



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Tuesday, January 19, 2010 6:30 pm City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

**II. REVIEW OF MINUTES:
October 5, 2009**

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

Addendum: Motions and Resolutions
Removal of Resolution R- 10- 25, authorizing the extension of the Para-Transit Agreement with Dutchess County.

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

Ken Stickle- Catherine Street- stated before Council that he attended the last school board meeting; and was concerned with the city having a truant officer. He is concerned why schools are not staggered. He strongly believes that the

city of Poughkeepsie police and school district need to work together. He also believes that the city schools need metal detectors. He stated before the Council that tomorrow there will be a board meeting he hopes that more people attend.

He stated that he received the updated the sanitation ordinance with his tax bill. He stated that if possible to consider having the garbage cans placed back neatly. Mr. Stickle agrees with the Mayor; the city needs to work together. The city needs to focus on uptown area and not so much on the water front. He wants to encourage people to go through their wards; the city needs a better juvenile division.

Gus Kozalias 47 Noxon Street- he wanted to follow up on the sanitation ordinance and state that sanitation does a great job. Mr. Kozalias fights for garbage men; that is a tough job. He also wanted to take the time to comment on the Mayor's State of city; he is concerned with the star program being eliminated.

William Smith- 42 Columbia Street- stated before Council that he noticed the new developments for example: VBMC, DRA, and Section 8 are all expanding; as a home owner will taxes increase. He is concerned why as a resident he can not have off street parking; he reviewed plans/resolutions to grant off street parking at own expense as a senior citizen.

John Fisher- 149 Academy Street- he has not been aware of the new Council members and it is now the 3rd Common Council meeting. He stated that previously the new/old ordinances were posted now they have been removed. He stated that he would not like for this Council to work in secrecy.

Janet Husten- Rinaldi Blvd. - she wanted to take the time to thank the Mayor on his state of the city address. She noticed that the Mayor referenced history several times; yet there is discussion of amendments to the Ordinance this evening. She stated before Council that history/culture should come before any future planning. The city must keep the importance of history in mind.

V. MAYOR'S COMMENTS:



The City of Poughkeepsie
New York

John C. Tkazyik
Mayor

City of Poughkeepsie, N.Y.

State of the City
Report for 2009

Presented January 19, 2010
By John C. Tkazyik, Mayor

Good evening Chairman Klein and members of the Common Council, members of the public, staff, union leaders, and members of the press. A special welcome to the invited guests with us here tonight; Community Activist John Flowers, Poughkeepsie Public Library District Executive Director Tom Lawrence, Vassar Brothers Medical Center CEO and President Dr. Daniel Aronson, State Parks Delegate Art Gellert, Walkway Chairman Fred Schaeffer, Mike Duffy representing the Dyson Foundation, Jason and Darin Page representing Page Park Associates.

2009 presented many challenges, but with all our efforts, Poughkeepsie will move forward. I am pleased to congratulate Chairman Lee David Klein, Vice Chairman Paul Herman, Majority Leader Thomas Parise, and Minority Leader Robert Mallory on their new Common Council leadership roles. Further recognition goes to former Council Members; Penny Lewis, Dennis Weinel, Joe Rich and Brian Doyle for their time and service.

Congratulations to new Council Members Ralph Coates and Yvonne Flowers on their elections and recent appointments to the School Board of Education Liaison Committee. Mr. Coates and Ms. Flowers have scheduled a meeting with school officials, and will address many difficult issues such as; unanswered requests from myself and Chief Knapp to stagger dismissal times between the Middle School and High School to ease the burden on our Police Department, work to restore the Student Mediation Program to prevent our youth from entering the criminal justice system, firmly request Administrators be more visible at dismissal, implement the use of metal detectors, continue on the commitment to discipline students that break the law off school grounds and fulfill their agreement to convey Malcolm X Park to the City. Overall, the School District needs to become accountable for its operations. The school district website even refers taxpayers for questions about delinquent school tax bills to City Hall. This sends a confusing message to taxpayers that City Hall is responsible for more than just collecting taxes on behalf of the school district.

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All our efforts should be focused on avoiding a tragedy similar to what occurred in Newburgh recently where a 13 year old stabbed a 17 year old to death. I fear without stronger leadership at the High School that Poughkeepsie Schools are prone to this type of violence as well. I look forward to a fresh partnership with the Common Council and School officials that I am confident will produce positive results in 2010.

