examined the "Request for Proposal" documents and understands them. The Submitter declares that it is fully informed as to the nature of and the conditions relating to the Subject Property. Additionally, the Submitter was given a full opportunity to inspect the premises prior to submitting the proposal.

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

SELECTION CRITERIA

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

I. Tier One Proposal Evaluation

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

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

II. Tier Two Proposal Evaluation

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

Proposed purchase price

SELECTION PROCESS

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

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

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

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

DOWNPAYMENT

Each Proposal must be submitted with a \$10,000 refundable deposit (“Earnest Deposit”) made payable to the City of Poughkeepsie, as a good-faith commitment to proceed. The City will return the Earnest Deposit to the unsuccessful Submitter(s) within thirty (30) days of the date the Common Council approves the sale of the property. If the submitter wishes to voluntarily withdraw his/her/its proposal, the earnest deposit will be returned within thirty (30) days of the date notice is received by the City. The City will retain the Earnest Deposit for the successful Submitter and the City will apply the Earnest Deposit to the purchase price upon closing. The Earnest Deposit shall be in addition to and not in lieu of a good-faith deposit required upon the execution of a purchase and sale agreement.

INFORMATION

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

INSPECTION

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

RESERVATION OF RIGHTS

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

PROPERTY SUMMARY

PRESENT USE: Vacant

LOCATION: 253 Main Street, City of Poughkeepsie, County of Dutchess, State of New York

OWNER: CITY OF POUGHKEEPSIE

TAX MAP #: 6162-77-062103 and 6162-77-064109

ACREAGE: 0.30 acres

ZONING: (C-2) Central Commercial District

IMPROVEMENTS: None

UTILITIES: Municipal Water/Sewer

TOPOGRAPHY: Level

FLOOD ZONE: None

WETLANDS: None

RESTRICTIONS: None

SECTION 2

PROPOSAL SCOPE OF PROJECT

Site Development

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

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

SCOPE OF PROJECT

1. Proposal must include a detailed plan of development, including but not limited to an impact study of the development of this site and a detailed work plan listing all elements necessary to accomplish redevelopment of the site. The work plan will include a time line schedule depicting the sequence and duration of plan components showing how the work will be organized and executed. Any additional project elements suggested by the Submitter are to be included in the work plan and identified as Submitter-suggested elements. Also include in the work plan proposed steps, if any, to expedite completion of the individual components within the project. This will be given due consideration during evaluation of proposals.
2. Proposals must include a statement that the Submitter agrees to defend, indemnify and hold harmless the City of Poughkeepsie, its officers, employees and agents from and against all claims, lawsuits, losses and expenses including attorney's fees arising out of or resulting from the performance of this award.
3. Proposal must include the time period by which this project will be initiated and completed. Failure to perform, initiate and complete work within an acceptable time period will trigger the City's ability to reclaim title on the property.

SECTION 3

INFORMATION REQUIRED FROM ALL PROPOSAL SUBMITTERS

Proposals should be submitted using the following format:

Section 1: Proposal Statement

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

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

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

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

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

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

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

Section 9: Professional Qualifications: This section should include the full name and address of your organization and, if applicable, the branch office or other subordinate element that will

perform, or assist in performing, the work hereunder. Indicate whether it is operated as an individual, partnership or corporation. If as a corporation, include whether it is qualified to do business. This information shall be provided for all organizations participating in the development of the property. If the proposal is submitted by a lead organization on behalf of several partners, list all key partners and their respective roles in the proposal. Identify the technical expertise which makes the organization(s) qualified for this work.

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

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

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

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

Section 14:

1. Each Submitter shall submit a list of at least four (4) references for recent projects. Two of the references must be governmental or other public corporations. References must include a point of contact, an email address and a telephone number where the point of contact can be contacted. The reference list shall also include the dates when these projects were constructed.
2. Each submitter shall also submit at least two (2) financial references from banks or other financial institutions attesting to the submitter's financial capacity and ability to finance a project as proposed.

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

A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 120 MARKET STREET AS A LOCAL HISTORIC LANDMARK

(R-15-88)

INTRODUCED BY COUNCILMEMBER _____ :

WHEREAS, Soldiers Memorial Fountain and Park located at 120 Market Street is owned by the City of Poughkeepsie and has been nominated for a local historic landmark designation with the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter "HDLPC"); and

WHEREAS, the HDLPC held a public hearing on September 23, 2015 regarding the application nominating 120 Market Street as a local historic landmark; and

WHEREAS, the HDLPC voted unanimously in favor of the proposed designation and approved the application on September 23, 2015; and

WHEREAS, the HDLPC's approved application was forwarded to the Common Council for consideration on October 7, 2015; and

WHEREAS, the Common Council held a public hearing on November 16, 2015 regarding the nomination of 120 Market Street as a local historic landmark; and

WHEREAS, after duly considering the factors specified in Section 19-4.5(4) of the Code of Ordinances of the City of Poughkeepsie, the Common Council hereby finds that premises located at 120 Market Street possesses special character, historic and aesthetic value as part of the cultural, economic and social history of the City of Poughkeepsie; embodies distinguishing characteristics of an architectural style; is identified with historic personages; and is the work of a designer whose work has significantly influenced an age.

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby designates

120 Market Street as a local historic landmark. The City Chamberlain is authorized and directed to forward notice of the designation of 120 Market Street to the Dutchess County Clerk for recordation.

SECONDED BY COUNCILMEMBER _____

RESOLUTION
R15-89
EXTRACT OF MINUTES
[LED Lighting-Phase II]

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 7, 2015 at 6:30 o'clock p.m., local time.

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

PRESENT:

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

ABSENT:

The following persons were ALSO PRESENT:

Acting Commissioner of Finance Karen Sorrell

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

BOND RESOLUTION DATED DECEMBER 7, 2015

A RESOLUTION AUTHORIZING THE INSTALLATION OF LED LIGHTING PHASE II IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,153,947 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

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

SECTION 1. The acquisition and installation of LED lighting improvements including street and area lighting at various locations throughout the City, to achieve energy savings, is hereby authorized at an estimated maximum cost of \$1,153,947, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in

subdivision 35 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen years.

