



## **COMMON COUNCIL MEETING**

Common Council Chambers

Tuesday, February 16, 2016

6:30 p.m.

**I. ROLL CALL**

**II. REVIEW OF MINUTES:**

Common Council Minutes of February 1, 2016

**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 COUNCILMEMBER LORRAINE JOHNSON**, SEQRA and Sale Resolution R16-16 and R16-17, for an unnumbered lot on Balding Avenue.
2. **FROM CHAIRMAN PETSAS**, Resolution R16-18, authorizing an agreement with the Potter House for the release of outstanding liens.
3. **FROM COMMISSIONER OF PUBLIC WORKS GENT**, Resolution R16-19, approving an amendment to the 2016 Budget to provide for a sanitation worker Graded4 in lieu of a MEO-SW1, Grade 8.

4. **FROM MAYOR ROLISON**, Resolution R16-20, amending city employment application to no longer require disclosure of past criminal history during initial job application process.

**VIII. ORDINANCES AND LOCAL LAWS:**

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

1. **FROM COMMISSIONER OF PUBLIC WORKS GENT**, a communication regarding a contract with A Fleet Management contract with Enterprise.
2. **FROM CITY ADMINISTRATOR KNAPP**, a communication regarding the McCann Golf Course fees.
3. **FROM JUSTINE PORTER**, a communication regarding Poughkeepsie Community Wealth Building Summit.
4. **FROM RICHARD J. BURKE, JR.**, a notice of personal injury sustained by Sally Ciampaglione on October 21, 2015.
5. **FROM NIA BRYANT**, a notice or claim sustained on October 31, 2015.

**X. UNFINISHED BUSINESS:**

**XI. NEW BUSINESS:**

**XII. ADJOURNMENT:**

# The City of Poughkeepsie

New York

PAUL ACKERMANN  
Corporation Counsel  
[packermann@cityofpoughkeepsie.com](mailto:packermann@cityofpoughkeepsie.com)



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

CC MEETING 2/16/16  
ITEM # VII-1

February 9, 2016

COMMON COUNCIL  
CITY OF POUGHKEEPSIE

Re: R-16-16 & R-16-17  
SALE & SEQRA RESOLUTION FOR UNNUMBERED  
LOT ON BALDING AVENUE

Dear Chairman Petsas and Councilmembers:

Enclosed herewith, please find a proposed SEQRA and sale resolution for a vacant parcel on Balding Avenue. This property is located in Councilwoman Johnson's ward and she supports the sale. The City took title to the property on July 1, 2015 for unpaid taxes. The property contains a large garage which is dilapidated along with several other smaller garages. It is also located in a flood zone which would restrict any substantial improvement of the property.

We have received an offer to purchase same from Michael John Siepietoski. Mr. Siepietoski is the owner of the adjacent property. For all intensive purposes his property surrounds the subject property. He plans to demolish the garages and return the property to vacant land. The City would also require that it be merged with his existing parcel. The City has received a range of value from a certified appraiser which indicated the range to be \$2,500 - \$2,725. However, it should be noted that that range assumes the garages are removed, which comes at an additional expense.

The offer is for \$2,500. This property has not generated tax revenue since 2011. While it has been on the tax rolls, those taxes have not been paid and the city has been left maintaining the property.

Please let me know if additional information is requested by the Council.

Very truly yours,

CITY OF POUGHKEEPSIE

A handwritten signature in cursive script, appearing to read "Paul Ackermann", is written over a horizontal line.

Paul Ackermann, Esq.  
Corporation Counsel

PA/mt  
Encl.-

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW  
ACT (SEQRA) RESOLUTION REGARDING A SALE OF  
CERTAIN CITY OWNED PROPERTIES  
(R-16-16)**

**BY COUNCILMEMBER \_\_\_\_\_ :**

**WHEREAS**, the Common Council of the City of Poughkeepsie is considering the sale of certain properties now owned by the City of Poughkeepsie, located at the dead-end of Balding Avenue and more specifically known as Grid Number 6162-61-114317 ; and

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

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

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

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

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

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

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and
4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions,

thus reaching the conclusion that it is to be considered an unlisted action; and

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

**SECONDED BY COUNCILMEMBER** \_\_\_\_\_ .

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Sale of unnumber Blading Avenue			
Project Location (describe, and attach a location map): Dead-end of Balding Avenue located at Tax Map No.: 6162-61-114317			
Brief Description of Proposed Action: City proposes to sell a vacant lot, with improvements totaling 0.45 acres to the owner of the adjacent parcel. There is no municipal use of the property.			
Name of Applicant or Sponsor: City of Poughkeepsie Common Council		Telephone: (845) 451-1200	
		E-Mail: citychamberlain@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza			
City/PO: Poughkeepsie		State: New York	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.45 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.45 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: _____ Date: 2/16/16 _____</p> <p>Signature: _____</p>		

**RESOLUTION**  
**(R-16-17)**

**INTRODUCED BY COUNCILMEMBER \_\_\_\_\_ :**

**WHEREAS**, the City of Poughkeepsie is the owner of real property known as Tax Map Number: 6162-61-114317 and located at unnumbered Balding Avenue in the City of Poughkeepsie by reason of unpaid taxes, which is hereinafter referred to as the "Property"; and

**WHEREAS**, the above mentioned Property has been offered for sale by the City pursuant to §13.02 of the Administrative Code of the City of Poughkeepsie; and

**WHEREAS**, an offer has been received to purchase the Property under certain circumstances from Michael John Siepietoski; and

**WHEREAS**, the Administration of the City of Poughkeepsie, after consideration of the condition of the property and any potential municipal use of the property, has recommended that the City of Poughkeepsie accept this offer; and

**WHEREAS**, the Common Council hereby finds that the offer from Michael John Siepietoski is the most favorable of the offers presented and that it is in the best interests of the City of Poughkeepsie to approve such offer;

**NOW, THEREFORE,**

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

**RESOLVED**, that the offer from Michael John Siepietoski to purchase the parcel located at unnumbered Balding Avenue in the City of Poughkeepsie known as Grid Number: 6162-61-114317 for the sum of \$2,500.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

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

- A. the conveyance of title and the payment of the purchase price shall take place within thirty days of the date of this resolution, unless the Corporation Counsel shall grant such extension as he deems appropriate;
- B. Purchaser shall obtain a demolition permit for the demolition of any structure on the parcel thereby removing any building code violations;
- C. Purchaser shall within one (1) year of its purchase, merge said parcel with a parcel he owns located adjacent to the Property;
- D. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;
- E. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record;
- F. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation.

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

**SECONDED BY COUNCILMEMBER** \_\_\_\_\_.

PURCHASE OFFER ON CITY OWNED PROPERTY

Date: 10/30/2015

Address of City-owned Property to be purchased: BALDING AVE - DEAD-END LOT .45 ACRE

**Purchaser Information:**

Name(s) of Purchaser: MICHAEL JOHN SIEPIETOSKI

Address of Purchaser: 34 BALDING AVE.  
CITY OF PoughKEEPSIE, NEW YORK

Phone number(s): (845) 546-3527

Name, address and phone number of Business (if purchase is to be in the business' name):

N/A

Name, address and phone number of Attorney:

(845) 454-3441 DAN M<sup>o</sup> CABE  
42 CATHERINE STREET  
POUGHKEEPSIE, NY 12601

Dollar amount of purchase offer: \$ 2,500<sup>00</sup>

Conditions on the offer: LOT IS TO BE VACANT LAND  
DILAPIDATED & UNSOUND GARAGLS ARE TO BE TAKEN AWAY,  
OFF PREMISES.

**Financial Information:**

Financial information for acquisition (to buy) of the property:

Owner Financing:  Private Financing:  Need to obtain a mortgage:

Name, address, phone number and a contact person of Bank, Mortgage Company or Private Financing:

\_\_\_\_\_

Financial information for the rehabilitation (when applicable) of the property:

Owner Financing:  Private Financing: \_\_\_\_\_ Need to obtain a mortgage: \_\_\_\_\_

Name, address, phone number and a contact person of Bank, Mortgage Company or Private Financing:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Other Property owned:**

Do you, or any member of your immediate family own other real property located in the City of Poughkeepsie in any of the following capacities?:

Individually  Shareholder \_\_\_\_\_ Officer or director of a corporation \_\_\_\_\_  
Partner in a partnership \_\_\_\_\_ Member of a Limited Liability Company \_\_\_\_\_  
Member of a Joint Venture \_\_\_\_\_ Other Capacity \_\_\_\_\_

Please Identify: 45 GARDEN STREET,

If yes, the addresses of any other property, located in the City of Poughkeepsie:

\_\_\_\_\_  
\_\_\_\_\_

*Please be advised that the principals must be current on all other indebtedness to the City of Poughkeepsie.*

Name, address and phone number of Real Estate Broker (if applicable):

\_\_\_\_\_  
\_\_\_\_\_

**Development Plan:**

The intended use of the property (i.e.: single family, two family, retail business, etc):

REHABILITATED LAND WOULD BE KEPT OPEN (NOT TO BE BUILDABLE),  
INTENTIONS: KEEP AS LAWN, ACCESS AND VIEW TO THE BORDING  
FALLKIL CREEK, NEIGHBORHOOD GARDENING & FRUIT TREES.