In addition to outgoing Council Members, 23 employees retired last year resulting in 650 years of experience leaving the employment of the City of Poughkeepsie. Please hold your applause until all our former employees have been recognized. Steve Antenucci Sr., Theodore "Teddy" Alston, Karen Callahan, Veronica Cussick, Derek Czaplicki, John Fox, Tom Ghee, Donna Glanzberg-Davidson, Joseph Hatch, Mike Hendryk, Gary Higgins, Mary Hinrichs, Gregg Hosier, Luis Juncosa, Raymond Lake, Duncan Mac Isaac, Peter Mulvey, Susan Sanderson, Bill Siegrist, Ann Marie Spiciarich, Edward Ticcony, Jere Tierney, and there should be an investigation into this last one, Dom Verdi. These committed public servants have all greatly contributed to Poughkeepsie, and its progress, so I thank each of you for your service and wish you well in your future endeavors. I also recognize our existing employees. Operating local government in these times requires diligence, perseverance, dedication, intelligence, and patience. Effective public service, both elected and civil service, demands deep motivation and the intrinsic ability to grind through the necessary tasks that too often go unnoticed. I am consistently impressed with our workforce, our supervisors, and our department heads who have accomplished their responsibilities magnificently with limited resources and cuts to overtime. On behalf of the Common Council, Administrator Long, and the citizens of the City of Poughkeepsie, I thank you.

In addition to expressing gratitude for the public servants here in Poughkeepsie, I send special thanks to those who serve in the military both home and abroad. Without them, the liberty we enjoy would not exist. Our military is not only tasked with protecting our national interests, but is also called upon to deliver humanitarian aid when a natural disaster strikes. We have watched the devastating effect that the earthquake has on the nation of Haiti and its people. Our sympathies and prayers go out to the Haitian people. At this time I ask that we have a moment of silence for each of us to express our gratitude for those who fight to keep us free and for those who are suffering terribly in Haiti.

PAUSE

On this day of January 19, 2010, Pursuant to Section 3.02 of the Charter, I will focus on the areas that concern the people and to report on the State of our City. We continue to fight the battle against spending and taxes, we remain steadfast in our war on crime, and our economic development projects are going full speed ahead. These objectives are the prime focus of our resources and the foundation of my administration's agenda. Our new team of elected officials and my administration will continue to expand the tax base, scrutinize every expenditure, enhance public safety, bolster the quality of life, strengthen the delivery of youth services and streamline the workforce whenever feasible to accomplish these initiatives.

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We are less than one month into 2010 and we are making steady progress towards these goals. Community Development Block Grant funding from the federal government through HUD (Housing and Urban Development) is an essential resource for youth services and infrastructure improvements. The 2010 Council has re-established the City's compliance with HUD regulations which in-turn will secure the funding that is critical to our City.

The Ethics Committee chaired by Judge Roland Butts, did an excellent job drafting an improved Ethics Code for employees and elected officials to follow while we conduct the people's business. Last years' Common Council made unnecessary changes to the Committee's recommendation and adopted a substantially different Ethics Code without input from staff and approval of the Corporation Counsel. The unanimous vote on January 2nd repealed that Ethics Code and the Committee will have a draft before the Common Council within the next six months.

Recent employee retirements gave me an opportunity to re-structure some departments to achieve higher performance. At the first meeting of the Common Council a public hearing was set to discuss transferring the Building Division from the Fire Department to the Development Office, allowing the delivery of services to be streamlined and a new level of accountability. Upon the adoption of this local law, Fire Department administrators can re-focus on enhancing public safety, water flow projects and training.

Last year, the Fire Department completed its annual fire hydrant testing program resulting in the smallest number of out of service hydrants in the City's recent history. Further, firefighter emergency response times remain impressive, with personnel being on-scene and operating in 5 minutes or less for 94% of all calls. The rank and file firefighters in our department should be commended for their dedication and service. The people of Poughkeepsie should be comforted knowing that in any life or fire emergency, firefighters are only minutes away.

Relieving the burden of the Building Division from the Fire Department should improve the effectiveness of this department and allow the Fire Chief more time to address the many needs of our first emergency responders. For example, the City is without an ambulance service contract and Assistant Corporation Counsel Ackermann and the Fire Chief has issued a "request for proposal" to obtain such services. EMS calls are being handled currently by a provider until the RFP is answered and the administration can sign a contract beneficial to the citizens of Poughkeepsie.

The 2010 Common Council has amended the adopted budget to be more consistent with the Mayor's budget, and this is why it makes perfect sense:

The Police Department was allocated over 1 million dollars for overtime in 2010, including adequate foot patrols. The Police Department did not request an additional \$90,000 of overtime and Chief Knapp has indicated he prefers not to increase overtime funding for Police at the expense of staff cuts to the highly utilized Law Department. The Assistant Corporation Counsel position was restored by the new Common Council to process claims for Police injuries, to keep officers patrolling our streets, and not sitting in

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court waiting for proceedings while on overtime, which Assistant Corporation Counsel provides with no overtime costs. The position was restored to prosecute Nuisance Committee matters and prosecute other frequent offenders, to protect the City from claims, to administer the City's self-insurance plan, adjudicate claims, handle more litigation "in-house", expedite economic development, reduce the City's Workers' Compensation costs, prosecute personnel disciplinary hearings, and support the overall operations of City Hall.

