



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, February 1, 2016 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

II. REVIEW OF MINUTES:

- Common Council Minutes of November 4, 2015**
- Common Council Minutes of November 16, 2015**
- Common Council Minutes of December 7, 2015**
- Common Council Minutes of December 21, 2015**
- Common Council Minutes of the Special Meeting of December 14, 2015**
- Common Council Minutes of the Special Meeting of December 28, 2015**
- Common Council Minutes of the Organizational Meeting of January 2, 2016**
- Common Council Minutes of January 2, 2016**
- Common Council Minutes of January 19, 2016**

Common Council Meeting Minutes		Yes/Aye	No/Nay	Abstain	Absent		
<input checked="" type="checkbox"/>	Accepted as Amended	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Accepted	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

COMMON COUNCIL MEETING

Time: 6:30 p.m.

Date: Monday, February 1, 2016

Place: Common Council Chambers, City Hall, City of Poughkeepsie

Public Comment Sign-up

Public Comment: Three (3) minutes per person on any agenda item or non-agenda item. Time period not to exceed 45 minutes total.

Please clearly print your name and address below:

1. Ken Stickle - 118 Catherine St
2. Donald H. Fox - 102 Fiji Lane
3. Laureie Sandow - 201 S. Grand
4. Gus Kazalias - 47 Noxon Street
5. Bill Dykus - 96 S. Hamilton Street

Comments by Laurie Sandow, Common Council mtg, Feb. 1, 2016 – Page 1 of 2

I have a several semi-related comments to make tonight:

I intended to attend the last Common Council meeting, but had a schedule conflict. When I arrived late, I found both the garage and City Hall front doors locked. Perhaps the meeting had already ended. However, I would appreciate clarification regarding public access to Common Council meetings for the entire length of time any meeting might run.

On watching the Jan. 19 Council meeting online, I noticed the seating arrangement of council members had changed for a 2nd time this year. My understanding was that Council members in leadership positions occupied the seats spanning the front of the room, and all others were seated at the side. But I do not see this convention currently observed, and request clarification regarding who makes the seating assignments, and concerning seating assignments for junior and senior Council members who do not hold leadership positions.

Mayor Rolison, I very much appreciate your intent to heal the lack of public trust. In this regard, I note that the Poughkeepsie Journal recently ran an article in which they noted the denial of FOILs they've submitted. I, too, have been denied certain FOILs, or had them ignored, including recently by Mr. Bunyi, Mr. Gent and an appeal ignored by the Acting Finance Commissioner. The denial of my FOIL of the 2008 appraisal of Wheaton Park is a case in point, which appraisal was willfully withheld until after the Council approved and the City signed the contract with the developer.

Comments by Laurie Sandow, Common Council mtg, Feb. 1, 2016 – Page 2 of 2

My FOILs concerning City agreements with Central Hudson have also been denied or ignored. Recently, it came to my attention that a Central Hudson tag seeking to restore gas service to Pelton mansion has been hanging on the building door since October 21, 2015. As you can imagine, that raises new questions about the assurance that the Common Council need not request a fiscal impact statement, as well as about the conversation during the Dec. 21, 2015 meeting, between Council and Developer about maintaining heat in the building. The more I've asked around, the more I've discovered others who've had their FOILs denied, ignored or delayed.

Mr. Mayor, I respectfully request that you extend an invitation to Mr. Robert Freeman, Executive Director of NY State's Committee on Open Government, to make a presentation in the City of Poughkeepsie, including a question and answer period where the public can explore and establish just how widespread the City's use of FOIL denials and violations of Open Meetings Law.

Lastly tonight, again regarding Open Meetings Law, I understand that a certain email and phone poll was conducted by a member of the Common Council holding a leadership position, which polling clearly violated the public's right to know and Open Meetings Law. In the end, the intended goal of this illegal polling was defeated by an Advisory from the Corporation Counsel, which Advisory I've FOILed, but not yet received a reply. However, the Advisory does not negate the fact that Open Meetings Law was clearly violated through phone and email polling by a Councilmember in a leadership position.