The development plan for the property (i.e.: change from residential to commercial, describe renovations to building, etc.):

DEMOLITION PERMIT FOR OLD GARAGES, CLEANING, CLEARING  
AND REMOVAL OF DEBRIS OFF LAND/PREMISES.

What construction work is necessary to prepare the property for this use?

DEMOLITION AND REMOVAL OF EXISTING STRUCTURE

Is site plan approval needed?      yes \_\_\_\_\_      no

Are any variances required?      yes \_\_\_\_\_      no

The schedule for such improvements to the property (Note- If applicable, you will be required to obtain a building permit in six months of the purchase and a Certificate of Occupancy within one year of that):

IMMEDIATELY END OF NOVEMBER TILL COMPLETED BY MARCH - 2016

Will you be making changes to the floor plan of the building (i.e.: changing the number, size or shape of the rooms)?

N/A

Purchaser(s) Signatures: \_\_\_\_\_  
\_\_\_\_\_

**Please return completed form to:**

Corporation Counsel  
City of Poughkeepsie  
62 Civic Center Plaza  
Poughkeepsie, New York 12601  
Phone: (845) 451-4065  
Fax: (845) 451-4070



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**CITY OF POUGHKEEPSIE**  
Office of Corporation Counsel  
62 Civic Center Plaza | Poughkeepsie | New York | 12601  
Office (845) 451-4065 Fax (845) 451-4070  
corporationcounsel@cityofpoughkeepsie.com  
Paul Ackermann, Corporation Counsel

## CITY-OWNED PROPERTIES FOR SALE

Dear Sir/Madam:

Thank you for your interest in city-owned properties, which are offered for sale by the City of Poughkeepsie. The attached list identifies properties available at the date of its printing. Our office can advise you if a property is currently available. From time to time we update the list as properties are sold.

In the sale of these properties, the City of Poughkeepsie is focusing on community development and commitment and owner-occupancy. To accomplish these goals, we have established the following sales guidelines:

1. All one and two family houses and building lots zoned for one and two family houses will be sold only to owner-occupants or organizations that will rehabilitate the property for the sole purpose of selling the house to an owner-occupant. Houses that need extensive rehabilitation will not be offered directly to an owner-occupant unless the prospective purchaser has previous experience and financial capacity to undertake the work.
2. All multi-family and commercial buildings will be sold to investor/developers who possess some combination of the following: a demonstrated history of community involvement; a record of quality real estate development; a record of good property management; capacity to undertake and complete the project in the stated time frame; and proof of financial capacity to perform; good credit history; and a clean record with the City of Poughkeepsie.

When there are properties and/or desired uses that do not fit the sales guidelines above, development plans will be reviewed on a case-by-case basis.

The presentation of this list shall not constitute an offer to sell the properties listed thereon. The City, in its sole discretion and for any reason, may withdraw any such properties from this list.

Pre-Qualification:

Prospective new purchasers are asked to complete an application. Applicants who do not meet the guidelines above will be notified. Those who desire to be owner occupants, but do not fit the guidelines for a direct purchase of a city-owned property, will be referred to a homebuyer program. Applicants who do meet the stated guidelines will be invited to explore purchase of city-owned property. *Applications are attached in this package.*

Inspecting City Properties and Safety Issues:

All properties are shown to pre-qualified parties by appointment only.

Some properties may not be safe for interior viewing by the public. The city reserves the right to make that determination at any time. In those cases, a written description of building conditions will be prepared by city staff, with photographs when possible.

Title:

Unless otherwise stated, properties are conveyed to the purchaser with a quitclaim deed. The purchaser is responsible for clearing title along with any costs related to that process. In cases where a property is offered with marketable title, a charge for costs incurred by the city, including a reasonable administrative fee, will be added to the sales price. Once an offering price is accepted by the Common Council, purchasers agree that they shall not use that price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation.

Making an Offer:

To make an offer on City-owned property, please complete the attached "Purchase Offer Form" and return it to my office. Please be advised that all purchase offers are reviewed carefully before being presented to the Common Council. Presentation to the Common Council then follows as soon as reasonably possible.

If you have any questions, please contact me at (845) 451-4065.

Sincerely yours,

*s/ Paul Ackermann*

Paul Ackermann  
Corporation Counsel

Enclosure

RESIDENTIAL- ONE & TWO FAMILY HOMES

Thank you for your interest in the City of Poughkeepsie. The Office of Corporation Counsel wants to help you find the property that best matches your needs as a homeowner-occupant. To help us – please complete the following:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Employer: \_\_\_\_\_

Employer Address: \_\_\_\_\_

If Self Employed: \_\_\_\_\_

Property Needs:

Single-Family: \_\_\_\_ Two-Family: \_\_\_\_ New Construction: \_\_\_\_ Other: \_\_\_\_

If other, please explain: \_\_\_\_\_

Number of Bedrooms: two \_\_\_\_ three \_\_\_\_ four \_\_\_\_ No preference \_\_\_\_

Will this purchase require financing: yes \_\_\_\_ no \_\_\_\_

Have you spoken/met with a lender: yes \_\_\_\_ no \_\_\_\_

If yes, the name, address and phone of lender: \_\_\_\_\_

Have you ever attended a "Home Buyer Information Class"? yes \_\_\_\_ no \_\_\_\_

If yes, where? \_\_\_\_\_

Do you now or have you ever owned property in the City of Poughkeepsie? yes \_\_\_\_ no \_\_\_\_

If yes, where? \_\_\_\_\_

Do you own other property? yes \_\_\_\_ no \_\_\_\_

If yes, please provide the complete address:

\_\_\_\_\_

What properties on the "Properties For Sale List" interest you?

\_\_\_\_\_

INVESTOR/DEVELOPER-COMMERCIAL & MULTI-FAMILY RESIDENTIAL

Thank you for your interest in the City of Poughkeepsie. The Office of Corporation Counsel wants to help you find the property that best matches your development needs. To help us – please complete the following questionnaire:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Business Name: \_\_\_\_\_

Address of Business: \_\_\_\_\_

Business Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Property Needs:

Multi-Family: \_\_\_\_\_ Office: \_\_\_\_\_ Storage: \_\_\_\_\_ Manufacturing: \_\_\_\_\_

Retail: \_\_\_\_\_ New Construction: \_\_\_\_\_ Other: \_\_\_\_\_

If other, please explain: \_\_\_\_\_

Space/Building Requirements: total floor area: \_\_\_\_\_ area per floor: \_\_\_\_\_

Lot size: \_\_\_\_\_ Clear height: \_\_\_\_\_ Electrical/Mechanical: \_\_\_\_\_

Minimum Column Spacing: \_\_\_\_\_ Parking Needs: \_\_\_\_\_

Will the purchaser operate a business or otherwise occupy the building? Yes \_\_\_ No \_\_\_

Explain: \_\_\_\_\_

Will this purchase require financing? yes \_\_\_\_\_ no \_\_\_\_\_

Do you now or have you ever owned property in the City of Poughkeepsie?

Residential - yes \_\_\_\_\_ no \_\_\_\_\_ Commercial - yes \_\_\_\_\_ no \_\_\_\_\_

If yes, where? \_\_\_\_\_

Do you own other property? yes \_\_\_\_\_ no \_\_\_\_\_

If yes, please provide the complete address:

What properties on the "Properties For Sale List" interest you? \_\_\_\_\_

Please attach resume of property ownership and management and company profile if applicable.



LAND APPRAISAL REPORT

File No. 16B005

Borrower Michael John Slepotoski      Census Tract 2202.01      Map Reference 20524  
 Property Address Balding Ave  
 City Poughkeepsie      County Dutchess      State NY      Zip Code 12601  
 Legal Description Libre 22015 Page 5906 City of Poughkeepsie 6162-61-114317  
 Sale Price \$ 2,500      Date of Sale 10/30/2015      Loan Term N/A      yrs.      Property Rights Appraised  Fee       Leasehold       De Minimis PUD  
 Actual Real Estate Taxes \$ 2,188      (yr)      Loan charges to be paid by seller \$ N/A      Other sales concessions N/A  
 Lender/Clien Paul Ackermann - City of Poughkeepsie      Address 62 Civic Center Plaza, Poughkeepsie, NY 12601  
 Occupant Vacant Land      Appraiser Susan Reichin      Instructions to Appraiser Market value as of date of inspection.