Despite reduced budgets and staff time reduction, the office of Corporation Counsel successfully managed the negotiation of Police, Fire, Joint Water Plant and CSEA employee contracts in 2009, assisted with the opening of the Luckey Platt building and facilitated retention of the Social Security Administration in downtown Poughkeepsie. The office of Corporation Counsel managed waterfront development and environmental clean-up projects, absorbed the function of property development, managed the overwhelming and tedious tasks of parking ticket adjudications, prosecuted thousands of quality of life ordinance violations, and consistently offers expert legal advice to any employee who walks in that office.

Yet, despite the City's urgent need for an adequately funded Law Department to continue these vital services and prosecutions, the 2009 Common Council insisted on appropriating considerable City tax dollars for pet projects without going through any merit based selection process.

The current Common Council has amended the budget to pay for a comprehensive review of how the City and our partners deliver youth services so that a more global approach can be implemented versus the historical "band-aid" approach. Acting on the recommendation of Council Member Coates, this money was appropriated to establish a youth study to assure that tax dollars will be effectively spent in the future. The City spends nearly \$400,000 a year on our youth, especially high risk youth, we co-hosted over 40 community events and this study will streamline how our community delivers these services to ensure that we get the most value out of each tax dollar. Not-for-Profit Organizations, Churches and government agencies are all involved in youth services; let's obtain cooperation, verify results, reduce waste, establish consensus, and share services wherever possible. The taxpayers deserve efficiency and our youth deserve effective programs with measurable results.

Our children need our attention, and our guidance. They need a place where they can go to feel safe, to be productive, explore their interests, and build upon their career goals. They also need and deserve to have input in the future of our City. We will continue to appeal to the youth of our City to tell us what they need and what we can do to help them be successful. Due to the recent rise of youth violence, it is imperative for the City to undertake this examination of all youth services. With limited resources to fund all youth programs, a youth specialist will examine how existing funds can have the greatest impact. I thank and commend the 2010 Common Council for the courage to dismiss the rhetoric and provide the administration with the tools to govern more effectively.

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These are the most challenging times in a generation for taxpayers, families and our City. As your Mayor, I am committed to rejecting the old failed traditions that divide us in favor of reformed practices and traditions that the people of the City can have confidence in.

The people can also have confidence that every expense is being reviewed, the fund balance is protected, cost savings are being implemented wherever and whenever possible, declining revenues are being monitored, new revenue sources are being researched, current financial data is acted upon, and we are keeping a watchful eye on Albany. In short, your City Government is NOT conducting "business as usual". Caution will be our path to fiscal recovery.

The 2010 budget has no increase to the levy and is a reflection of this multi-faceted approach and the daily evaluation that took place in 2009. Among the actions taken last year are reductions of vehicle usage, a 10% reduction in appropriated expenditures, an early retirement incentive, and a hiring freeze of non-public safety positions. 2010 spending was reduced by 1 million dollars commensurate with revenue trends and lessening of the workforce through attrition. Borrowing has been reduced by 3 million dollars, taxes were reduced to 83% of sampled home-owners depending on the particular assessed value, health insurance costs were reduced, and core services have been maintained.

The City joined the Municipal Electricity and Gas Alliance and has realized savings of over \$360,000 since joining in March of last year. Further energy cost reductions were accomplished by participating with the Exxon Mobil Gasoline Cooperative, saving over \$230,000 last year. We began an Energy Conservation Study through the New York Power Authority to evaluate 8 City buildings including: City Hall, 2 fire stations, water and waste treatment plants, parking garages, and traffic signals. The City received an \$184,000 stimulus energy grant which will be combined with NYSERDA and Central Hudson Energy grant programs to make City facilities as efficient as possible. Administrator Long is also researching the practical use of solar panels and geothermal energy to reduce energy operating costs at City Hall.

This past summer, the City began the project of replacing its antiquated and costly phone system. The goal was to replace the system and produce enough savings that would pay for the new phone system while increasing functionality. The City will go from three service providers to one provider using the T1 line system for connections. The savings of over \$50,000 in annual charges will pay for the new phone system in less than two years. During the current installation process, over 26 active unused regular phone lines have been identified and discontinued, providing for additional savings to the City.

Another significant initiative undertaken by the Finance Department was the collaboration with Dutchess County Government in acquiring new copiers. Although seemingly insignificant, the potential for cost savings is tremendous in adopting the "networked copier / printer program" of the County. The City has over 275 computers with over half having their own printers. By networking the printers to a central photo-

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copier, the City will eliminate at least half of the personal printers and fax machines saving thousands of dollars in ink toners and maintenance.

In early 2009, the City decentralized our mailing system. The City's post office box was eliminated along with rental costs; the postal service agreed to deliver and pick-up mail from City Hall; and mail processing was returned to each department. This saved the City over \$50,000 in personnel costs, and handling costs have significantly decreased. The four union contracts settled in 2009 produced a very positive change in helping control health insurance costs. Through the vision of the Law Department and union negotiating teams, the City was able to implement a Health Reimbursement Arrangement to all employees enrolled in the MVP health plan. The HRA program is expected to provide annual net savings to the City of at least \$330,000 in 2010 and more as years progress. The restructuring of health insurance providers will also bring additional savings to the City.