SECTION 2. 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 has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. The City plans to finance the total cost of said purpose by the issuance of serial bonds of the City in an amount not to exceed \$1,153,947, hereby authorized to be issued therefor pursuant to the Local Finance Law. The City anticipates receiving NYSEDA grant funds in the estimated amount of \$72,460 for the project purpose, to be applied to repay obligations so issued.

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

SECTION 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds shall be applied to reimburse the City for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

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

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

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

SECTION 9. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

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

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

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

SECTION 10. The Chamberlain is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Poughkeepsie Journal, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 11. This resolution shall take effect immediately.

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

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

The foregoing resolution was thereupon declared duly adopted.

Approved: _____, 2015

John C. Tkazyik
Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 7th day of December, 2015 and entitled:

BOND RESOLUTION DATED DECEMBER 7, 2015

A RESOLUTION AUTHORIZING THE INSTALLATION OF LED LIGHTING PHASE II IMPROVEMENTS AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,153,947 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ___ day of _____, 2015.

-SEAL-

Deanne Flynn
City Chamberlain

Executive Summary—Not a part of the Resolution

This New Resolution for \$1,153,947 LED Lighting Improvements-Phase II includes:

<u>Purpose</u>	<u>Capital Budget Items</u>	<u>PPU (Max. Period for Financing)</u>	<u>Total Cost</u>	<u>Other Funds</u>	<u>Bonds Authorized</u>
Section 1:	Acquisition and installation of LED lighting improvements including street and area lighting at various locations	15 years	\$1,153,947	\$0	\$1,153,947
Grand Total				\$0	<u>\$1,153,947</u>

Grant Funds estimated: NYSERDA \$72,460

**ORDINANCE AMENDING §§13-195, 13-180
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-15-8)

INTRODUCED BY COUNCILMEMBER _____ :

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

SECTION 1: §13-195 is hereby amended by the following deletion:

Section 13-195 -No parking twenty-three hours on alternate sides of street, starting at 9:00 a.m.

(a) When appropriate signs giving notice thereof are erected, there shall be no parking for 23 hours on Monday, Wednesday and Friday on the side of the street so designated and on Tuesday, Thursday, Saturday and Sunday on the side of the street so designated, starting at 9:00 a.m., on the following streets or parts of streets::

Wilbur Boulevard from Ruppert Road to the City line

SECTION 2: §13-180 is hereby amended by the following addition:

Section 13-180 - Parking prohibited at all times.

When appropriate signs giving notice thereof are erected, parking upon the following streets or parts of streets shall be prohibited at all times:

Wilbur Boulevard, from its intersection with Hooker Avenue, in a southerly direction to the City/Town line.

SECTION 3: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____ :

DELETION denoted by **Strikethrough and Bold**

ADDITION denoted by **Underlining and Bold**

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT made and entered into as of the 10th day of August 2015, between the **POUGHKEEPSIE CITY SCHOOL DISTRICT**, a school district of the State of New York, with offices at 11 College Avenue, Poughkeepsie, New York 12603 (hereinafter "PCSD") and **THE CITY OF POUGHKEEPSIE**, a small city within the State of New York, with offices at Municipal Building, Poughkeepsie, New York 12601.

WITNESSETH:

WHEREAS, PCSD owns and maintains an athletic complex and related facilities at its High School, and

WHEREAS, the City operates, supervises and administrates the Popwarner Football league; and

WHEREAS, the City is desirous of utilizing PCSD's athletic complex for the City Popwarner Football League; and

WHEREAS, governing boards of PCSD and the City have determined that it is in their mutual interests to enter into this Agreement for the purpose of allowing the [City Popwarner Football League] to use the athletic complex for the City Popwarner Football League; and

WHEREAS, governing boards of PCSD and the City have determined that it is in their mutual interests to share the costs of running such program which operates for the benefit of youth in the City of Poughkeepsie who are students of the Poughkeepsie City School District; and

WHEREAS, Article 5-G of the General Municipal Law specifically authorizes and encourages municipal corporations to enter into agreements with each other in order to provide cooperatively, jointly or by contract any facility, service, activity or undertaking which each participating municipal corporation has the power to provide separately; and

NOW, THEREFORE, in consideration of the promises and mutual covenants and agreements contained herein, the parties agree as follows:

1. PCSD will allow the City to use its facilities; i.e. athletic complex at the High school without charge for games only and with the prior approval of the District's Athletic Director. Lights will never be used in association with this program unless the Superintendent has given his/her permission in writing in advance of the date requested.
2. PCSD will provide security staff to work at competitive events throughout the season.
 - 1.
3. The City will make payment to the District by not later than October 1, 2015 in the amount of Three Thousand Dollars (\$3,000.00) for the costs of utilizing the fields and providing the necessary security staff for the Popwarner Football League events.

4. The City agrees that it bears sole responsibility for the supervision and safety of the children participating in the City Popwarner Football League and that it is responsible to pay all costs for uniforms and any other costs to support the City Popwarner Football League in consideration of the City's use of the PCSD facilities as set forth above.
5. The City or the Pop Warner Football league shall furnish, at the time of the signing of this Agreement, proof of insurance for Commercial General Liability (CGL) insurance in the amount of at least \$1,000,000 per occurrence and \$2,000,000 in the aggregate, including products and completed operations, as well as Excess coverage in the amount of \$2,000,000 on a "follow-form" basis. The insurance policies will name the Poughkeepsie City School District, its officers, employees and agents, as an additional named insured with ISO additional insured endorsement CG 20 26 or equivalent. The insurance shall remain in force at all times during the term of this Agreement and any renewal hereof, and shall provide for any notice of cancellation to be sent to PCSD at least 30 days prior to any cancellation. The failure to obtain or maintain such insurance coverage shall result in the immediate termination of this Agreement, without notice.
6. The City agrees to comply with applicable laws and regulations as well as PCSD's policies, rules, regulations and procedures with regard to the City Popwarner Football league program and its use of its facilities, and which may be subject to change from time to time.
7. It is expressly understood that PCSD shall not be responsible for the payment of any debts or obligations incurred by the City in connection with this program. *It is expressly understood and agreed that the City shall be responsible for any damage caused to the District's facilities in connection with this program.*
8. This Agreement constitutes the complete understanding of the parties. No modification or any provision of this Agreement shall be valid unless in writing and signed by both parties, after authorization by the governing body of PCSD and the City.
9. This Agreement shall be for a term of one (1) year, the term to commence on July 1, 2015 and to end on June 30, 2016, subject to renewal for additional one-year terms upon approval of the governing body of each party hereto.
10. This Agreement may not be assigned by either party.
11. If any provision of this Agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid or operative, or if it cannot be so modified, then severed and the remainder of the Agreement shall continue in full force and effect as if the Agreement had been signed with the invalid portion so modified or eliminated.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed, after authorization by the respective governing bodies, on the day and year first above written.