**NEIGHBORHOOD**  
 Location  Urban       Suburban       Rural      Employment Stability      Good      Avg.      Fair      Poor  
 Built Up  Over 75%       25% to 75%       Under 25%      Convenience to Employment           
 Growth Rate  Fully Dev.       Rapid       Steady       Slow      Convenience to Shopping           
 Property Values  Increasing       Stable       Declining      Convenience to Schools           
 Demand/Supply  Shortage       In Balance       Oversupply      Adequacy of Public Transportation           
 Marketing Time  Under 3 Mos.       4-6 Mos.       Over 6 Mos.  
 Present 80 % One-Unit      4 % 2-4 Unit      2 % Apts.      2 % Condo      4 % Commercial      Recreational Facilities           
 Land Use 0 % Industrial      5 % Vacant      %      Adequacy of Utilities           
 Change in Present Land Use  Not Likely       Likely (\*)       Taking Place (\*)      Property Compatibility           
 Predominant Occupancy  Owner       Tenant      % Vacant      Protection from Deleterious Conditions           
 One-Unit Price Range \$ 50,000 to \$ 300,000      Predominant Value \$ 100,000      Police and Fire Protection           
 One-Unit Age Range 10 yrs. to 285 yrs.      Predominant Age 55 yrs.      General Appearance of Properties           
 Appeal to Market           
 Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise)      The subject parcel is a city owned property in poor condition, requiring the demolition of existing garages, clearing, and cleaning. The subject is located on a cul-de-sac in which the North side backs up to a residence, the South side onto a city street separated by a culvert, the West side is facing Balding Avenue, and the East faces a neighboring land parcel.

**SITE**  
 Dimensions 184 x 99 x 85 x 70 x 135 x 76      =      .45 ac       Corner Lot  
 Zoning Classification R-2A Central Low Density Residential      Present Improvements  Do       Do Not      Conform to Zoning Regulations  
 Highest and Best Use  Present Use       Other (specify)  
 Elec.  Available      OFF SITE IMPROVEMENTS      Topo Level  
 Gas       Street Access  Public       Private      Size .45 ac  
 Water       Surface Asphalt      Shape Irregular  
 San. Sewer       Maintenance  Public       Private      View Street/Culvert  
 Underground Elect. & Tel.       Storm Sewer       Curb/Gutter      Drainage Average  
 Sidewalk       Street Lights      Is the property located in a FEMA Special Flood Hazard Area?  Yes       No  
 Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions)      There were no apparent adverse easements or encroachments noted at the time of appraisal through a search of available records.

The undersigned has recited the following recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	Balding Ave Poughkeepsie, NY 12601	10 Gifford Ave Poughkeepsie, NY 12601	Cottage St Poughkeepsie, NY 12601	Cottage St Poughkeepsie, NY 12601
Proximity to Subject		0.36 miles W	0.41 miles SE	0.44 miles SE
Sales Price	\$ 2,500	\$ 700	\$ 2,000	\$ 3,750
Price \$/Sq. Ft.	\$	\$	\$	\$
Data Source(s)	Inspector/Assessor	Tax Records/Assessor	Tax Records/Assessor	Tax Records/Assessor
ITEM	DESCRIPTION	DESCRIPTION	DESCRIPTION	DESCRIPTION
Date of Sale/Time Adj.	10/30/2015	05/01/2014	05/02/2014	05/02/2014
Location	City	City	City	City
Site/View	.45 ac/Street	.48 ac/Street	.19 ac/Street	.27 ac/Street
BOHA	No	No	No	No
Water/Sewer	Yes	Yes	Yes	Yes
Electricity	Available	Available	Available	Available
REQ/Foreclosure	Yes	Yes	Yes	Yes
Sales or Financing Concessions	None	None	None	None
Net Adj. (Total)	<input type="checkbox"/> + <input type="checkbox"/> - \$	<input type="checkbox"/> + <input type="checkbox"/> - \$	<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 100	<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 100
Indicated Value of Subject	Net %	Net 5.0 %	Net 5.0 %	Net 2.7 %
	Gross %	Gross 5.0 %	Gross 5.0 %	Gross 2.7 %
	\$ 700	\$ 2,100	\$ 3,850	

Comments on Market Data      The subject and all comps are City of Poughkeepsie or financial institution owned land and are foreclosures. Assessor's and Real Info records were utilized to find these tax sales.

Comments and Conditions of Appraisal      This appraisal is being completed with the extraordinary assumption that the garages have been removed. It is common and typical in land appraisals to utilize sales up to three years old. This is due to the inherent value of land that does not change for several years.

Final Reconciliation      All comps are City of Poughkeepsie vacant land parcels sold as tax sales. Comps #1, #3, and #4 were purchased from the City in non-arm's length transactions. Comp #2 was purchased by Cardinal Assets from A1 Nation Realty in a non-arm's length transaction. The median value of adjusted comps is \$2,725 and the mean value is \$2,500. This is a fair market value range for the subject property.  
 I (WE) ESTIMATE THE MARKET VALUE, AS DEFINED BY THE SUBJECT PROPERTY AS OF 02/09/2016 TO BE \$ 2,500.00-2725.00  
 Appraiser Susan Reichin      Supervisory Appraiser (if applicable)  
 Date of Signature and Report February 09, 2016      Date of Signature  
 Title Certified Residential Appraiser      Title  
 State Certification # 45000042192      ST NY      State Certification #      ST  
 Or State License #      ST      Or State License #      ST  
 Expiration Date of State Certification or License 06/01/2017      Expiration Date of State Certification or License  
 Date of Inspection (if applicable) 02/05/2016       Did       Did Not      Inspect Property      Date of Inspection



## Supplemental Addendum

File No. 16B005

Borrower/Client	Michael John Siepletoski				
Property Address	Balding Ave				
City	Poughkeepsie	County	Dutchess	State	NY Zip Code 12601
Lender	Paul Ackermann - City of Poughkeepsie				

The subject conforms to current zoning and zoning code reported is taken from public zoning records.

**Digital Signature:** Within the guidelines of the appraisal industry the following serves as legal testament to the signature of the individual appraiser of the aforesaid representation of the Valley Appraisers, Inc. The signature provided on all agreed-upon appraisals within the report are original. The software encrypts the individual appraisers signatures in order to deliver the appraisal work electronically to clients.

**Digital Photos:** The digitalized photographs used in this report were not altered in any manner other than the customary brightness equalization.

**Site:** The adjustments for site size are based on market abstraction and contributory value. Above a certain point each increment of land area contributes less, on a per acre or per square foot basis, than the initial minimum lot size for the area. This concept relates to diminishing marginal utility. All physical factors of the subject and comparable sites have been weighed at arriving site adjustments of lack thereof.

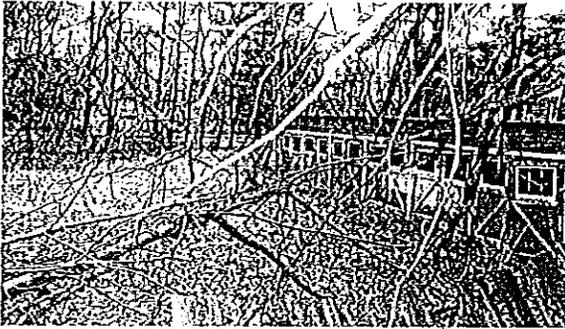
The purpose of this appraisal is for Federally-Related Mortgage loan purposes.

Every effort has been made to conform to FNMA, FHLMC, and FHLBB guidelines, in most cases, an even stricter interpretation found common to most investors in the secondary market. The comments in this addendum are intended to expand on what the appraiser feels are areas of most concern to mortgage investors in underwriting in appraisal reports. The expanded narrative allows the appraiser to provide additional comments where sufficient space is not available on the appraisal form. The market has been thoroughly searched and are, in the appraiser's opinion, the best available sales.

**ENVIRONMENTAL DISCLAIMER:** The value estimated in this report is based on the assumption that the property is not negatively affected by the existence of hazardous substances or detrimental environmental conditions. The appraiser is not an expert in the identification of hazardous substances or detrimental environmental conditions. The appraiser's routine inspection of and inquiries about the subject property did not develop any information that indicated any apparent significant hazardous substances or detrimental environmental conditions which would affect the property negatively. It is possible that tests and inspections made by qualified hazardous substances and environmental experts would reveal the existence of hazardous materials and environmental conditions on or around the property that would negatively affect its value.

## Subject Photo Page

Borrower/Client	Michael John Slepotoski				
Property Address	Balding Ave				
City	Poughkeepsie	County	Dutchess	State	NY Zip Code 12601
Lender	Paul Ackermann - City of Poughkeepsie				



## Subject Land w/Garages

Balding Ave  
 Sales Price 2,500  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location City  
 View .45 ac/Street  
 Site  
 Quality  
 Age



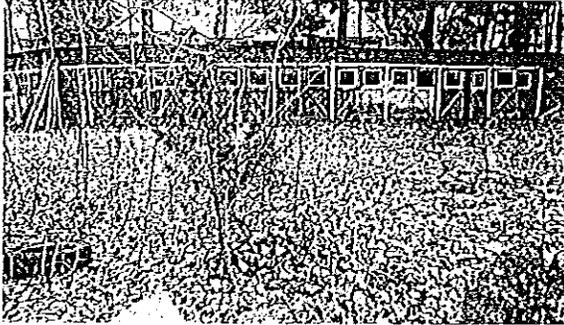
## Subject Land



## Subject Dead End Street

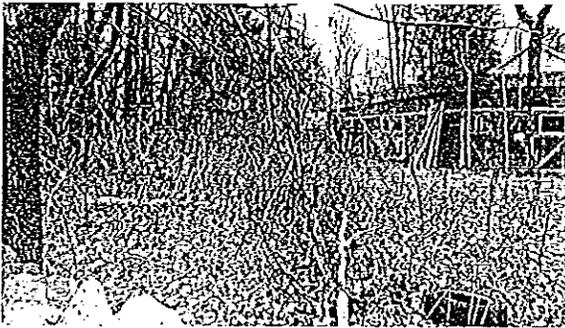
## Subject Photo Page

Borrower/Client	Michael John Siepletoski				
Property Address	Bakling Ave				
City	Poughkeepsie	County	Dutchess	State	NY Zip Code 12601
Lender	Paul Ackermann - City of Poughkeepsie				