IV. MAYOR'S COMMENTS:

Mayor Rolison stated that he wanted to brief the council on a few things that they have been doing since the last council meeting. After the last council meeting, he attended the Mayor's Redevelopment Roundtable at PACE University in White Plains, and then came back that morning, had a meeting with city planning staff, County Planning Staff, Scenic Hudson, the MTA, and Metro North on the redevelopment of the waterfront, that strategy, which is moving forward. There will be a Memorandum of Agreement that

Metro North is working on right now through their legal department, and will be presented to this council. We are going to go out for “Expressions for Interest” in the Waterfront Development. They also did a city wide tour with the search firm that was in Poughkeepsie for the City Administrator and Commissioner of Finance positions. Also had a meeting with the individuals for the Walkway and Scenic Hudson on the “Greater Walkway Experience Initiative”, which is going to be bringing signage and other advertising into the various neighborhoods in the City of Poughkeepsie for both the walkway and various neighborhoods. Then there was an additional follow-up meeting with the Walkway regarding the marathon, which will be taking place on the weekend of June 12th. The marathon, the Walkway, in conjunction with the county and the city is going to be having a disabilities race for people with disabilities on Saturday before the marathon, and we think it will be on Main Street, and it will be called “Think Differently Dash” for people with disabilities and special needs to have their own walk. Met with the principles of the Dutton Lumber Project, which is moving forward, but there are still some things that need to be done. The PACE Land use Center will be back in Poughkeepsie. They were reallocated money through the Dyson Foundation for the “Central Business District Plan”. The city will be identifying three aspects of that plan that PACE is going to help the city in implementing. Thanked the DPW Staff, and the City of Poughkeepsie Police Department for their coverage of the State of the County remarks at the Bardavon. He and the Acting City Administrator had a tour of city court with both city judges and the staff on the conditions in the court facility, and there are some conditions that need to be rectified, and that is being worked on. They also went up to DPW las week and celebrated the retirement of Marc Vandewater, who had 33years of service. He gave a report to the Annual Family Services Meeting of the first 28 days in office, which was well received. Ended last week with meeting with Councilmember Ann Perry at 194 Cottage Street because there is a new company that is locating there. They bought all of the buildings at 194 Cottage Street, and it’s called “Fourth State, LLC”, and they are a metal manufacturing company that has relocated here from Brooklyn. Mentioned the handout that he put on the desks about the “Neighborhood Stabilization Team”.



The City of Poughkeepsie
New York

Ronald Knapp
Acting City Administrator

February 1, 2016

MEMORANDUM #16-006

TO: Members of the Common Council
FROM: Ron Knapp, Acting City Administrator *RK*
RE: Neighborhood Stabilization Team

As part of the Mayor's initiatives, we are restructuring the Nuisance Committee into a more comprehensive Neighborhood Stabilization Team. The base team is comprised of the City Administrator (who will chair the team), the Mayor, Fire Department, Police Department, Department of Public Works (including Sanitation), Building Department and Corporation Counsel. The team will continue to meet twice a month and will review properties that have violations or issues across multiple departments. The team will also continue to review new establishments applying for liquor licenses with the New York State Liquor Authority as well as license renewals. The team will review the abandoned/vacant property list to coordinate maintenance of these properties to ensure that they are in compliance with existing ordinances.

One of the first actions of the team was to establish a "Top 11 List". This list is comprised of the worst City properties that need demolition. The team will be looking for sources of funding (since there is no budget for same) from various sources including 2016 CDBG funds. The goal is to return these properties (after demolition) for sale and eventual restoration to the tax roll.

The team is also coordinating the issuance of violations and subsequent abatements of various properties throughout the City. It is intended that on Wednesdays of each week, sanitation will focus on larger abatements and during slower times throughout the week, they will focus on smaller abatements.

Municipal Building • 62 Civic Center Plaza • Poughkeepsie, NY 12601 • 845.451.4072 • 845.451.4201

V. CHAIRMAN’S COMMENTS AND PRESENTATIONS:

Chairman Petsas informed the council that this Saturday from 12:00-4:00 at the Poughkeepsie Grand Hotel, The Poughkeepsie Neighborhood Club will be having their annual luncheon honoring several distinguished individuals for their contributions to the community, one is Councilmember Lorraine Johnson. Encourages people to attend, and support both Lorraine Johnson, and the other honorees. Tonight before the council are three different resolutions. One is dealing with a youth program, the second is dealing with a plan to revitalize a large structure in downtown Poughkeepsie, and the third is what will be “the biggest construction project in the history of the City of Poughkeepsie”, and the start of that, and that is the new Vassar Brothers Medical Center. He implores and encourages his colleagues to support these resolutions.