Dated: August __, 2015

**POUGHKEEPSIE CITY SCHOOL
DISTRICT**

BY: _____

THE CITY OF POUGHKEEPSIE

BY: _____

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: October 30th 2015

NAME AND ADDRESS OF EACH CLAIMANT:

Amber Summerson
6 Mansion St. Poughkeepsie, NY 12601
Chad-Ric Dyer
6 Mansion St. Poughkeepsie, NY 12601

TELEPHONE NUMBER: 845-380-7277

NAME AND ADDRESS OF ATTORNEY (IF ANY):

CLERK OF THE CITY OF POUGHKEEPSIE
150 N. MANSION ST.
POUGHKEEPSIE, NY 12601
845-380-7277

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

On the night of September 13th 2015 a tree limb fell on top of our car on 6 mansion St and shattred the whole windshield. On September 17th 2015 safelite auto glass came and replaced the windshield for \$393.46.

ITEMS DAMAGED OR INJURIES SUSTAINED:

Windshield

Amber Summerson
Signature of Claimant

Dyer
Signature of Claimant

STATE OF NEW YORK, COUNTY OF Dutchess s.s.: 125-76-5807 / 143-19-3620

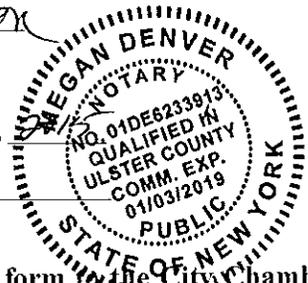
Amber Summerson being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

Amber Summerson
Signature of Claimant

Dyer
Signature of Claimant

Sworn to before me this 4th day of November, 2015

M. Demm
Notary Public



NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: November 3, 2015

NAME AND ADDRESS OF EACH CLAIMANT:

Heather Knapp
2 May Street, Apartment 1
Poughkeepsie, NY 12603

TELEPHONE NUMBER: c/o Keith S. Rinaldi, P.C. (845) 471-3000

NAME AND ADDRESS OF ATTORNEY (IF ANY):

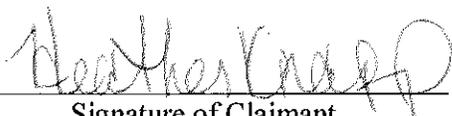
Keith S. Rinaldi, P.C.
The Rinaldi Building
10 Arlington Avenue
Poughkeepsie, NY 12603

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

On August 5, 2015, at approximately 9:15 p.m., Ms. Knapp stepped off of the sidewalk, located in front of 1 Civic Center Plaza, Poughkeepsie, NY, and into a pothole, which was located under the curb of the sidewalk, causing injuries to her right ankle as a result. Amount claimed is \$100,000.00

ITEMS DAMAGED OR INJURIES SUSTAINED:

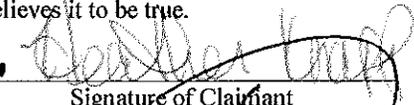
Sprained/strained right ankle


Signature of Claimant

Signature of Claimant

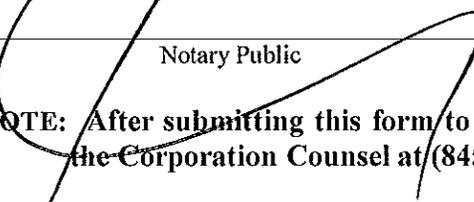
STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

Heather Knapp being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.


Signature of Claimant

Signature of Claimant

Sworn to before me this 3rd day of November, 2015



Notary Public

KEITH S. RINALDI
Notary Public, State of New York
Qualified in Dutchess County
Commission Expires: 6/30/2018

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

9045 128 01 102412
RECEIVED
NOV 10 2015
CITY OF POUGHKEEPSIE

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

State of New York
 Executive Department
 Division of Alcoholic Beverage Control
 State Liquor Authority

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to
 Local Municipality or Community Board**

1. Date Notice was Sent: (mm/dd/yyyy)

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License
 New Application Renewal Alteration Corporate Change

This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board

3. Name of Municipality or Community Board

Applicant/Licensee Information

4. License Serial Number, if not a New Application: Expiration Date, if not a New Application:

5. Applicant or Licensee Name:

6. Trade Name (if any):

7. Street Address of Establishment:

8. City, Town or Village: ,NY Zip Code:

9. Business Telephone Number of Applicant/Licensee:

10. Business Fax Number of Applicant/Licensee:

11. Business E-mail of Applicant/Licensee:

**For New applicants, provide description below using all information known to date.
 For Alteration applicants, attach complete description and diagram of proposed alteration(s).
 For Current Licensees, set forth approved Method of Operation only.
 Do Not Use This Form to Change Your Method of Operation.**

12. Type(s) of Alcohol sold or to be sold: ("X" One) Beer Only Wine & Beer Only Liquor, Wine & Beer

13. Extent of Food Service: ("X" One) Restaurant (Sale of food primarily; Full food menu; Kitchen run by chef) Tavern/Cocktail Lounge/Adult Venue/Bar (Alcohol sales primarily; Meets legal minimum food availability requirements)

14. Type of Establishment: ("X" all that apply)
 Recorded Music Live Music Disc Jockey Juke Box Karaoke Bar Stage Shows
 Patron Dancing (small scale) Cabaret, Night Club (Large Scale Dance Club) Catering Facility
 Capacity of 600 or more patrons Topless Entertainment Restaurant Hotel
 Recreational Facility (Sports Facility/Vessel) Club (e.g. Golf Club/Fraternal Org.) Bed & Breakfast
 Seasonal Establishment

15. Licensed Outdoor Area: ("X" all that apply)
 None Patio or Deck Rooftop Garden/Grounds Freestanding Covered Structure
 Sidewalk Cafe Other (specify):

CITY OF POUGHKEEPSIE
 CITY CLERK
 2015 NOV 5 PM 11:15
 5

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

State of New York
 Executive Department
 Division of Alcoholic Beverage Control
 State Liquor Authority