## Subject Land w/Garages

Bakling Ave  
 Sales Price 2,600  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location City  
 View .45 ac/Street  
 Site  
 Quality  
 Age



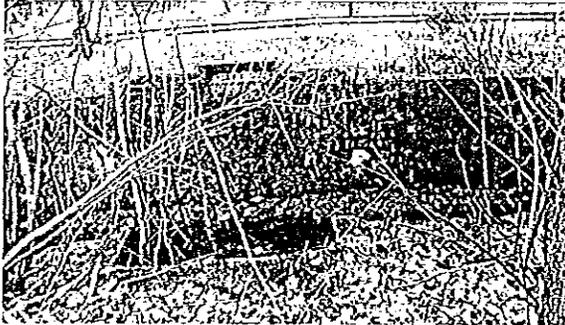
## Subject Land



## Subject Street

**Subject Photo Page**

Borrower/Client	Michael John Siepietoski				
Property Address	Balding Ave				
City	Poughkeepsie	County	Dutchess	State	NY Zip Code 12601
Lender	Paul Ackermann - City of Poughkeepsie				



**Subject Land**

Balding Ave  
 Sales Price 2,500'  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location City  
 View .45 ac/Street  
 Site  
 Quality  
 Age



**Subject Land**

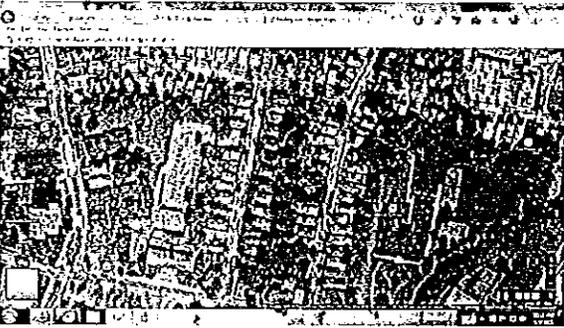
## Subject Photo Page

Borrower/Client	Michael John Siepietoski				
Property Address	Balding Ave				
City	Poughkeepsie	County	Dutchess	State	NY Zip Code 12601
Lender	Paul Ackermann - City of Poughkeepsie				



## Subject Location Map

Balding Ave  
 Sales Price 2,500  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location City  
 View .45 ac/Street  
 Site  
 Quality  
 Age



## Subject Aerial

## Comparable Photo Page

Borrower/Client	Michael John Slepjetoski				
Property Address	Balding Ave				
City	Poughkeepsie	County	Dutchess	State	NY Zip Code 12801
Lender	Paul Ackermann - City of Poughkeepsie				



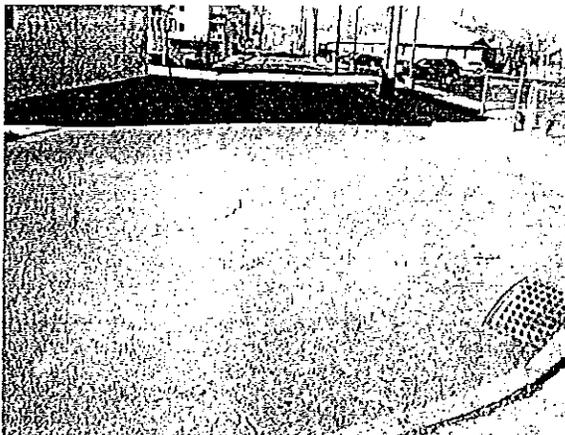
## Comparable 1

10 Gifford Ave  
 Prox. to Subject 0.36 miles W  
 Sale Price 700  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location City  
 View .48 ac/Street  
 Site  
 Quality  
 Age



## Comparable 2

Cottage St  
 Prox. to Subject 0.41 miles SE  
 Sale Price 2,000  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location City  
 View .19 ac/Street  
 Site  
 Quality  
 Age



## Comparable 3

Cottage St  
 Prox. to Subject 0.44 miles SE  
 Sale Price 3,750  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location City  
 View .27 ac/Street  
 Site  
 Quality  
 Age

## Comparable Photo Page

Borrower/Client	Michael John Siepletoski		
Property Address	Balding Ave		
City	Poughkeepsie	County	Dutchess
		State	NY
		Zip Code	12601
Lender	Paul Ackermann - City of Poughkeepsie		



## Comparable 4

149 Cannon St  
 Prox. to Subject 0.73 miles SE  
 Sales Price 3,250  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location City  
 View .22 ac/Street  
 Site  
 Quality  
 Age

## Comparable 5

Prox. to Subject  
 Sales Price  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location  
 View  
 Site  
 Quality  
 Age

## Comparable 6

Prox. to Subject  
 Sales Price  
 Gross Living Area  
 Total Rooms  
 Total Bedrooms  
 Total Bathrooms  
 Location  
 View  
 Site  
 Quality  
 Age

Appraiser's License

UNIQUE ID NUMBER 45000042192	<i>State of New York</i> <i>Department of State</i> <b>DIVISION OF LICENSING SERVICES</b>	<b>FOR OFFICE USE ONLY</b> Control No. <b>83501</b>
PURSUANT TO THE PROVISIONS OF ARTICLE 6E OF THE EXECUTIVE LAW AS IT RELATES TO R.E. APPRAISERS.		<b>EFFECTIVE DATE</b> MO. DAY YR. 06 02 15
REICHIN SUSAN L C/O VALLEY APPRAISAL SERVICES 90 CEDAR AVE Poughkeepsie, NY 12603		<b>EXPIRATION DATE</b> MO. DAY YR. 04 01 17
HAS BEEN DULY CERTIFIED TO TRANSACT BUSINESS AS A R.E. RESIDENTIAL APPRAISER		
<small>In Witness Whereof, The Department of State has caused          its official seal to be hereunto affixed.</small> <b>CESAR A. PERALES</b> <b>SECRETARY OF STATE</b>		
<small>DOS-1053 (Rev. 3/01)</small>		

E &amp; O

**CNA**Real Estate Professionals  
Errors and Omissions Policy

## Declarations

Agency	Branch	Prefix	Policy Number
078990	969	RFB	25414001915

Insurance is provided by  
Continental Casualty Company,  
333 South Wabash Ave., Chicago, IL 60604.  
A Stock Insurance Company.

## 1. NAMED INSURED AND MAILING ADDRESS:

Valley Appraisal Services, LLC  
90 Cedar Avenue  
Poughkeepsie, NY 12603

**NOTICE TO POLICYHOLDERS:**

The Errors and Omissions Liability coverage  
afforded by this policy is on a Claims Made  
basis. Please review the policy carefully  
and discuss this coverage with your  
insurance agent or broker.

2. POLICY PERIOD: Inception: 10/28/2015 Expiration: 10/28/2016  
at 12:01 A.M. Standard Time at your address shown above.

## 3. ERRORS AND OMISSIONS LIABILITY:

A. Limits of Liability:	Each Claim:	\$1,000,000	Aggregate:	\$1,000,000
B.	Discrimination Limits of Liability			\$250,000
C.	Deductible: Each Claim:			\$2,500
D.	First Coverage Date:		10/28/2003	
E. Prior Acts Date:	10/28/2003			