VII. MOTIONS AND RESOLUTIONS:

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



The City of Poughkeepsie
New York

Ronald Knapp
Acting City Administrator

February 1, 2016

MEMORANDUM #16-005

TO: Members of the Common Council
FROM: Ron Knapp, Acting City Administrator *RK*
RE: Inter-Municipal Agreement with Poughkeepsie City School District

Attached, please find Resolution R-16-13 authorizing the mayor to enter into an inter-municipal agreement with the Poughkeepsie City School District for the operation of the City Recreation Basketball League for the 2016 season. The agreement memorializes the desire of the City of Poughkeepsie and the School District to provide a youth basketball program for City residents. The School District will allow for the use of their facilities for the league and will also provide \$500.00 to help run the program. The City of Poughkeepsie will pay for the cost of the uniforms and will also provide other financial support to the basketball league. This program has been successfully run since 2013.

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RESOLUTION
(R-16-13)

AUTHORIZATION TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT

**WITH CITY OF POUGHKEEPSIE SCHOOL DISTRICT FOR THE CITY
RECREATIONAL BASKETBALL LEAGUE**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the Common Council of the City of Poughkeepsie wishes to enter into a written agreement with the City of Poughkeepsie School District, Dutchess County, New York, to formalize the terms of their partnership in the operation of the City Recreation Basketball League and for the 2016 fall season;

NOW, THEREFORE, BE IT

RESOLVED, that the Agreement, in the same form and substance as annexed hereto be, and the same hereby is authorized and approved; and be it further

RESOLVED, that the Mayor is authorized to execute the Agreement on behalf of the City; and be it further

RESOLVED, that this resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER JOHNSON

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT made and entered into as of the th day of December 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 is desirous of utilizing PCSD's gymnasiums for the City Recreation Basketball 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 [Student Athletic Basketball Program] to use the athletic complex for the City Recreation Basketball 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. gymnasiums and locker rooms at the Elementary, Middle School and High Schools without charge. Additionally, PCSD will provide \$500.00 toward the cost of running this program which shall be available to the students of the PCSD. In addition, PCSD will provide security staff to work at competitive events throughout the season.
2. The City agrees to pay all costs for uniforms and any other costs to support the Student Athletic Basketball Program in consideration of the City's use of the PCSD facilities as set forth above.
3. Ms. Yvonne Flowers will serve as the District's volunteer coordinator and liaison with the City for this program.

Official Minutes of the Council Meeting of Monday, February 1, 2016

\$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. Additionally, the City shall provide proof of Workers' Compensation insurance. 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 City's failure to obtain or maintain such insurance coverage shall result in the immediate termination of this Agreement, without notice.

5. The PCSD will carry general liability insurance in limits of at least One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) in the aggregate, and the liability insurance will name the City as an additional insured.
6. The City shall defend, indemnify and hold harmless the Poughkeepsie City School District, its officers, employees and agents, from any claims, liabilities, suits proceedings and actions, of whatever name and nature, as the same may relate, in any manner, to the services provided by the City pursuant to this Agreement. Said indemnification, defense and hold harmless shall apply to any claim, liability, suit, proceeding or action in which the District, its officers, employees and agents may be named as a party (except for negligent acts and/or omissions of the District), notwithstanding that the City may deem said claim, liability, suit, proceeding or action frivolous or without merit. It is intended that this provision be interpreted in the broadest manner possible so as to insulate the District from any liability or judgment, monetary or otherwise, as the same may relate to the personnel and services provided by the City pursuant to this Agreement (but not for the negligent acts and/or omissions of the District, its officers, employees and agents).
7. The PCSD shall defend, indemnify and hold harmless the City, its officers, employees and agents, from any claims, liabilities, suits proceedings and actions, of whatever name and nature, as the same may relate, in any manner, to the services provided by the PCSD pursuant to this Agreement. Said indemnification, defense and hold harmless shall apply to any claim, liability, suit, proceeding or action in which the City, its officers, employees and agents may be named as a party (except for intentional and/or negligent acts and omissions of the City and/or its agents), notwithstanding that the PCSD may deem said claim, liability, suit, proceeding or action frivolous or without merit. It is intended that this provision be interpreted in the broadest manner possible so as to insulate the City from any liability or judgment, monetary or otherwise, as the same may relate to the property, personnel and services provided by PCSD pursuant to this Agreement (but not for the negligent acts or omissions of the City, its officers, employees and agents).
8. The City agrees to comply with applicable laws and regulations as well as PCSD's policies, rules, regulations and procedures with regard to the use of its facilities, and which may be subject to change from time to time.