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to
 Local Municipality or Community Board**

(Page 2 of 2 of Form)

16. List the floor(s) of the building that the establishment is located on: first - restaurant, basement - storage, office, laundry
17. List the room number(s) the establishment is located in within the building, if appropriate: N/A
18. Is the premises located with 500 feet of three or more on-premises liquor establishments? Yes No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? Yes No
20. Does the applicant or licensee own the building in which the establishment is located? ("X" One) Yes (If Yes SKIP 21-24) No

Owner of the Building in Which the Licensed Establishment is Located

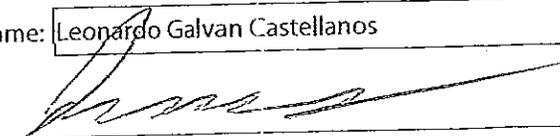
21. Building Owner's Full Name: Congress Properties LLC (David Auffarth Managing Member)
22. Building Owner's Street Address: 146 Freedom Plains Road
23. City, Town or Village: Pleasant Valley State: NY Zip Code: 12569
24. Business Telephone Number of Building Owner: 845-235-9242

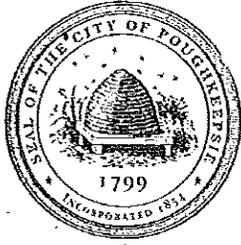
**Attorney Representing the Applicant in Connection with the Applicant's License Application Noted as Above for the
 Establishment Identified in this Notice**

25. Attorney's Full Name: Peter C. McGinnis
26. Attorney's Street Address: 515 Haight Avenue
27. City, Town or Village: Poughkeepsie State: NY Zip Code: 12603
28. Business Telephone Number of Attorney: 845-471-5721
29. Business Email Address of Attorney: pmcgin1@aol.com

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representation in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

30. Printed Name: Leonardo Galvan Castellanos Title: President-El Patron NY Foods LLC
- Signature: X 



THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

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

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL - All Present

II. REVIEW OF MINUTES:

Common Council Minutes of May 8, 2015

Common Council Minutes of June 1, 2015

Approving Minutes						
			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

VII. MOTIONS AND RESOLUTIONS:

ADD

1. FROM CHAIRMAN PETSAS, Resolution R15-72, accepting a gift from Kearney Realty & Development Group.

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

Ken Stickle 118 Catharine Street: wants the city council to pause before they pass any more laws because the ones that are on the books aren't being enforced. He stated that there are taxi companies with taxis driving around with no licenses and inspection stickers. They claim to be driving people to medical destinations but he says he's seen

them driving from house to house. He said there's a law that says you're not supposed to take shopping carts, but he sees a multitude of shopping carts being pushed all around the city. Additionally, people don't clean up after their dogs, and he doesn't think any law that has been passed by the city council in the last ten years is being enforced. He thinks that they should go back through the charter and remove all of the obsolete laws before adding more. He doesn't think the zoning change on Parker Ave was a good decision.

Damon Crumb 73 Mansion Street: Post Office trucks on Balding Ave cause an issue...safety and noise issues. He proposed a new entrance for the Post Office loading docks, and wants the city to enforce the regulations on the residential street.

Damon Crumb – 73 Mansion St., Poughkeepsie, NY 12601

Good evening to everyone – Council, Administration, City Department Managers and Audience. Tonight I am speaking as a Citizen. My congratulations to Mrs. Johnson on her primary victory and as Councilwoman Elect in November. May she serve the 3rd Ward well.

There is an issues brought up frequently by the residents of Balding Ave.

1) Problem - Post Office Trucks on Balding

- Contract mail hauler trucks from Blackburn – presumably for pickup and delivery of mail to and from the Albany sorting center
- They come from Mansion St to Balding Ave, then in the south USPS driveway to the upper loading dock area between 3 and 7 Balding and exiting via the lower USPS driveway to Balding between 19 and 23, then right and back up to Mansion St.
- These diesel trucks are very noisy all day from 6 to 6 Monday – Friday, and until 4 on Saturday. We do get Sunday off.
- They are also a safety hazard, especially in the winter, since this is a residential street, not designed for a essentially a commercial use. The trucks have problems negotiating the turns and their own driveway hill with snow and ice, let alone the uphill grind on balding up to Mansion. Additionally there are visibility problems for both driveways and at the crosswalk at Mansion and Balding.

2) Solution – New Entrance

- With the City's help, have the PO negotiate with the owner of 75 Washington St to get an easement to use their driveway as a new entrance to the loading docks. Washington is meant as a commercial street, unlike the residential Balding Ave. and the driveway is level after the entrance grade.
- Enforce residential street weight and size restrictions (truck height, length, axles, etc)
- Enforce vehicle noise and emissions regulations

Living with these conditions caused by the noisy, dangerous and excessive truck traffic should not be the "new normal" that the residents and/or owners on Balding Avenue should come to expect. We need your help to make this stop.

Remember, WE are the City, each and every one of us. Only together can we make this a better place for all.

Mike Young 20 Barclay Street: thanked the council for getting the door fixed and apologized for not making it to the Public Hearing for the Capital Plan. He mentioned that the Planning Board meeting isn't up on the website yet. He also mentioned that there was an issue getting into the building for the Waterfront Advisory Committee and the Planning Board meetings. Stated that he has issues with the Capital Plan that involves the financing of it.

Patrick Fitzgerald 322 Main Street: thinks Poughkeepsie is the toughest place to have a business – and that includes Manhattan and Long Island. He thinks that Poughkeepsie could have a lot of potential being in the beautiful Hudson Valley and being a beautiful city in its own right with stunning buildings. He thinks that there are better ways to use the open space that is available then how it's being used currently. He has been thinking of selling his business and getting another job, because it's too hard, and there's no money in the area. He thinks that the open green spaces should be used in an interesting and profitable way rather than just letting it sit there. The police presence is mostly gone in the area after a good rapport, wants to know if the city is on his side.

Steven Planck 25 Carroll Street: announced that he is running for councilmember of the second ward. He said that the My Place Pizza place has great sauce, thinks that a city-wide pizza contest would be a great idea. He told everyone to get them and their loved ones checked regularly for health concerns. Earlier this year him and a number of other community members at Kaal Rock Park to do clean up and were joined by Red Cedar Landscaping in August along with the council and DPW, he thanked everyone who helped them with that project. Said that everyone is happy about the work being done, and considers this to be the last waterfront park – no offense meant to the Ice House folks. He thanked Commissioner of Public Works Gent again, and thinks he deserves more recognition for all he does.