4. POLICY PREMIUM:	\$600.00
DISCRIMINATION (Optional \$250,000 Sublimit):	\$0.00
TOTAL PREMIUM:	\$600.00

5. EXTENDED REPORTING PERIOD PREMIUM: One Year: 50% of the Policy Premium  
Three Years: 130% of the Policy Premium



Countersigned by Authorized Representative

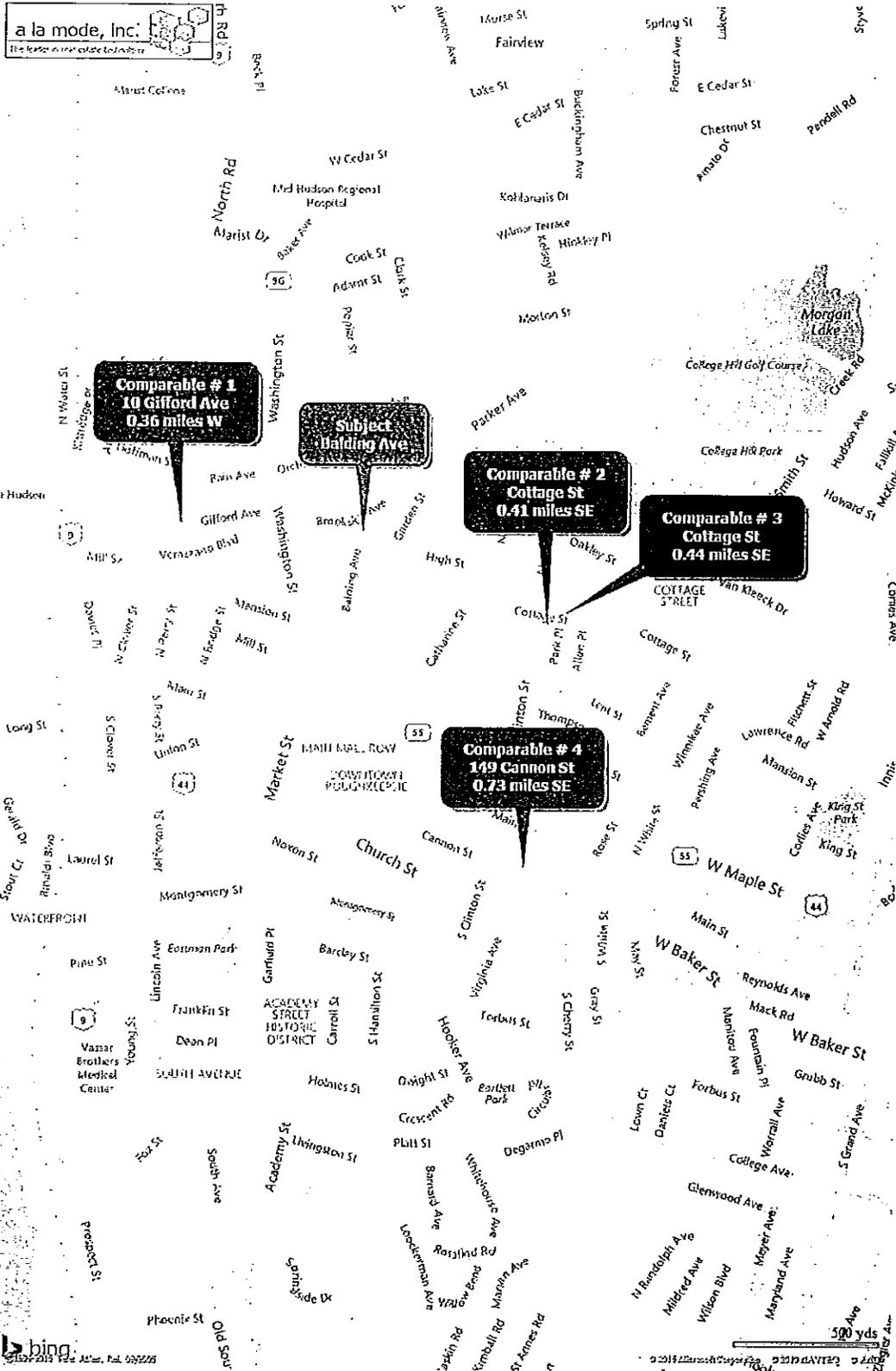
CNA65780NY ED. 09-2013

1120670-B21183

- 1 -

### Location Map

Borrower/Client	Michael John Siepietoski			
Property Address	Balding Ave			
City	Poughkeepsie	County	Dutchess	State NY Zip Code 12601
Lender	Paul Ackermann - City of Poughkeepsie			



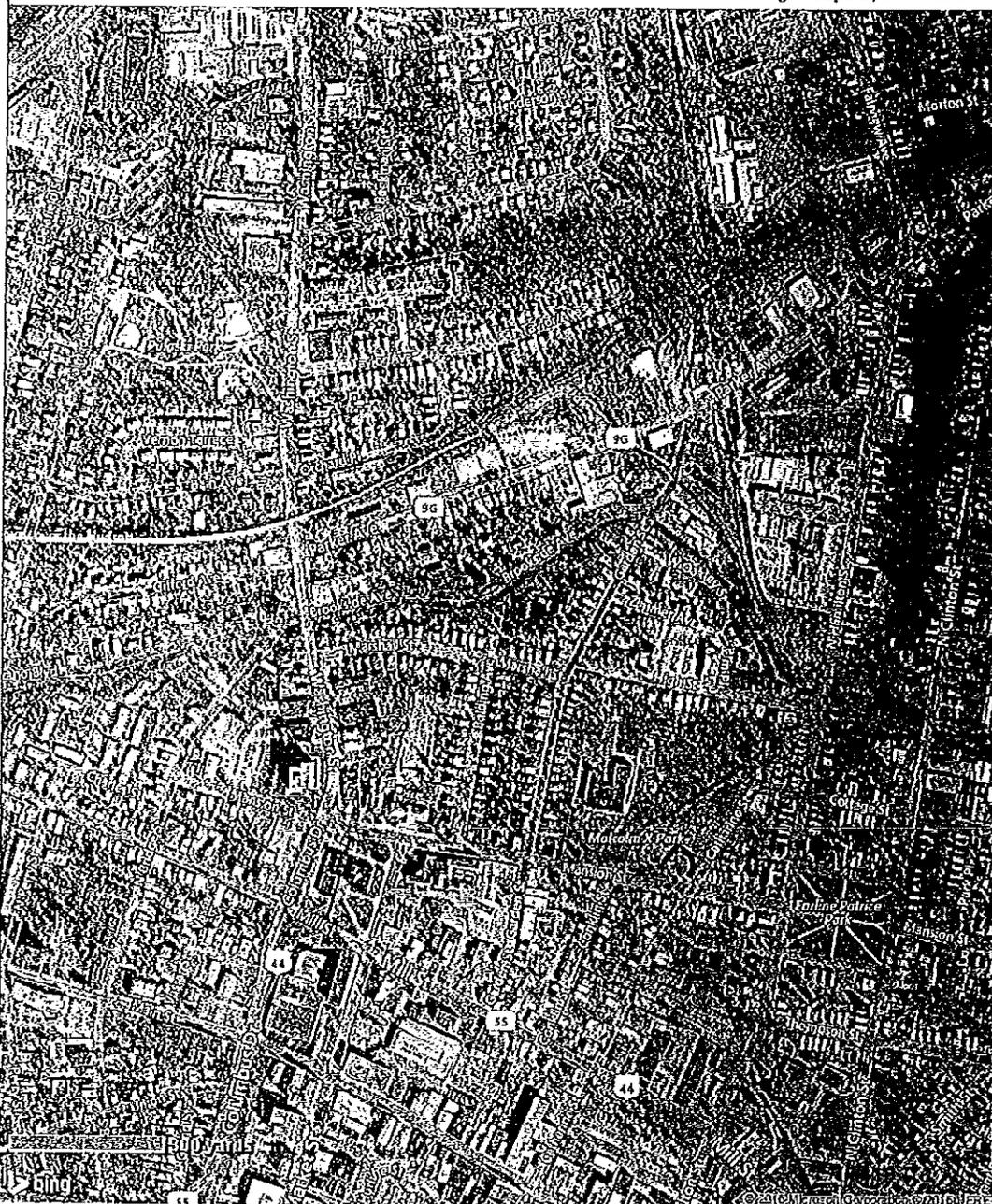
bing

### Flood Map

Borrower/Client	Michael John Slepjetoski				
Property Address	Balding Ave				
City	Poughkeepsie	County	Dutchess	State	NY
Zip Code	12601				
Lender	Paul Ackermann - City of Poughkeepsie				

**InterFlood** by a la mode

Prepared for: Valley Appraisal Services, LLC  
 Balding Ave  
 Poughkeepsie, NY 12601



**MAP DATA**

FEMA Special Flood Hazard Area: Yes  
 Map Number: 36027C0358E  
 Zone: A  
 Map Date: May 02, 2012  
 FIPS: 36027

**MAP LEGEND**

- Areas Inundated by 500-year flooding
- Areas Inundated by 100-year flooding
- Velocity Hazard
- Protected Areas
- Floodway
- Subject Area

Powered by CoreLogic

Filter Searches by Area of Interest  
City of Poughkeepsie

Map Components  
 Aerial  
 Terrain  
 Flood Areas  
 Wetlands  
 Parcel Text  
 Address #  
 Wetlands