In addition to reducing expenses, steps have been taken to increase City revenue. The tax lien sale yielded \$1.47 million to the City, which was \$130,000 more than 2008. For the second year, the City conducted an online auction for impounded and obsolete vehicles that generated almost \$70,000 in revenue that will continue to support the high rate of impoundment.

The 2010 budget includes \$80,000 in revenue for advertising opportunities on our buses and bus shelters. The City has partnered with Ad-Ventura, LLC to promote and sell advertising space. The City receives a portion and will also receive new bus shelters at no cost to the taxpayer.

Sudden declines in revenue and pressure from the courts re-classifying property as tax-exempt is reducing property tax revenues and as a result, compels us to look at the overall allocation of tax liability between taxpaying residential properties and tax-exempt properties. The cost of garbage related services are on the rise, and should be paid for by all users. For that to happen there must be changes to the current system. Any change to the tax liability regarding garbage pick-up would not be imposed on any particular residential property and businesses currently use private haulers.

The Finance Department, in collaboration with the Law Department staff, is examining the feasibility of a sanitation pick up user fee to be discussed this year, and implemented January 1, 2011. The Common Council will be presented with a legislative proposal that will effectively end the subsidy that taxpaying property owners have paid towards tax exempt properties that utilize garbage and recycling pick-up, but do not pay city property taxes. This approach will create equity City-wide so that all properties utilizing City sanitation services will pay their fair share.

Roughly two-thirds of the water meters designed to measure water usage in the City are antiquated, and may not accurately measure the volume of water being used by households and businesses across Poughkeepsie. We are investigating the cost to replace them and the rate of return on that investment. Initial studies show that newer, more

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efficient meters capturing true water volume consumption should increase water and sewer revenues for the City and pay for the replacement of the old meters.

Other departments deserve recognition for generating revenues as well. A good example is the proper implementation of the taxi permit ordinance by the Chamberlain's office. The collection of the additional \$50 for taxi inspections generated over \$10,000 in additional revenues.

The City of Poughkeepsie traditionally receives over 4.2 million dollars each year in Aid and Incentives to Municipalities, (AIM) funding from New York State to assist in our operations that is budgeted as revenue. AIM is a formula driven revenue from the State to assist urban, inner-cities like Poughkeepsie. Governor Paterson issued many statements last year that based upon New York State's budget shortfalls, cuts and delays with AIM funding would occur to all cities benefiting from the program. In fact, Governor Paterson announced today that New York City's AIM funding of 300 million dollars has been completely zeroed out.

The City received \$400,000 less than was owed by New York State in 2009. After our 2010 budget was adopted, the Governor's budget office indicated that another 25% to 50% cut could happen in 2010 with the commitment possibly disappearing entirely by 2011. When the Governor's proposed budget is amended by leadership of the Assembly and Senate, and despite all the cost cutting measures and workforce reductions, the City and the taxpayers cannot afford to maintain the current level of services and staffing. A revenue shortfall of 1 million dollars if cut by 25%, and 2.1 million dollars if cut by 50%, will have a devastating impact on the 2010 budget.

Raising taxes by over 12% to offset this single revenue shortfall, not to mention other revenue reductions, cost increases, and increasing pension payments on an already overburdened tax base is simply not an option. The taxpayer is already being squeezed by the County, the School Board of Education, and the IRS, and I will not support raising taxes by double digits. This is a sobering announcement and the prelude to a very challenging year of very tough decisions.

New York State will likely pass their budget in April, at which point we will know if the City lost the budgeted revenue. In an effort to be prepared, I have instructed Administrator Long and Finance Commissioner Bunyi to convene a series of department head work sessions to develop a contingency plan of cuts, workforce reductions, and service eliminations to cover the shortfall if the New York State legislature approves the cuts.

I am committed to seeing Poughkeepsie through this challenge but I will need the guidance and support from the members of my administration, the Common Council, union leadership, and our partners in the community to weather the storm. Establishment resistance will not be tolerated, and criticism without solutions will be rejected. A revenue breach of this magnitude does not have a political affiliation and neither does the way out. My goal is to have a consensus budget amendment ready to be implemented if

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the need arises, and an expense reduction of this size will be painful. There will be no "sacred cow"; all divisions will share in the pain and everything is on the table for discussion until we are through this fiscal crisis.

Unfortunately during tough times, communities, especially inner-cities, experience an increase in certain crimes. New York State, Dutchess County, and the City of Poughkeepsie are no exception. Crimes of opportunity such as robberies and vehicle break-ins are a major focus of the Police Department. Several arrests were made in November of last year, and as a result, the significant increase in crimes of opportunity has since leveled off with the offenders behind bars. 2009 closed with 4 homicides and 20 shootings, which was 2 fewer homicides than in 2008. It should be noted that half of the violent acts were in the first quarter of 2009. As a result, Chief Knapp targeted Community Policing Officers, the Neighborhood Recovery Unit, and Patrol Officers to statistically determined "hot spots". The Detective Bureau did their job quickly and efficiently, arrests were made, sentences have been levied, and some prosecutions are still ongoing.