Arthur Johnson 138 Garden Street: asked who the third ward common council member is.

Miles Boone North Hamilton Street: thinks that the kids have done a beautiful job cleaning up the City of Poughkeepsie, but now we're right back where we started. People who own businesses should go out and help keep it nice. He thinks that people who don't have dog licenses should be fined, and that might help with the dog problem we have. He's getting tired of looking at all of this

V. MAYOR'S COMMENTS:

Not Present

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Petsas – thanked everyone who came to the 9/11 Memorial event and commended everyone who helped get it together. Announced that City Administrator Bunyi will have some information regarding the fiscal situation as well as the police department.

VII. MOTIONS AND RESOLUTIONS:

1. 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-15-72)**

INTRODUCED BY COUNCILMEMBER: RICH

BE IT RESOLVED, that pursuant to Section 2.05(j) of the Charter of the City of Poughkeepsie the Common Council of the City of Poughkeepsie hereby accepts the gift of \$6,500 from the Kearney Realty & Development Group; and

BE IT FURTHER RESOLVED, that the monies shall be used for the purchase of approximately 40 trees which trees shall be evenly divided among the eight (8) wards and planted in a public right of way unless a Councilmember shall not want his/her allocation at which time the Commissioner of Public Works, at his discretion, shall reallocate those trees to another public purpose; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute any and all documents necessary to effectively carry out the intent of this resolution; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER: HERMANN

R15-72			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

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

**ORDINANCE AMENDING §13-175 OF THE
CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED "STOP SIGNS; LOCATIONS DESIGNATED"
(O-15-07)**

INTRODUCED BY COUNCILMEMBER RICH

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

SECTION 1: Section 13-175 of the City of Poughkeepsie Code of Ordinances entitled “**Stop Signs; Locations Designated**” is amended by the **ADDITION** of the following language:

On Mill Street, at its intersection with North Perry Street and Charles Street

SECTION 2: This Ordinance shall take effect immediately upon adoption.

SECONDED BY COUNCILMEMBER HERMANN

BRACKETS [] AND STRIKETHROUGH INDICATE DELETION

O-15-7			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. FROM FRANK SKARTADOS**, a notice of intent to renew the Liquor License for Thirty3 Nightclub, located at 33 Academy Street. Referred to Corporation Counsel.

X. UNFINISHED BUSINESS:

Councilmember McClinton – mentioned the Dwight/Cannon Street issue she had been talking to Corporation Counsel Ackerman about.

Councilmember Perry – asked about the large trucks that were parked on North Hamilton Street.

Councilmember Johnson – expressed frustration with the park renovations in his ward, and claimed that his park work is incomplete.

Councilmember Klein – expressed gratitude to the city and the Kiwanis club for the 9/11 memorial event. He requested an update for 204 Church Street, and asked for more information regarding the EFC financing and the joint water facility. He mentioned the earlier deal with Nubian Directions, and asked if they can hope to see progress being made to renovate 23 Hooker Ave.

Official Minutes of the Common Council Meeting of September 21, 2015

Councilmember Mallory – wanted to piggyback on Councilmember Klein’s mention of the EFC, and said that it was supposed to be in front of them back in July or May.

Councilmember Hermann – brought up the locked doors, and asked about them. Asked about the IDA, and their roles in the city. He expressed surprise at City Administrator Bunyi’s earlier statement about the sanitation fund being that severely in trouble. He thanked Commissioner of Public Works Gent for the pruning of the trees and the painting of the crosswalks.

Councilmember Mallory – assured the audience members that the Charter Review Committee will be going through the Charter to look at which laws and ordinances are outdated. He mentioned the Walkway/Gateway rezoning.

Councilmember Rich – also asked and talks about the IDA. He thanked everyone involved in getting Kaal Rock Park fixed up, and talked about future renovations.

Councilmember Petsas – asked about the LED lights and the lights that are out on Route 9. He asked about the bucket truck.

Councilmember Johnson – asked about the status of the Crannel Street parking lot.

XI. NEW BUSINESS:

Councilmember Mallory – addressed the mentioned cost saving measures for the LED lighting. He asked about the decision regarding the roof repairs.

Councilmember Rich – mentioned the IDA report he had asked for and received by the City Chamberlain.

Councilmember Petsas – asked for clarification of when the repairs are going to begin.

Councilmember Hermann – mentioned the new shade trees on Wilbur Blvd.

Councilmember Klein – mentioned the emails that they have been receiving from the owner of Bella Luci Salon, and asked if anything is being done to address their concerns. Addressed the sanitation issues all along Main Street.

Councilmember Perry – agrees with Councilmember Klein whole-heartedly and wonders what’s wrong with everyone in Poughkeepsie that they seem to want to live in filth and then they blame the council for not doing something about it.

Councilmember McClinton – thanked Commissioner of Public Works Gent for the additions to Bartlett Park. Mentioned the need for a paint job of the crosswalks at South Clinton and Little Montgomery. Said she is proud of the support given to Nubian Directions. She mentioned the supermarket in her ward, and mentioned the houses on Hooker Ave that needed work. She brought up the work being done on Little Liberty, and asked about the property on Pershing Avenue. She said that she is thankful for the trees and park money, and asked where the trees will go. She said that she is amazed by the work at Kaal Rock Park, She stated that she wonders about the diversity in the police

Official Minutes of the Common Council Meeting of September 21, 2015

department, and if there will be more female officers. She mentioned the sanitation funding that Councilmember Hermann brought up.

Councilmember Petsas -- He mentioned an upcoming meeting for a civilian patrol program, and announced an art reception that will be held to celebrate the art in the chamber. He also mentioned a potential Main Street Business Alliance.

XII. ADJOURNMENT:

A motion was made by Chairman Petsas and Councilmember Mallory to adjourn the meeting at 8:30 p.m.

Dated:

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, September 21, 2015 at 6:30 p.m.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers
Monday, September 21, 2015
6:30 p.m.