Identify Measure  
 Address Lists Buffer(ft): 100  
 Print

Parcel Owner Address

LOT NUMBER: 114317  
130000 0000 00 000000 0000  
swis section block lot suffix

This search is within:  
City of Poughkeepsie



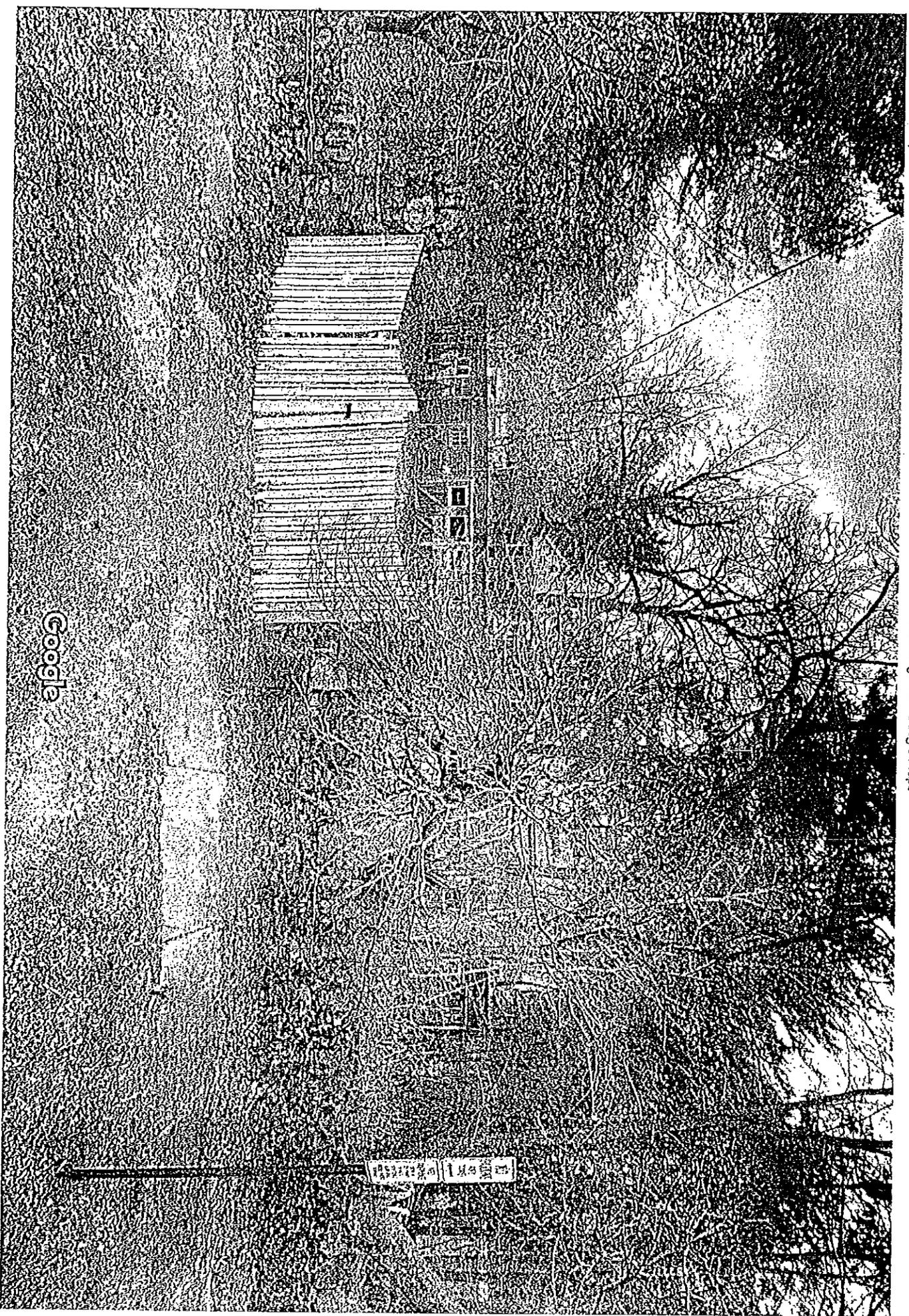
PARCEL IDENTITY  
(Internet)  
FINAL ROLL

Parcel Number: 131300-6162-61-114317-0000  
 Parcel Address - Balding Ave Poughkeepsie 126010000  
 Owner Name: Mainovsky, Robert F (Primary)  
 Primary (P) Owner Mailing Address  
 60 Spring Rd Poughkeepsie NY 126010000  
 Lot Size | Land Use (Land Use Code):  
 0.45 Ac | Vac w/imprv ( 312)  
 Assessment Information:  
 Land = \$45000 | Total = \$75000  
 Market Value: \$75000  
 School District: Poughkeepsie City SD  
 Agricultural District:  
 Roll Section: 1 (Taxable)  
 Tax Code: H (Homestead)

The following detailed information is available for this parcel:

- Photo
- Full property card
- Print Dimensions (No Aerial)
- Historical Aerials (1936 to present)
- AerialAccess





Google

Image capture: Apr 2012 © 2015 Google

# The City of Poughkeepsie

New York

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



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

February 9, 2016

CC Meeting: 02/16/16  
Item # VII-2  
R-16-18

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 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 issue 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.

Last year, a similar resolution was adopted by the Council, but vetoed by former Mayor Tkazyik. This resolution, while in a new legislative session, is substantively different as it tries to address some of the items discussed in the veto message along with concerns of the Council. Added to the resolution were the following conditions:

1. The mortgage shall be interest free and payable in a lump-sum on the fifth anniversary; however, the mortgage shall be forgiven provided that the Potter House, Inc. obtains a Certificate of Occupancy for use of the premises as a youth center.
2. At all times while the property is mortgaged, the owner shall maintain property insurance for at least the amount of the loan, naming City of Poughkeepsie as a loss payee and providing proof of insurance to the City.
3. The building shall be maintained free of graffiti and in compliance with Article III of Chapter 14 of the Code of Ordinances of the City of Poughkeepsie as well as §§9-6; 9-7 and 9-10 thereof.
4. Prior to execution of the Mortgage, the owner shall provide proof that all liens against the property have been satisfied with the exception of those tax liens held by the City.
5. The City at its discretion, which will not be unreasonably withheld and upon written request, will subordinate its interest in the property.

6. The mortgage shall be immediately due and payable upon a transfer of the property or dissolution of the owner.

Trusting this is satisfactory. I am,

Very truly yours,

CITY OF POUGHKEEPSIE  
PAUL ACKERMANN  
Corporation Counsel

By:   
Paul Ackermann, Esq.,  
Corporation Counsel

**RESOLUTION**  
**(R-16-18)**

**INTRODUCED BY** \_\_\_\_\_:

**WHEREAS**, the Potter House, Inc. a local not-for-profit organization 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 which is 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 previously entertained a resolution waiving the tax liens for the property, which resolution was vetoed by former Mayor Tkazyik; and

**WHEREAS**, the Common Council is desirous of assisting the Potter House, Inc. while addressing concerns raised by former Mayor Tkazyik and as such are considering this new resolution; 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 it further

**RESOLVED**, that the City's forbearance of the City held 2008, 2009, 2010, 2011, 2012, 2013 and 2014 shall be subject to the Owner executing a mortgage in favor of the City in an amount equal to the total liens waived in form and substance as approved by Corporation Counsel and containing the following conditions:

1. The mortgage shall be interest free and payable in a lump-sum on the fifth anniversary; however, the mortgage shall be forgiven provided that the Potter House, Inc. obtains a Certificate of Occupancy for use of the premises as a youth center.
2. At all times while the property is mortgaged, the owner shall maintain property insurance for a least the amount of the loan, naming City of Poughkeepsie as a loss payee and providing proof of insurance to the City.
3. The building shall be maintained free of graffiti and in compliance with Article III of Chapter 14 of the Code of Ordinances of the City of Poughkeepsie as well as §§9-6; 9-7 and 9-10 thereof.
4. Prior to execution of the Mortgage, the owner shall provide proof that all liens against the property have been satisfied with the exception of those tax liens held by the City.
5. The City at its discretion which will not be unreasonably withheld and upon written request, will subordinate its interest in the property.
6. The mortgage shall be immediately due and payable upon a transfer of the property or dissolution of the Potter House, Inc. Be it further resolved,

**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** \_\_\_\_\_.

# FISCAL IMPACT STATEMENT

Name of Action: Waving Tax Liens for the Potter House, Inc.

Resolution No.: R-16-18

Prepared by: Corporation Counsel

Description of Action: The Resolution if adopted would effectively waive tax liens which currently are a lien on the former YMCA building now owned by the Potter House, Inc. The liens are for years 2008-2014 and total approximately \$102,000. The amount of the liens would be rendered to a mortgage so if the Potter House does not obtain a CO for a youth center in five (5) years, the mortgage would be due and payable.

## CURRENT YEAR COST/SAVINGS/REALLOCATION

Total Expenditure:	None	Source of Funds:	_____
Total Revenue:	\$102,000 +/-	Effected Fund:	Previous Years tax collection
Total Appropriation:	_____	Appropriated From:	_____
Current year net cost/savings:	None	<b>NO PROJECTED FISCAL IMPACT</b>	
Future years cost/savings:	Unknown		

### Analysis:

The amount of revenue affected is from prior years and is uncollected. It is likely that these amounts will remain uncollected and will only be enforceable by virtue of the City taking title to the property and thus selling the building. The building recently was sold at auction and the only bidder was the Potter House, Inc. which obtained the building for minimal consideration and obviously not enough to cover the liens.

If the owner is unable to rehabilitate the property into a youth center, then the lien amount will be subject to recapture as the City will require the owner to sign a mortgage.