Official Minutes of the Council Meeting of Monday, February 1, 2016

- 8. The City agrees to comply with applicable laws and regulations as well as PCSD's policies, rules, regulations and procedures with regard to the use of its facilities, and which may be subject to change from time to time.
- 9. 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.
- 10. 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.
- 11. 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.
- 12. This Agreement may not be assigned by either party.
- 13. 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.

POUGHKEEPSIE CITY SCHOOL
 DISTRICT
 BY: Ralph Gross 1/13/16
 THE CITY OF POUGHKEEPSIE
 BY: _____

APPROVED JAN 06 2016

R16-13			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

**CC 2/1/16
Item VII-2**

February 1, 2016

**COMMON COUNCIL
City of Poughkeepsie**

RE: Resolution Supporting the Application of Cardinal Court Apartments, LLC to the Dutchess County IDA

Dear Chairman Petsas and Councilmembers:

Attached please find Resolution R-16-14 formalizing the council’s approval and endorsement of an application to the Dutchess County Industrial Development Agency from Cardinal Court Apartments, LLC. This is in reference to the rehabilitation and revitalization of 40 Cannon Street, also known as Kings Court Apartment Complex. The structures at this location were destroyed by fire in 2011. In 2013 Cardinal Court Apartments, LLC purchased the property and has already spend over \$1 million stabilizing the structures. The project will revitalize the facility, create approximately 49 residential units, 6 commercial spaces and approximately 750 square feet of “public space”. They have also partnered with Hudson River Housing and intend to provide some affordable housing at this location. Cardinal Court Apartments, LLC has applied to the Dutchess County Industrial Development Agency for financial assistance in the form of relief from sales tax and mortgage recording tax. Any dollar saved from this relief will be used for the development of this project. The proposed resolution memorializes the council’s support of the application before the IDA.

Please consider this matter at your February 1st Council meeting.

Respectfully submitted,

PAUL ACKERMANN
Corporation Counsel

RESOLUTION
(R-16-14)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, Cardinal Court Apartments, LLC has applied to the Dutchess County Industrial Development Agency for financial assistance in the form of relief from sales tax and mortgage recording tax for a project which will repurpose the former Kings Court Apartment Complex that was destroyed by fire in 2011; and

WHEREAS, the project calls for the reconstruction and renovation of the facility, that consists of two buildings, into a mixed-use development of approximately 49 residential units, 6 commercial spaces and 750 square feet of public space; and

WHEREAS, the downtown location of Kings Court is in a critical area for redevelopment, and is an important project for the community, as it will have an immediate economic impact on the area by increasing neighboring property values; and

WHEREAS, the project has recently been awarded a \$500,000 grant through the 2015 CFA application process; and

WHEREAS, the Common Council is in full support of Cardinal Court Apartments, LLC and wishes to formally recognize its support of the application now pending before the Dutchess County Industrial Development Agency ; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby does approve and endorse the application of Cardinal Court Apartments, LLC to the Dutchess County Industrial Development Agency for financial assistance in the form of relief from sales tax and mortgage recording tax; and be it further

RESOLVED, that the City Chamberlain is and shall be directed to send a copy of this resolution to the Chairman of the Dutchess County Industrial Development Agency.

SECONDED BY COUNCILMEMBER JOHNSON

R16-14			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

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

**CC 2/1/16
Item VII-3**

February 1, 2016

**COMMON COUNCIL
City of Poughkeepsie**

**RE: Resolution Setting a Public Hearing for the Abandonment of Livingston Street
between Lincoln Avenue and Fox Street**

Dear Chairman Petsas and Councilmembers:

Attached is a resolution setting a public hearing for the abandonment of Livingston Street between Lincoln Avenue and Fox Street. The New York State Department of Transportation has an interest in the former Fox Street entrance ramp, however, the City may continue to have an interest in the underlying roadbed and as such, the abandonment will include that portion of Livingston Street to Fox Street.