*5:30 p.m. Public Hearing regarding the
proposed 2016-2020 Capital Plan*

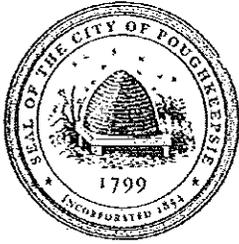
6:00 Special Informational Meeting

I. ROLL CALL:

III. REVIEW OF MINUTES:

Common Council Minutes of May 18, 2015
Common Council Minutes of June 1, 2015

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



THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, October 5, 2015 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL – 7 Present, 1 Absent (Councilmember Klein)

II. REVIEW OF MINUTES:

- Common Council Minutes of June 15, 2015
- Minutes of the Public Hearing of June 15, 2015
- Common Council Minutes of July 6, 2015
- Minutes of the Public Hearing of July 6, 2015 (57 Montgomery Street)
- Minutes of the Public Hearing of July 6, 2015 (High Road Extension)
- Common Council Minutes of July 13, 2015

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

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

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

Jeff Amon 40 Prestwick Court: said the new website looks great and that it's a good step forward. Would like a little more information about the LED lights and pilot program. Wants a way to subscribe to information updates about things that individuals may be interested. Asked the Common Council for a new policy when it comes to new projects – stated that it would have saved a lot of time, speaks strongly against Commissioner of Public Works Gent.

Official Minutes of the Common Council Meeting of October 5, 2015

Nora Culhane 50 Rinaldi Boulevard: working on the Middle Main Street Initiative with Hudson River Housing through AmeriCorp Vista. Mentioned the talk last meeting about the clean-up of Main Street, and asked if anything has been done. Announced that they are having a clean-up together with Changepoint Church, and asked for volunteers. Thanked the DPW for their hard work and swift response to calls.

Ken Stickle 118 Catharine Street: wants to have a full-sized garbage truck for his street, wonders why they can't have the equipment they need. He complained about trees having to be cut down and that they're diseased. Said that the city needs a new street sweeper and new garbage trucks.

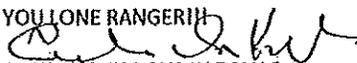
Steven Planck 25 Carroll Street: gives props to Commissioner of Public Works Gent for all his help and support in the cleanup of Kaal Rock Park. Mentioned the missing money from the sanitation fund. Would like for the common council to help solve problems with parking on Main Street. He mentioned 22 Montgomery Street being decrepit and how it needs to be fixed around. He has concerns about the leaf removal machines being down. He thinks there should be a waiver in lieu of payment for the Potter House, thinks the city needs to invest more energy into protecting the children – proposes a curfew for students during the school year.

Constantine Kazolias 47 Noxon Street: (submits a paper for the record)

SITTING ON YOUR DESKS IS THE SPOT ZONING EVALUATION FOR THE J.C.C. FROM THE T/POK WHICH WAS REFERRED TO BY THE D.C. DEPARTMENT PLANNING /DEVELOPMENT, [ZONING REFERRAL] FOR COMMENT. THE FOUR PAGE DOCUMENT, MANY OF THE TOWNS CONCERNS ARE NOTED; INCLUDING THE POTENTIAL FOR A 225 RENTAL UNIT COMPLEX BY A TAX-EXEMPT NON-FOR PROFIT ENTITY!!!!

THE POUGHKEEPSIE C.C. IS THE POLICY MAKING BODY. THOSE DUTIES ARE PROTECTING THE CITY'S VITAL INTERESTS, PLUS THEIR CONSTITUENTS WHO PAY PROPERTY TAXES. WHEN MAKING CRITICAL FINANCIAL DECISIONS THAT WILL KEEP THE BUDGET BALANCED WHICH IS A MUST AS SPELLED OUT IN THE N.Y.S. COMPTROLLER'S RECENT AUDIT REPORT. THE AUDIT REPORT 'RED FLAGGED' EXPENSES OUTPACED REVENUES. THE PROPOSED D.P.W. CONTRACT WITH A 3+% INCREASE IS DOUBLE THE 2015 N.Y.S. IMPOSED PROPERTY TAX CAP OF 1.75%. THE CITY'S PRESENT NEGATIVE DOUBLE DIGITED FUND BALANCE WILL BE EXASPERATED WHICH WILL EXPEDITE BANKRUPTCY/RECEIVERSHIP. THE 1000+ ZOMBIE PROPERTIES, TWELVE CITY OWNED, DO NOT PAY LITTLE TO NO TAXES; THEREFORE, DIGGING A DEEPER CITY FINANCIAL HOLE.

IN LOCAL POLITICAL CIRCLES, THE WORD IS IF ROLLISON BECOMES MAYOR, WHO THREW THE CITY UNDER THE BUS /A; LONG WITH C.E. MILLINARO BY CUTTING SALE TAX REVENUES TO POUGHKEEPSIE BY \$TWO MILLION /YEAR FOR TEN YEARS, THAT C.E. MILLINARO WITH HIS PHONY D.C. MUNICIPAL CONSOLIDATION FUNDING UNDER HIS EXCLUSIVE CONTROL WILL RIDE TO THE CITY'S RESCUE. THANK YOU LONE RANGER!!!


CONSTANTINE GUS KAZOLIAS

*Town of Poughkeepsie
Office of Municipal Development*

1 Overacker Road
Poughkeepsie, NY 12603

845-485-3657 Phone
845-485-7885/790-4772 Fax

June 11, 2015

VIA E-MAIL
Original Via First Class Mail

Hon. John Tkazyk, Mayor
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12602

Hon. Members of the Common Council
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12602

Re: *Hudson Valley Community Center
110 Grand Avenue
Application for Change of Zone*

Dear Mayor Tkazyk and Members of the Common Council:

The Town of Poughkeepsie has received the May 1, 2015 communication from the City Chamberlain regarding the public hearing on the Application for Change of Zone for the Hudson Valley Community Center ("HVCC") and offers the following for your consideration.

The application for a Change of Zone is accompanied by a concept plan for development of an 86 unit senior residence project, and includes a Short Form Environmental Assessment Form and a project narrative. Unfortunately, missing from the package is any information or discussion of traffic and drainage issues associated with the project. Traffic and drainage are both key issues for the Town since Park Avenue is wholly owned and maintained by the Town, and the on-site stream drains easterly into the Town eventually reaching Vassar Lake on Raymond Avenue. Also missing from the package is any evaluation of potential water supply and sewage disposal requirements and the potential need for new distribution facilities, noting the recent problems with failing water supply pipes on the nearby Temple Beth El and Hellonic Center properties.