Prepared by: \_\_\_\_\_

Approved By:

\_\_\_\_\_  
Commissioner of Finance

\_\_\_\_\_  
Mayor

**RESOLUTION**  
**(R-16-19)**

**INTRODUCED BY COUNCILMEMBER \_\_\_\_\_ :**

**WHEREAS**, there currently is an opening in the Department of Public Workers for a MEO/SWI Grade 8; and

**WHEREAS**, the Commissioner of Public Workers has requested that the position be replaced with a Sanitation Worker Grade 4; and

**WHEREAS**, the change in position will not have an impact of the 2016 budget; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the 2016 Budget for the City of Poughkeepsie is hereby amended as follows:

Budget Line	Description	# of Positions FROM	# of Positions TO:	Salary Grade
18.08.8160.7103	Sanitation Worker	5	6	4
18.08.8160.7103	MEO/SWI	8	7	8

**SECONDED BY COUNCILMEMBER \_\_\_\_\_**

**RESOLUTION**  
**(R-16-20)**

**AMENDING CITY EMPLOYMENT APPLICATION TO NO LONGER REQUIRE  
DISCLOSURE OF PAST CRIMINAL HISTORY DURING INITIAL JOB  
APPLICATION PROCESS**

**INTRODUCED BY COUNCILMEMBER \_\_\_\_\_:**

**WHEREAS,** the County of Dutchess has adopted a policy effective February 1, 2016 whereby the Dutchess County Department of Human Resources will discontinue use of questions about criminal history or employment dismissals on exam and recruitment application forms; and

**WHEREAS,** Dutchess County advises that effective February 1, 2016 appointing authorities such as the City of Poughkeepsie, whom rely upon the County Civil Service list, will be solely responsible for performing pre-employment screening and background checks on applicants according to their own policy; and

**WHEREAS,** the City recognizes that there is an increasing need for employers to work with public and private agencies to find employment opportunities for ex-offenders while ensuring that public safety is still protected; and

**WHEREAS,** positions of employment with vulnerable populations including children and the elderly and safety sensitive job positions will continue to require full criminal background investigations on job applicants.

**NOW, THEREFORE BE IT RESOLVED,** by the Common Council of the City of Poughkeepsie that the City declares a commitment to increase job opportunities for individuals with previous criminal convictions and the City will amend its employment application to no longer require disclosure of past criminal history during the initial job application process for certain job positions within the City; and

**BE IT FURTHER RESOLVED,** that the City Administrator is directed to revise the City's application policy to ensure that such questions are removed from the initial job application process, but that consideration of the criminal history is evaluated and taken into account after an application has been submitted and before the individual is considered for hiring.

**SECONDED BY COUNCILMEMBER \_\_\_\_\_.**



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
	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"/>

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 12<sup>th</sup>. 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

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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.

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**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

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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.

\$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: Ernest Coates 1/13/16

THE CITY OF POUGHKEEPSIE

BY: \_\_\_\_\_

APPROVED JAN 06 2016

R15-13			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](mailto:packermann@cityofpoughkeepsie.com)



62 Civic Center Plaza  
Poughkeepsie, New York 12601  
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**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**

R15-14			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](mailto:pAckermann@cityofpoughkeepsie.com)



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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

**RESOLUTION**  
**(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**

R15-15			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 Herrmann	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"/>

**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](mailto:packermann@cityofpoughkeepsie.com)



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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	Councilmember Young	Voter	<input checked="" 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"/>	Tabled	Councilmember Hermann	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 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"/>

**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 86 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.

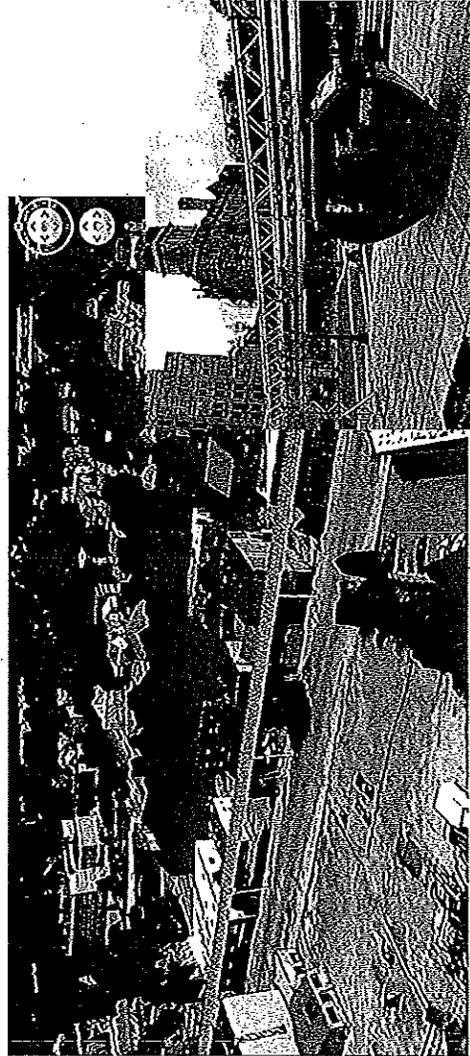
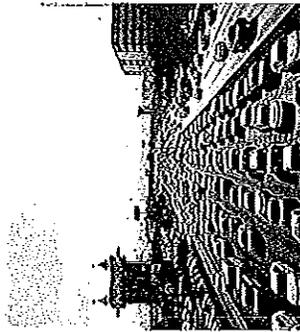
**Emissions:** Zero.

**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  
(812) 414-4211  
Bill.James@jpods.com

Roughkeepsie, NY - www.JPods.com



The City of

Office of the Mayor

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!

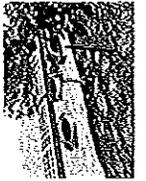
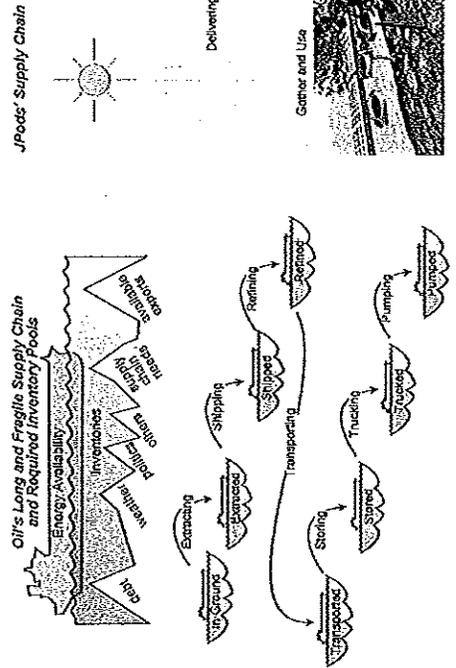
*Jim Manilla*

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.



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**

**RICHARD J. BURKE, JR.**

ATTORNEY AND COUNSELLOR AT LAW  
25 MARKET STREET, SUITE 700  
POUGHKEESIE, NEW YORK 12601

NY & FL Bars

TELEPHONE: (845)790-0845  
FACSIMILE: (845)790-1223  
EMAIL: rjburkejr@aol.com

January 12, 2016

Hon. Rob Rolison  
City of Poughkeepsie Mayor  
62 Civic Center Plaza  
Poughkeepsie, NY 12601

VIA CMRRR

Re: Sally Ciampaglione – Notice of Claim  
DOL: 10/21/15

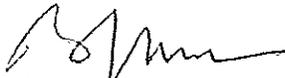
Dear Mayor Rolison:

In accordance with GML 50-e, enclosed herein for service upon the City please find a Notice of Claim on behalf of the above referenced client.

Please advise if the City wishes a 50-h examination.

Please call with any questions. Thank you.

Very truly yours,

  
RICHARD J. BURKE, JR.

enc.

2016  
CITY OF Poughkeepsie  
CITY CHAMBERLAIN  
JAN 25 PM 12:43

RECEIVED  
JAN 19 2016  
CITY ADMINISTRATOR'S  
OFFICE

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF DUTCHESS

-----X  
SALLY CIAMPAGLIONE,

Claimants,

-against-

THE CITY OF POUGHKEEPSIE,

Defendants.  
-----X

TO: THE CITY OF POUGHKEEPSIE  
62 Civic Center Plaza  
Poughkeepsie, New York 12601

NOTICE OF CLAIM

2016 JAN 25 PM 12:44  
CITY OF POUGHKEEPSIE  
CLERK OF COURT

PLEASE TAKE NOTICE that the claimant, SALLY CIAMPAGLIONE, hereby files a claim against THE CITY OF POUGHKEEPSIE for personal injuries, medical expenses, and other damages generally sustained by them on account of the personal injuries suffered by claimant and in support thereof, the claimant state:

1. The post office address of the claimants is 432 Willow Tree Road, Milton, New York.
2. Claimant's attorney is RICHARD J. BURKE, JR., ESQ., 25 Market Street, Suite 700, Poughkeepsie, New York 12601.
3. The claim of claimant, SALLY CIAMPAGLIONE is for personal injuries with resultant pain and suffering, scarring and other sequelae sustained by claimant, SALLY CIAMPAGLIONE, and for present and future medical services and expenses and for loss of income incurred all due to the negligence of THE CITY OF POUGHKEEPSIE, its agents, servants and/or employees as set forth herein.
4. The time when the claim arose and the time when the injuries hereinafter alleged were sustained was approximately 12:45 P.M. on the 21<sup>st</sup> day of October, 2015.
5. The particular place of the accident which occurred was on the westerly sidewalk of

South Hamilton Street on the block between Cannon Street and Main Street in an area approximately two (2) to three (3) feet from the southbound travel portion of South Hamilton Street in an area in between the front of the entrances to 17 and 19 South Hamilton Street in the City of Poughkeepsie, New York, at which time claimant, SALLY CIAMPAGLIONE, while walking on the sidewalk, which upon information and belief was owned, maintained and controlled by THE CITY OF POUGHKEEPSIE, was caused to be precipitated to the ground as a result of a hazardous and dangerous condition as more particularly set forth below, causing her to sustain severe personal injuries. More particularly, THE CITY OF POUGHKEEPSIE, its agents, servants and/or its employees caused and/or permitted a structure (or structures) which had, at some time prior thereto, been affixed to the sidewalk, to be removed from the subject sidewalk area while leaving four (4) bolt like appurtenances, each approximately two (2) to three (3) inches in height protruding from the sidewalk in a generally square configuration with approximately six (6) to eight (8) inches in between each of the bolts, thereby creating a trap-like trip hazard.