Our City has traditionally carried its share of society's problems but it is our responsibility to fight those problems, and this year is no different. Senator Schumer and Congressman Hinchey understand the challenges we face and have provided the City with another round of COPS (Community Oriented Policing Services) grant funds keeping police officers employed and well equipped. The Senator and Congressman also provided a grant for public housing administrations to conduct more thorough background investigations of tenant applicants, further enhancing our safety efforts.

Assistance from the State Government with Operation Impact is an integral resource that Poughkeepsie has grown to depend on. State funding for overtime reimbursement allows for saturation patrols with multiple agencies such as the State Police, County Sheriff's Office, and the Town of Poughkeepsie Police Department. Operation Impact results in multiple arrests, crime prevention, and annually removes illegal guns from the streets. I thank Chief Ron Knapp and Heather Sansbury for administering all the grant opportunities with professionalism and thoroughness.

Pervasive problems such as crime never have just one solution, and while the Police Department is the tip of the spear, we must apply several strategies to tamp down crime. The community at large is a major component. The first step of many is creating forums for which the community can contribute solutions and another is acting upon what we hear from the community. My office, in conjunction with school officials, the Juvenile Division, and the Police Department organized summits at City Hall, the Middle School, and the Bardavon to do just that: listen to what the youth and adults of our community have to say. Not only did we listen to what the community has to say, but we acted upon the heartfelt and often times emotional comments expressed at the various forums.

Two clear and repeated requests expressed at the summits were expanded police visibility through foot patrols and improved surveillance camera coverage. From January through June we increased foot patrols from 2,287 in 2008 to 6,242 foot patrols for the same

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period in 2009. We also began extended foot patrols during the day shift in the central business district and main street corridor. Chief Knapp expects to expand the initiative this year in correlation with the arrival of warmer weather and cyclically determined criminal activity.

Further action was taken as a result of the summits by obtaining several grants to provide funding for an augmented surveillance camera project. The present system dates back to 1996 and although the system has been upgraded, it is in need of a major overhaul. The project will replace the City Hall camera monitoring infrastructure with new DVR's, and expand our wireless street cameras. It will replace existing monitors to the main desk and add monitors to the dispatch centers to allow for monitoring while officers are responding to emergency calls. Now that the funding is in place, the next step will be to design and prepare the system for bidding. If all goes well, Chief Knapp expects the new system could be completed in 2010.

Concurrent with these challenges, the Police Department has a temporary staffing shortage to contend with due to 9 retirements, 5 officers out on duty-incurred disabilities, and 6 more officers on restricted duty. Combined with 1 vacancy, these vacancies results in 21 sworn positions not being utilized. However, 6 vacancies will be filled during the month of February and geared in time for the "busy" summer season. Thank you to our dedicated police officers and personnel for their hard work, especially while we are experiencing multiple vacancies.

Despite a staffing shortage, the City of Poughkeepsie does not have higher violent crime rates than Newark, Newburgh or Middletown. Allow me to set the record straight: Based upon FBI reporting, our homicide rate by population in 2008 was 1 in 5,921, Newark is 1 in 4,176, Newburgh is 1 in 4,026, and Middletown is 1 in 5,186. Further, Newburgh had more acts of manslaughter, more motor vehicle thefts and more burglaries than Poughkeepsie. In comparing 2008 with 2009, the City had 33% fewer homicides, 56% fewer rapes, and 10% fewer larcenies. I consider one murder to be one too many and we will remain vigilant in the comprehensive fight to keep our neighborhoods safe.

To that end, three enhanced neighborhood sweeps on both the North and South sides of Poughkeepsie occurred this past year coordinated by the Police and Law Departments. "Safe Neighborhoods Across Poughkeepsie" is a coalition of resources and coordination of departments directed to combat blight in our neighborhoods identified by the Nuisance Committee. Police, Law, Zoning, Building, Sanitation, Fire, and Animal Control staff were tasked to target problem areas in our community, yielding considerable results. This effective and broad use of our workforce to enforce the maintenance of property is essential and will continue in 2010 and 2011.

With the restoration of Assistant Corporation Counsel Lynn DiCerbo to the 2010 budget, "Safe Neighborhoods Across Poughkeepsie" will have more tools in the coming months when a series of resolutions will be drafted by the Law Department and presented to the Common Council for their favorable action. This legislative package will be part of my "Neighborhood Recovery Initiative". While the City will continue to treat criminal activity as a Police issue, most crimes are multifaceted and require a dynamic approach. I

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will recommend the Common Council legislate sweeping revisions to the Building Code that will attack nuisance properties and landlords who harbor criminals and turn a blind eye to criminal activity. These nuisance properties significantly impact neighboring properties and endanger the public safety of our citizens.

These changes include a rental property registry which will require landlords of multi-unit apartments and commercial spaces to register with the City and subject their properties to inspections by the Building Department. I will also propose amending the definition of a nuisance property in Chapter 14 to include any parcel that is in violation for a year or more of any use regulation of the zoning law, or in violation of any court order, or decision finding that the use of the parcel violates any City or State use regulation.