While the Common Council may chose to re-zone the property without requiring a full site plan review that would address these questions, the "hard look" requirements of the State Environmental Quality Review Act (SEQRA) must still be met in regard to a discussion of these issues. Prior to granting any approval for a Change of Zone we encourage the Common Council to seek from the applicant additional information regarding traffic, drainage, and the adequacy of water and sewer line capacities to accommodate the project.

*Town of Poughkeepsie
Office of Municipal Development*

Official Minutes of the Common Council Meeting of October 5, 2015

Hon. John Tkaczyk, Mayor
Hon. Members of the Common Council
Hudson Valley Community Center
110 Grand Avenue
Application for Change of Zone
June 11, 2015
Page 2

As presented, the application is one where the owner believes a Change of Zone is necessary in order to attract a developer to construct a multi-residence facility the rents from which would subsidize HVCC operations. Whatever the merits of such a business plan, granting a Change of Zone without any conditions would leave the City and the Town with great uncertainty as to what the final project might actually look like. In other words, while the application talks about an 86 unit senior residential project, without conditions attached to the Common Council's approval there is no guarantee that that is what would ultimately be constructed. Accordingly, we recommend the Common Council condition any approval for a Change of Zone on the following:

1. Re-zone only that portion of the site shown on the concept plan as R4 District instead of the entirety of the existing 6.4 acre property. This could be accomplished by running the proposed zoning line along the back of the existing HVCC building and parallel to Park Avenue. It is also likely that development of the site as presented in the application will also require a subdivision of land for financing purposes, so limiting the area to be re-zoned would be consistent with the applicant's stated purpose.
 - a. Discussion: the applicant shows a concept plan for an 86 unit development. However, the maximum allowable density for the R4 District is the same for the R6 District. If the entirety of the 6.4 acre property is re-zoned the maximum residential development potential greatly increases. Assuming each of the units would be 2-bedroom the maximum density under §19-3.17(4)(b)(2) of the City zoning ordinance is calculated as follows:
 - i. $6.4 \text{ acres} \times 43,560^1 \text{ square feet} = 278,784 \text{ square feet};$
 - ii. The code requires no less than 1,200 square feet for each two-bedroom unit which works out as follows $\cdot 278,784 \div 1,200 = 232 \text{ units}.$
 - b. Since the reason for the application is to allow the development of apartments to subsidize the HVCC operations, limiting the area of the site to be re-zoned to R4 District would prevent the conversion of the entire site to a high density multi-family project, while ensuring that the HVCC building remains available for continued recreational and educational use.
 - c. As an alternative to re-zoning only the rear of the site the City could condition its approval on the filing of a Declaration by the owner that would allow for the multi-residential project only at the rear of the site as shown on the concept plan. Such a Declaration should include language giving the City rights of enforcement of its terms, and should be binding on future owners.
2. Limit the maximum residential development density to no more than 86 units.
 - a. Discussion: limiting the development density is reasonable given the application only describes an 86 unit senior residence project. It is also reasonable since the City's SEQRA review apparently is focused solely on the impacts associated with an 86 unit

1. There are 43,560 square feet in an acre.

Official Minutes of the Common Council Meeting of October 5, 2015

Hon. John Tkaczyk, Mayor
Hon. Members of the Common Council
Hudson Valley Community Center
110 Grand Avenue
Application for Change of Zone
June 11, 2015
Page 3

development as opposed to a much larger 232 unit development. If the City chooses not to limit development density to 86 units then the SEQRA review will need to be expanded to consider the 232 unit potential.

3. Restrict development of the site for any of the other uses allowed in the R4 District.
 - a. Discussion: similar to the limitation on residential density, restricting the use of the site for the other uses allowed in the R4 District is reasonable since the SEQRA review being conducted by the City does not appear to consider any other type of development. In regard to other potential development we note that the R4 District permits such things as public and private schools, cemeteries, places of worship including parish houses, nursery and preschool educational establishments including day-care centers, libraries, museums, art galleries, family day-care and group homes, and professional and business offices. Since none of those other uses appear to be considered under the current SEQRA review it would be prudent to exclude those uses as part of the Change of Zone approval. Alternatively, if the City chooses to allow those other uses, the SEQRA review would need to be expanded to consider the potential impact of development of those uses in order to meet the "hard look" requirement.
4. Require that the proposed units may only be occupied by persons 55 years of age and over.
 - a. Discussion: similar to the development density restriction, such a limitation is reasonable since that is what is stated in the application, while limiting any additional development that has not been previously examined as part of a full SEQRA review. This is important since the traffic impacts related to a senior residential project are very different from the traffic impacts of a standard multi-family project. Traffic for a senior project tends to be off-peak since many of the residents would be retired or rely on public transportation or family or friends to get around. By contrast multi-family projects tend to have many more vehicles because of working parents, teenagers and young adults each with their own transportation. Because there are more vehicles multi-family projects also need more parking which increases the amount of impervious pavement on the site and creates challenges for management of storm water.
5. Require that if the residential project is developed by a not-for-profit entity, that the project owner/sponsor make payments in-lieu of taxes (PILOT) to the City.
 - a. Discussion: many senior residential projects are constructed, owned and operated by not-for-profit corporations. This is particularly true for projects that are set up to serve a particular demographic (i.e. age 55 and over, low-moderate income families, etc.). The development of the site for high density residential purposes will undoubtedly increase demand for City services. It is only fair that the sponsor of the project pay the cost of City services by ensuring that if the owner/sponsor of the project is a not-for-profit entity that payment for services is obtained through a PILOT agreement.
6. Provide a "sunset" provision in the resolution whereby if the owner does not bring forward an application for site plan approval for an 86 unit senior residential project, and receive site plan approval, within a certain time after approval of the Change of Zone, that the site reverts to the

Town ofburgh
Office of Municipal Development

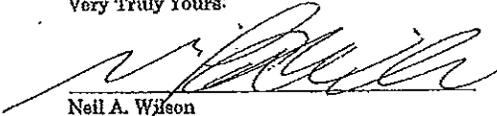
Official Minutes of the Common Council Meeting of October 5, 2015

*Hon. John Tkaczyk, Mayor
Hon. Members of the Common Council
Hudson Valley Community Center
110 Grand Avenue
Application for Change of Zone
June 11, 2015
Page 4*

original R2 District zoning. Five to six years would seem to be a reasonable time for the sunset provision.