General City Law §29 authorizes and empowers the city to close streets as it may deem in the interest of the public. When a City Street is abandoned, pursuant to the General City Law, those lands from the center line of the street revert to the abutting property owner. In this case, Vassar Brothers Hospital is the abutting property owner of all the lands and as such will acquire same.

The action here is simply to set the public hearing pursuant to GCL §29. A formal vote of abandonment and the corresponding environmental determination will come after the public hearing.

I have also included a proposed site plan so you can see Vassars proposed use of the former street.

Please consider this matter at your February 1st Council meeting.

Respectfully submitted,

PAUL ACKERMANN
Corporation Counsel

R E S O L U T I O N
(R-16-15)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, Vassar Brothers Hospital (“Vassar Brothers”) is the sole owner of those properties abutting Livingston Street between Lincoln Avenue and its intersection with the New York State DOT right-of-way at Route 9, in the City of Poughkeepsie; and

WHEREAS, Vassar Brothers intends to construct a seven level, 696,000± square-foot pavilion for in-patients along with the re-construction and renovation of approximately 13,800 square feet of its existing hospital; and

WHEREAS, Vassar Brothers application requests the City formally abandon Livingston Street from its intersection with Lincoln Avenue and continuing to its intersection with Fox Street (including any ownership the City may have in the lands subject to a New York State Department of Transportation Right-of-Way) which by operation of law would revert to Vassar Brothers as the adjoining property owners; and

WHEREAS, the Common Council is desirous of taking up the consideration of this proposal and the closing of Livingston Street between Lincoln Avenue and Fox Street; and

WHEREAS, the Corporation Counsel has advised that General City Law §29 requires that a public hearing be held to consider this matter and that at least five (5) days notice of this hearing be published at least once in the official publication of the City; and

NOW, THEREFORE,

BE IT RESOLVED, the Common Council hereby sets March 7, 2016 at 6:00 p.m. in the Common Council Chambers, City Hall, Third Floor, 62 Civic Center Plaza, Poughkeepsie, New York as the date, time and place of a public hearing to consider the proposal to abandon and close Livingston Street in the City of Poughkeepsie from Lincoln Avenue to Fox Street (including any

ownership the City may have in the lands subject to a New York State Department of Transportation Right-of-Way); and be it further

RESOLVED, that the City Chamberlain is hereby authorized and directed to publish notice of this public hearing at least once in an official newspaper of the City at least five (5) days before such date.

SECONDED BY COUNCILMEMBER JOHNSON

R16-15			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Accepted	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

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

The City of Poughkeepsie
New York

Paul Ackermann
Corporation Counsel
packermann@cityofpoughkeepsie.com



62 Civic Center Plaza
Poughkeepsie, New York 12601
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CC 2/1/16
Item VIII-1

February 1, 2016

COMMON COUNCIL
City of Poughkeepsie

RE: ORDINANCE AMENDING PARKING REGULATIONS ON ZIMMER AVENUE

Dear Chairman Petsas and Councilmembers:

At the request of Councilwoman Lorraine Johnson, I have prepared the annexed Ordinance to amend §13-180 of the Code of Ordinances to eliminate a no parking zone on Zimmer Avenue. The change would result in the removal of two no parking signs that are currently situated in front

of 11 Zimmer Avenue. The no parking signs were installed in 2011 at the request of the previous owner of the property. The property at 11 Zimmer Avenue is now under new ownership, and is occupied by two separate families who are desirous of increasing the amount of on street parking in front of the residence. The police department was consulted on this matter and has no objections to the removal of the no parking signs.

Please consider this matter at your February 1st Council meeting.

Respectfully submitted,

PAUL ACKERMANN
Corporation Counsel

**ORDINANCE AMENDING §13-180
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED “MOTOR VEHICLES
AND TRAFFIC”**

(O-16-01)

INTRODUCED BY COUNCILMEMBER LORRAINE JOHNSON:

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

SECTION 1: §13-180 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

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:

~~{Zimmer Avenue, north side, from a point 115 feet from its intersection with Elm Place to a point 57 feet westerly therefrom.}~~

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER CHERRY

Official Minutes of the Council Meeting of Monday, February 1, 2016

O-16-1			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. FROM JPOD,** a presentation.