Properties falling under this net, especially vacant properties, consume an exorbitant amount of our resources, whether it is the Police Department responding to trespassers, the Fire Department extinguishing fires set by vagrants, the Building Department investigating complaints from neighbors or DPW boarding vacant unsecured buildings. I will require new regulations that will compel owners of vacant properties to return them to useful life or pay an annual fee to cover the burden placed on the City and its taxpayers. Those who neglect properties purchased on speculation should not be permitted to do so at the expense of the City.

The City has been experiencing a steady increase in properties that have been abandoned and left for institutional foreclosure. Months may elapse before the City is put on notice of a pending foreclosure action. I have asked Corporation Counsel to devise legislation requiring the City to be notified of pending foreclosure actions, and naming an agent to be responsible for each property to be maintained and to prevent blight before it even begins.

Rooming and boarding houses continue to plague many of our older and historic neighborhoods. I will propose an amendment to the zoning code that will gradually eliminate rooming houses throughout the City. This phasing out approach will protect property owners' rights and also protect neighborhoods and Poughkeepsie's historical assets on a long-term basis.

An essential component to any sustainable recovery in an urban environment is economic development. Our development efforts have and will strengthen the tax base, create jobs, and improve the quality of life for all who live and do business here.

I am proud to report we have very exciting bricks and mortar development projects being completed, and an extensive list of projects in the pipeline that will contribute to the long-term health of Poughkeepsie.

One of those projects is the refurbishment and expansion of Adriance Memorial Library on Market Street. Congratulations to Executive Director Tom Lawrence, library staff, and the Board of Trustees for the successful completion of the project, and their re-opening. The project was skillfully managed by The Palombo Group, the same company

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that managed the construction of our new Public Safety Building at 505 Main Street. The restoration of the original portion of the Library along with the new construction of the facility has struck a balance between historical and contemporary that will serve our community well for many years. I encourage anyone who hasn't been to the Library to go visit and utilize this gem of downtown Poughkeepsie.

Last year, the Common Council sold property on the 500 block of Main Street to the Palombo Group that was home to the abandoned and dilapidated Imperial Lounge. It was hoped that the structure could be saved, but unfortunately the building had deteriorated too far and had to be demolished. This site has a history of violent crime dating back to the 1990's. However, the Palombo Group will soon be before the Planning Board to lay out their plans to develop the site, provide increased stability to the neighborhood and further complement the Public Safety Building across the street. Deep appreciation to Bob, Luis and Chris for an investment in Poughkeepsie that will result in the conversion of what was once an eye sore into new construction that will house a restaurant, new jobs, market rate apartments and be the new home of the Palumbo Group corporate office.

The principals of the Palombo Group are not the only visionaries with the courage to invest in Poughkeepsie. The Bonura Family is our partner in the southern waterfront development project and this partnership has much to be proud of. Shadows on the Hudson and The Grandview are a success, but we are not resting on our laurels. Now that the Brownfield remediation project is coming to a close, ground will be broken this year for the conduits and utilities this spring necessary for the overall development of further phases. The Bonuras have committed 30 million dollars into the DeLaval Waterfront Property that will create 150 new jobs on the site this year.

The PURA 14 site has been cleaned up, development is ongoing, and the increased parking will support existing operations of the restaurants and Vassar Hospital. I'd like to personally thank Joe Sr., Joe Jr., Michael, and the entire Bonura family for their resolve and unwavering commitment to Poughkeepsie.

The City not only invites new businesses to Poughkeepsie, but we also promote the expansion of existing employers. Vassar Brothers Medical Center is the number one employer in the City of Poughkeepsie and has announced a major expansion of the hospital's current campus. This 60 plus million dollar construction project, featuring a 78,000 square foot Ambulatory Surgery Center, Medical Office Building, and a parking garage, as well as retail space, will enhance the hospital's role as a regional referral center for decades to come. Groundbreaking is projected to begin this summer with completion of the project by fall 2011. In addition the City Industrial Development Agency is working on a PILOT agreement with Vassar Brothers Medical Center for the taxable portion of the property.

With a new ambulatory surgery center opening at Vassar Brothers, surgical patients will have access to expanded services, including a state-of-the-art environment for patients, surgeons, and staff. A new parking structure will provide almost 900 new spots for employees and visitors. This is perhaps the most exciting project in the Hudson Valley

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and we are blessed to have Vassar Brothers Medical Center domiciled here in Poughkeepsie generating hundreds of new jobs and stimulating our local economy. Dr. Aronson, thank you for your commitment to Poughkeepsie and please do not hesitate to contact me directly for any issues or concerns. The City will do everything it can to assist this project and will actively seek to cut red tape whenever possible.

Projects and investments of this magnitude are never easy but with the experience of Corporation Counsel Brian Morgan and City Engineer Rich DuPilka, I know we can overcome any obstacle in our journey towards success.