Thank you for this opportunity to provide comment on this project. Please contact me with any questions.

Very Truly Yours:



Nell A. Wilson
Director of Municipal Development

NAW:me

- Hon. Todd Tancredi, Supervisor, via email
- Hon. Ann Shershin, Councilwoman, via email
- Hon. Tracey Herman, Councilman, via email
- John Weisman, Chairman, Town Planning Board, via email
- James Challey, Chairman, Town Zoning Board of Appeals, via email
- James Nelson, Esq., Town Attorney, via email
- Paul Ackerman, Esq., Corporation Counsel, via email

Terry Clayton Wappingers Falls, NY: President of the CSEA, wanted everyone's support on the CSEA contract. He explained why this contract is important, and how it's being very fair and responsible.

Bruce Dooris 31 North Clover Street: echoes Terry Clayton's explanation, agrees with Ken Stickle about the garbage trucks and the trees, said that there's not enough manpower and not enough equipment. Doesn't think that City Administrator Bunyi's numbers are to be believed at all.

Nora Deloache 49 Carroll Street: talked about the homelessness and the unsolved homicides. Said that there is not enough funding from the DSS or privately owned organizations. Poughkeepsie needs to get more funding for all of this. There are too many homeless people in Poughkeepsie, and it's not acceptable. She's in the community and trying to make a difference, wants the council to take the time to think about all that she's said.

William Dykus 96 South Hamilton Street: thanked Steven Planck for his and his volunteers' hard work at Kaal Rock Park, Ken Stickle and Ann Perry – likes their attitude and spunk, thanks the city guys and they're the ones who are really working hard for the city, thanked Bruce Dooris as well.

V. MAYOR'S COMMENTS:

Not Present

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Petsas – announced that it is Councilmember Hermann's birthday and wished him a happy birthday. Announced an art reception tomorrow. Congratulated the IT team and everyone involved with the new website launch. Informed everyone that they had the first civilian patrol meeting. Urges his colleagues to approve the CSEA contract.

VII. MOTIONS AND RESOLUTIONS:

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

Councilmember McClinton made a motion to go into Executive Session, **Councilmember Hermann** seconded the motion.

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

**RESOLUTION
(R-15-73)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the most recent Collective Bargaining Agreement between the City of Poughkeepsie (the "City") and CSEA, Local 1000 AFSCME ("CSEA") expired on December 31, 2011; and

WHEREAS, representatives of the City and the CSEA have negotiated on and settled upon certain financial terms and conditions to modify said Collective Bargaining Agreement which are set forth in the Memorandum of Agreement annexed hereto and made a part hereof, and

WHEREAS, the CSEA's membership has ratified the terms of the settlement; and

WHEREAS, it is the desire of the Common Council to authorize and approve the financial terms of the settlement; and

WHEREAS, the 2015 City Budget must be amended to reflect the impact of the settlement, to the extent indicated in the attached schedule provided by the Finance Commissioner; and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council does hereby authorize and approve the proposed settlement of the collective bargaining negotiations between the City and the CSEA for a successor agreement for the period January 1, 2012 to December 31, 2017, containing the financial terms substantially in the same form and substance as set forth in the Memorandum of Agreement annexed hereto; and be it further

RESOLVED, that the Common Council does hereby authorize and approve the amendments to the 2015 City budget necessitated by the settlement and described in the schedule provided by the Finance Commissioner annexed hereto; and be it further

RESOLVED, that the Common Council does hereby authorize the Mayor to enter into a successor agreement with the CSEA, containing financial terms substantially in the same form and substance as set forth in the Memorandum of Agreement annexed hereto, and be it further

RESOLVED, that this resolution take effect immediately.

SECONDED BY COUNCILMEMBER HERMANN

R15-73			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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION
(R-15-74)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, in accordance with Section 5.02 of the Charter of the City of Poughkeepsie, the City Administrator has presented the 2016-2020 Capital Projects Program to the Common Council; and

WHEREAS, the Common Council held its public hearing concerning the 2016-2020 Capital Projects Program on September 21, 2015; and

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

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

NOW, THEREFORE,

BE IT RESOLVED, that the 2016-2020 Capital Projects Program budget annexed hereto is hereby approved by the Common Council subject to such amendments as may be deemed necessary and/or advisable, and also subject to such further approvals as may be required by law.

SECONDED BY COUNCILMEMBER HERMANN

R15-74			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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

X. UNFINISHED BUSINESS:

Councilmember Johnson – thanked Commissioner of Public Works Gent and the rest of the DPW for their swift work on Lexington Ave that morning.

Councilmember McClinton – asked Corporation Counsel Ackerman about the senior building on Cannon Street and thanked him for addressing the issue on Dwight Street.

Councilmember Petsas – asked about the street signs on Delafield Street.

Councilmember Hermann – asked Corporation Counsel Ackerman about the questions regarding the Hudson Valley Community Center.

XI. NEW BUSINESS:

Councilmember Hermann – announced a quarterly ward meeting for this coming Saturday.

Councilmember McClinton – asked Commissioner of Public Works Gent about the trees, also asks about the bulk pick up and thanked Commissioner of Public Works Gent

Official Minutes of the Common Council Meeting of October 5, 2015

for Bartlett Park. Announced Autumn in the Park on Oct 17th, addressed the concerns regarding the police department, and thanked everyone at the meeting.

Councilmember Petsas – announced Pulaski Day Parade and Festival

XII. ADJOURNMENT:

A motion was made by Chairman Petsas and Councilmember Mallory to adjourn the meeting at 8:10 p.m.

Dated: November 19, 2015

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 5, 2015 at 6:30 p.m.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers
Monday, October 5, 2015
6:30 p.m.

I. ROLL CALL:

III. REVIEW OF MINUTES:

Common Council Minutes of June 15, 2015
Minutes of the Public Hearing of June 15, 2015
Common Council Minutes of July 6, 2015
Minutes of the Public Hearing of July 6, 2015 (57 Montgomery Street)
Minutes of the Public Hearing of July 6, 2015 (High Road Extension)
Common Council Minutes of July 13, 2015

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