6. The negligence of the defendant, their officers, agents and/or employees was in causing and/or permitting the aforementioned premises to become and remain in a dangerous, hazardous and unsafe condition; in failing to take those steps necessary to avoid the contingency which herein occurred despite creating said condition and/or having actual and/or constructive notice of same; in failing to maintain and/or supervise the aforementioned area; in failing to warn the claimant and others herein of the aforementioned dangerous, hazardous and unsafe conditions; in failing to properly supervise and maintain the aforesaid sidewalk; in failing to keep the sidewalk area safe; in causing, allowing and/or permitting a dangerous condition to exist and remain and defendant was in all other ways negligent, wanton, reckless and careless.

7. By reason of the negligence, carelessness and recklessness of the defendant, claimant

SALLY CIAMPAGLIONE suffered grievous bodily injury, including but not limited to her head, neck, right shoulder with scarring, left knee with scarring and left hip with medical expenses, lost wages and other losses.

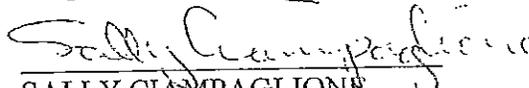
8. Said injuries happened entirely through the negligence and/or culpable conduct of the defendant herein, their offices, agents and/or employees without negligence on the part of the claimant herein.

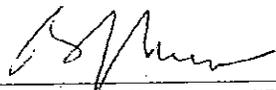
9. Upon your failure to pay such claim within the statutory period provided therefore, it is the intention of the claimants to commence an action against THE CITY OF POUGHKEEPSIE and such others as may be liable therefore to recover the damages sustained by this claimant as hereinbefore set forth.

WHEREFORE, claimants respectfully demand payment for and adjustment of said claims together with such other and further relief as is just and proper.

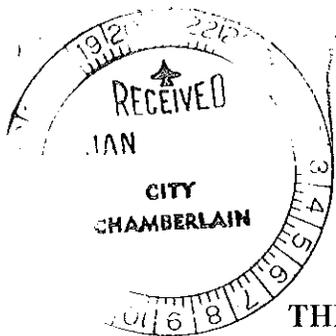
Dated: Poughkeepsie, New York  
January 11, 2016

Respectfully yours,

  
SALLY CIAMPAGLIONE

  
BY: RICHARD J. BURKE, JR., ESQ.  
Attorney for the Claimant  
Office and P.O. Address  
25-Market Street, Suite 700  
Poughkeepsie, New York 12601  
(845) 790-0845

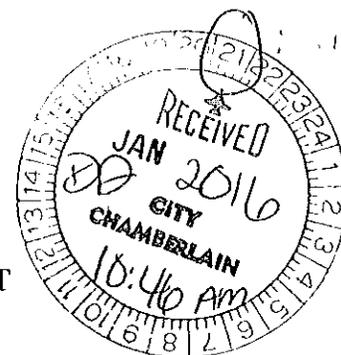




**NOTICE OF CLAIM**

In the Matter of the Claim of  
**NIA BRYANT**  
- against -

**THE CITY OF POUGHKEEPSIE, NEW YORK and  
THE CITY OF POUGHKEEPSIE POLICE DEPARTMENT**



TO: The City of Poughkeepsie, New York and The City of Poughkeepsie Police Department  
• 62 Civic Center Plaza • Poughkeepsie, NY 12601

PLEASE TAKE NOTICE that the undersigned claimant hereby makes claim and demands against you as follows:

**1. Name and post office address of each claimant and claimants' attorneys is:**

**Claimant**  
NIA BRYANT  
43 Brewer Road  
Newburgh, NY 12550

**Attorney**  
ANREDER & GEORGE, ESQS.  
143 W. 29<sup>th</sup> Street, Suite 1104  
New York NY 10001  
(212) 967-2011

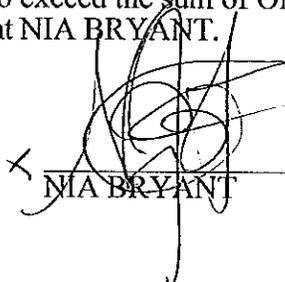
**2. Nature of Claim:** The nature of the claim is for unlawful search and seizure, unlawful arrest, false imprisonment, assault, battery, excessive force, negligence, negligent hiring, racial profiling, discrimination based race and age [42 USC 1983] and all other damages allowed by statute and case law as a result of the intentional, reckless, careless and negligent conduct of THE CITY OF POUGHKEEPSIE, NEW YORK and THE CITY OF POUGHKEEPSIE POLICE DEPARTMENT, their agents, servants and employees.

**3. The time when, the place where and the manner in which the claim arose:** The incident arose on October 31, 2015, at approximately at 12:30 AM, outside the premises known as The Loft, located at 6 Crannell Street, City of Poughkeepsie, State of New York. At the aforementioned time and place, the claimant, who was lawfully present at said location, was subjected to an unlawful stop, excessive force, and falsely arrested and falsely imprisoned by members of the City of Poughkeepsie Police Department, their agents, servants and/or employees, without probable cause. In the course of said unlawful arrest, claimant was unlawfully detained, thrown against an automobile, assaulted, beaten, manhandled, handcuffed on a public sidewalk, detained in a police car and driven to the precinct, where she was placed in a holding cell for over three (3) hours and then released. Said occurrence and the damages sustained by the claimant were due wholly and solely to the intentional, negligent, careless and reckless conduct of THE CITY OF POUGHKEEPSIE, NEW YORK and THE CITY OF POUGHKEEPSIE POLICE DEPARTMENT, their agents, servants and/or employees without any contributory negligence on the part of the claimant.

**4. The items of damage or injuries claimed are:** Claimant, NIA BRYANT, sustained severe permanent personal injuries, the full extent of which are not presently known, including but not limited to, upon information and belief, a fractured right elbow, laceration, bruising and trauma to the right arm. Claim is for personal injuries, hospital, physician and other medical expenses, pain and suffering, loss of quality and/or enjoyment of life and loss wages/income. Claim is also for damages resulting from the unlawful arrest, unlawful confinement and/or imprisonment and deprivation of liberty, and all other damages to which claimant is entitled to by case law and statute including but not limited to 42 U.S.C. § 1983.

5. **Total Amount Claimed:** Said claim and demand is hereby presented for adjustment and payment. You are hereby notified that unless they are adjusted and paid within the time provided by law from the date of presentation to you, the claimants intend to commence an action in these claims. Claim is made for personal injuries not to exceed the sum of ONE MILLION (\$1,000,000.00) DOLLARS on behalf of claimant NIA BRYANT.

Dated: New York, New York  
November 6, 2015

  
\_\_\_\_\_  
NIA BRYANT

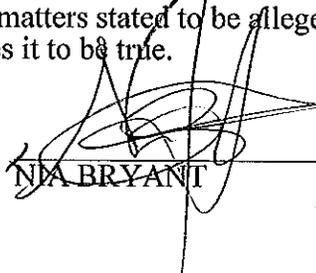
**VERIFICATION**

STATE OF NEW YORK

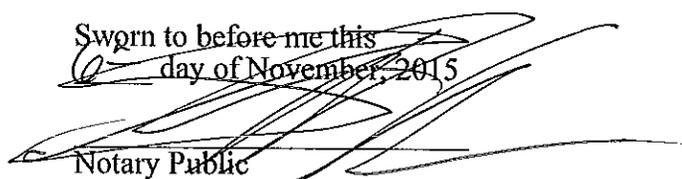
ss.:

COUNTY OF NEW YORK

NIA BRYANT, being duly sworn, deposes and says that deponent is the above named claimant; deponent has read the foregoing NOTICE OF CLAIM and know its contents; the same is true to deponent's knowledge, except as to those matters stated to be alleged upon information and belief, and as to those matters deponent believes it to be true.

  
\_\_\_\_\_  
NIA BRYANT

Sworn to before me this  
6 day of November, 2015

  
\_\_\_\_\_  
Notary Public

SCOTT ANREDER  
Notary Public, State of New York  
No. 02AN5073183  
Qualified in New York County  
Commission Expires Feb. 18,

2019

**ANREDER & GEORGE, ESQS.**  
Attorneys for Claimant  
143 W. 29<sup>th</sup> Street, Suite 1104  
New York NY 10001  
(212) 967-2011