In addition to success on the ground, we can also point to success in the sky, and the "Walkway Over the Hudson" is another product of partnership. This linear pedestrian park connecting Poughkeepsie to the Town of Lloyd is a profound achievement that has already proven to be a catalyst for economic development. Walkway Board Chairman Fred Schaeffer, Rob Dyson, private donors, public donors, federal and state grants, and in-kind municipal services contributed by the City to this monumental undertaking resulting in thousands of people visiting Poughkeepsie and patronizing our restaurants and businesses on a daily basis.

Last year, the City of Poughkeepsie and local business sponsors brought back the 4th of July Fireworks attracting 15,000 people to Poughkeepsie. If private sponsors are found, The Walkway will be the premiere viewing spot for this year's fireworks attracting even more people to our City. I would also like to thank Art Gellert for working with me on creating the Walkway Advisory Committee that will discuss issues related to the Walkway such as parking, safety, installation of the elevator and traffic flow. I will invite Council members Parise and Mallory, as representatives of the adjoining Wards, to join me on this committee. It is inevitable for an attraction of this magnitude to create concerns, but we will get through them and always be mindful that the pros of the Walkway far outweigh the cons.

For example, the Walkway opened a few short months ago and it has already led to the opening of "Crave", by local Culinary Chef Ed Kowalski. This new restaurant on Washington Street has created new jobs and enhances the aesthetics of the neighborhood. Just around the corner by the entrance of the Walkway on Parker Avenue we will see the development of an Antique Center and new businesses moving into the abandoned diner on the corner of Parker and Fairview Avenue creating even more jobs and increased foot traffic.

In the very same neighborhood, on the old "Hamilton Reproductions" site, Taylor Manufacturing will be expanding its business by closing its plant in North Carolina and moving those jobs to Poughkeepsie. These expansion projects will connect Hamilton Street to Parker Avenue and thanks to the "Walkway Over the Hudson", what was once a forgotten neighborhood is now the epicenter of activity and growth.

You cannot talk about the Walkway opening without mentioning Jason and Darin Page of Page Park Associates. Special thanks to the Pages for hosting the reception at the

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Poughkeepsie Journal building and celebrating the opening with all the officials who contributed to its success. The Poughkeepsie Journal building was recently purchased by Page Park Associates and they didn't waste any time restoring this historical structure, its lobby, landscaping, clock tower, and outdoor patio. It should be noted that the Pages are not required to maintain the historical architecture of the building, but with the ongoing preservation efforts of the City, are doing so voluntarily as good neighbors. The Poughkeepsie Journal building will be the home of many businesses including long-time Poughkeepsie law firm Van DeWater and Van DeWater. As more businesses move to Poughkeepsie, foot traffic and public safety will increase and more employees will be spending money in our restaurants and businesses.

Another business moving to Poughkeepsie is ARCO, a fire suppression system company that has offered \$125,000 for the Booth Hose Fire House on Main Street. With favorable action by the Common Council, ARCO will renovate our old fire house, address the underground oil tank at their expense, relocate their employees, and operate their business here contributing to the stabilization of Main Street.

Further stabilization of Main Street will occur when we put to use the 2.3 million dollars in "Restore NY" funds on the troubled area of the Academy Street and Main Street corridor. For the second year in a row we have been awarded this grant and will utilize the funds to alleviate problems along the Academy Street corridor. The funds will present the Luckey Platt residential building with an even greater chance at sustainable success. This "Academy Street Initiative" block redevelopment effort will support private investment in this severely deteriorated neighborhood of vacant and condemned buildings and too frequent site of shootings.

Administrator Long has created a residential incentive parking program for Luckey Platt and Behrend's Court tenants and I regularly attend tenant association meetings with Community Police Officers. The Social Security Administration occupies most of the bottom floor and the building is over 70% occupied. Special thanks to Scott Sweeney for organizing the tenant association and allowing the City to participate in their discussions.

To connect development efforts at the Waterfront with the efforts on Main Street, my administration is collaborating with Metro North Railroad on a "Transit Oriented Development Plan". This development zone encompasses a 1 mile radius surrounding the train station and will move people between our businesses at the Waterfront to Main Street for even greater exposure. This broad effort, along with the Comprehensive Zoning Ordinance, is part of our overall development strategy.

The current zoning code has been in place since 1979 and the new consulting firm, River Street Planning and Consulting, was hired to work with staff and expects to release a draft this spring for public comment. The Zoning Committee is comprised of Development Director Laura Wojtowicz, planning and building staff, and Assistant Corporation Counsel Lynn DiCerbo. We are privileged to have volunteer members including Planning Board Chair Kelly Libolt, and ZBA Chair Bill Rohde on the committee as well. They bring a business friendly approach to the Zoning Committee

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and their respective oversight committees. My deep thanks to committee members for working on this complicated and time consuming project; your experience and knowledge has proven to be invaluable.

Any long-term development effort must include an infrastructure improvement component. The Hoffman Street Bridge replacement is the number one stimulus "shovel ready" project in the region. This 12.5 million dollar project has a \$120,000 local tax dollar commitment, but will greatly enhance the waterfront district and replace one of the most dilapidated bridges in the area.