Poughkeepsie, NY – www.JPods.com

Problem:
 Oil-dependent transport moves a ton to move a person in congested traffic. Traffic costs the people of Nevada \$46 billion per year
 - \$22.3 billion on foreign oil
 - \$17.8 billion on accidents
 - \$ 5.9 billion on congestion

Solution:
 Stop moving a ton to move a person. Cars cost 56 cents per vehicle-mile, JPods are 4 cents per vehicle-mile. This conversion of costs to value pays for privately funding networks.
 Recover \$18 billion per year by moving only the person above roads. Also moves freight.
 Solar-powered transportation is safer, faster, cleaner and affordable.
 On-demand mobility regardless of age, ability or wealth.
 Life requires energy. Energy self-reliance.

Execution:
 Physics: It costs less to move less.
 Concept: Computer controlled, ultra-light JPods rail networks move people and cargo on-demand; a Physical-Internet; a circulatory system for an economic community.

Market Niche: On-demand mobility for highly repetitive, commuter-range transport of cargo and people.

Safety: > 2,000 times safer than cars.
Emissions: Zero.

Congestion: Zero.
Efficiency: 200 watt-hour per mile. Mobility savings are amplified by the 6x Net Energy of solar over oil.

Power: Solar collectors gather 40,000 vehicle-miles of power per mile of rail per day. Distributed transportation grid harvests distributed natural power.

Reference: www.jpods.com/boston



Performance Standard Law
 - Converts \$18 billion/year of traffic cost into:
 - \$12 billion in jobs.
 - \$6 billion in savings.

Performance Standard Law
 - Build with private capital.
 - Operate without government subsidies.
 - Exceed 120 passenger-miles per gallon.
 - Environmental approvals based on energy savings over cars.
 - Pay 5% of gross revenues to use rights of way over city streets.
 - Regulate by the ASTM International Theme Park Standards
 - Existing insurance industry.
 - Existing enforcement industry.
 - Existing common law for law suites.

www.jpods.com/poughkeepsie



JPods, Inc.
 www.jpods.com
 Bill James
 (612) 414-4211
 Bill.James@jpods.com

Poughkeepsie, NY – www.JPods.com



The City of

March 12, 2013

Andrew M. Fellows, Mayor
5807 Bryn Mawr Road
College Park, MD 20740

Dear Mayor Fellows:

I am writing to support the endeavor of College Park, MD to bring a solar transportation network (JPods) to the area. As you are already aware, Morgantown has had a Personal Rapid Transit system in place since 1975, which connects the three campuses of West Virginia University, as well as the downtown area. Some benefits of the system include, but are not limited to:

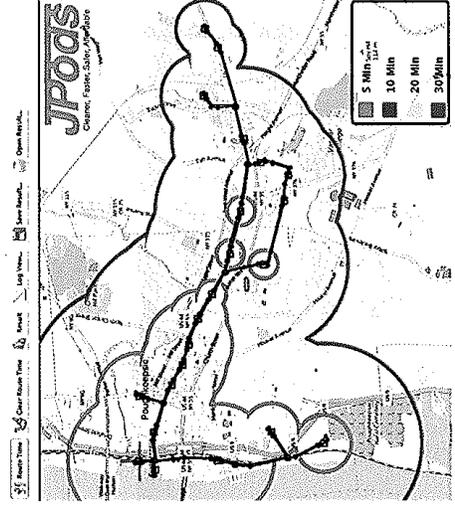
- ⇨ It has proven to be a reliable system of automated transit that is relatively inexpensive to operate.
- ⇨ It has offered on-time service rates far better than the bus system it replaced, boasting a 98% reliability and availability rating.
- ⇨ It has eliminated much of the gridlock of traffic which existed in the hub of downtown Morgantown.
- ⇨ It has proven to be safe, with no serious injuries reported since the operation began in 1975.
- ⇨ Approximately 16,000 riders take advantage of the system on a daily basis.

There have been several proposals to extend the line on both ends of the system, which could take place in the near future. Since the Morgantown PRT operates chiefly as a student-mover, it runs primarily during class days. During Fall and Spring semesters, hours of operation are from 6:30 a.m. - 10:15 p.m. weekdays, and 9:00 a.m. - 5:00 p.m. on Saturdays. Summer hours are 6:15 a.m. - 6:30 p.m. The system is closed on Sundays year round, as well as during Thanksgiving, Christmas, and Spring breaks.

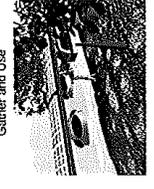
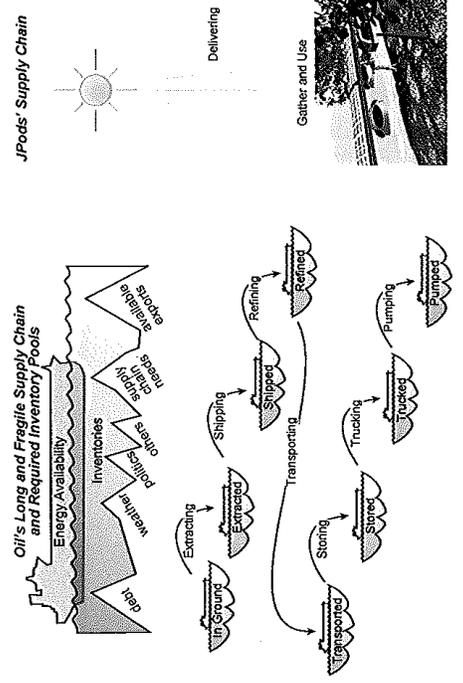
A system such as this would be a great asset to your City, and I wish you well in your endeavor!

Jim Manilla
Jim Manilla, Mayor
City of Morgantown

From the Red Cross (airport) walking and traveling times are illustrated by circles: 5 min (green), 10 min (blue), etc....



Unlike the complex and risky oil supply chain, JPods energy system reliably collects 40,000 vehicle-miles/mile/day.



AN ORDINANCE OF THE TOWN OF SECAUCUS, REGARDING PERFORMANCE STANDARDS FOR GRANTING RIGHT-OF-WAY ACCESS FOR TRANSPORTATION INNOVATIONS

WHEREAS, returning communication infrastructure to a free market in 1982 resulted in vast innovation, better service at lower costs and millions of jobs; and June 24, 2014

WHEREAS, privately funded freight railroads average over 400 ton-miles per gallon efficiency; and

WHEREAS, establishing performance standards based on economic work accomplished per unit of energy consumed may allow free market solutions that repeat communication infrastructure success in transportation infrastructure; and

WHEREAS, the Congressional Office of Technology Assessment Study PB- 244854(1975) identified Automated Guideways and Personal Rapid Transit (PRT) networks as a solution of the 1973 Oil Embargo and the PRT network at Morgantown, WV has delivered 100 million oil-free, injury-free passenger-miles since starting service in 1975;

NOW THEREFORE BE IT ORDAINED, non-exclusive access to City rights-of-way may be granted to transportation systems providers meeting the following free market principles:

- (1) Privately funded construction;
- (2) Privately operated without government subsidies;
- (3) Exceed 120 passenger-miles per gallon, or equivalent efficiency; and
- (4) Exceed safety performance of transportation modes already approved for use.

AND THEREFORE BE IT FURTHER ORDAINED, regulation of free market innovations shall be based on:

(1) System design, fabrication, installation, safety, insurance, inspection practices consistent with the ASTM International, Committee F24 on Amusement Rides and Devices;

(2) Environmental approvals will be granted based on a ratio of energy consumed per passenger-mile of the innovation versus transport modes approved to operate in the rights-of-way; and

(3) All taxes and fees assessed on the transport systems providers, passengers and cargo shall be limited to 5% of gross revenues and paid to the aggregate rights-of-way holders by transportation systems providers; and

AND THEREFORE BE IT FURTHER ORDAINED, that any individual projects shall be process and considered in accordance with all relevant municipal and state regulations.

This Ordinance shall take effect immediately after final passage and publication in accordance with law. June 24, 2014

2. **FROM DEBORAH GAMIEL**, a notice of personal injury sustained on November 2, 2015. **Referred to Corporation Counsel**
3. **FROM THE ARTIST'S PALATE**, a notice of intent to renew their Liquor License. **Referred to Corporation Counsel**
4. **FROM THYME 3 FOOD, INC.**, a notice of intent for Canvas Restaurant to renew their Liquor License. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Hermann and Councilmember Johnson to adjourn the meeting at 9:50 p.m.

Dated: February 8, 2016

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, February 1, 2016

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**