I must thank the Poughkeepsie Dutchess County Transportation Council, the Dutchess County Supervisors and Mayors Association and Supervisor Jon Wagner for their support of this project. Completion of this project allows for greater mobility around the northern waterfront area.

We have received confirmation of an additional 3.3 million dollars in stimulus funding to support our businesses, major tourist attractions, with two additional hybrid buses; one to be converted to a trolley for downtown, waterfront, "Walkway Over the Hudson", and restaurant services. Further stimulus funding and money secured by Senator Schumer will be used for preliminary design and a new transit center located off Market Street across from the Civic Center, The Grand Hotel, and adjacent to the Financial Plaza Parking Deck.

There is not an infrastructure project undertaken at City Hall before consulting with City Engineer Rich DuPilka. He and his department completed the water distribution model, Cedar Avenue sanitary basin improvements, the MS4 storm mapping plan, hydrant flow testing, site plan reviews, engineering reports, and capital plan development. All of these tasks were accomplished "in-house", saving the City over \$300,000 in contracting costs.

In addition, Mr. DuPilka and the Engineering Department completed the Glenwood Avenue Water Main relining project, Whittier Boulevard water distribution improvements, the demolition of City-owned property on Rose Street, De Laval environmental remediation, and the De Laval tunnel installation. 2010 brings a long list of tasks as well, with scattered demolition of some City-owned buildings, De Laval waterfront walkway design, Meyer Avenue PS improvements, Hoffman Street Bridge reconstruction and continued sewer televising to identify structure problems in the City's aging sewer system infrastructure. Needless to say, any future retirement incentives will not be offered to Rich DuPilka.

Engineering is not the only department with an overwhelming workload and like 2009, 2010 presents itself with an aggressive agenda for all that work here. I look forward to having the Engineering Department back at City Hall, not only saving \$48,000 in rental costs but also keeping my go-to-guy, Rich DuPilka close at hand. We have exciting development projects ahead of us, but we also have trying financial hurdles that lay before us as well.

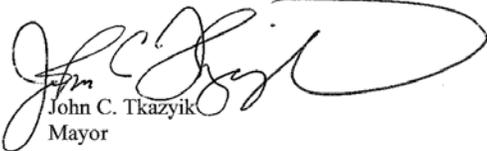
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In the onset of my third year as your Mayor I am energized, I am motivated, and I passionately look forward to tackling our collective challenges. Our local, state and national economy is in shambles, revenues are drying up; expenses are on the rise, families are struggling, and yet we have a responsibility to deliver essential services, adhere to labor contracts, and hold the line on spending and taxes. 2010 will be the year of impossible, yet necessary decisions, a year where the prudent choice may not be the popular choice. We have taken an oath to govern; we have a moral commitment to lead with conscience, and the human desire to help those who cannot help themselves. These responsibilities and aspirations must be accomplished with a balance between our financial and social obligations.

Poughkeepsie is a dynamic City with all social, economic, religious, and ethnic demographics represented; a City with neighborhoods in great need and neighborhoods that flourish. We are a City with a struggling school system, and a community that must carry the burden of a violent culture. I have transformed the Mayor's office into a workplace, with an open atmosphere that is simply committed to getting the job done and that is exactly what we are going to do.

I thank you for your time, your patience, and your continued support. God bless you and God bless the City of Poughkeepsie.

Respectively submitted,



John C. Tkazyik
Mayor

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Klein- wanted to take time to thank the Mayor for greetings, expressions, thoughts, and prayers over SEAP; the Mayor working very hard and for the commitment, expressing issues and challenges of the city and future planning.

VII. MOTIONS AND RESOLUTIONS:

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

Development Director Wojtowicz informed the Council of the designated 3.6 mile trail between the city of Poughkeepsie and the Town of Lloyd as a Hudson River Greenway Trail.

**RESOLUTION
(R-10-18)**

INTRODUCED BY COUNCILMEMBER HERMAN:

**GREENWAY TRAIL DESIGNATION OF THE WALKWAY LOOP TRAIL BY
THE CITY OF POUGHKEEPSIE**

WHEREAS, Article 44 of the Environmental Conservation Law (ECL) directs the Greenway Conservancy for Hudson River Valley, Inc to designate a Hudson River Greenway Trail, and

WHEREAS, the City of Poughkeepsie owns and manages some of the streets over which this trail is designated for a community trail which will enhance the opportunity the public has to appreciate and support the preservation of the historic, scenic, cultural, recreational and natural resources along the Greenway Trail, and

WHEREAS, the City of Poughkeepsie requests that the 3.6 miles of the Walkway Loop Trail be designated as a riverside and connector trail as part of the Hudson River Greenway Trail System, and

NOW, THEREFORE,

BE IT RESOLVED, The Common Council of the City of Poughkeepsie, New York requests designation of the Walkway Loop Trail as part of the Hudson River Greenway Trail System; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute any and all documents to give affect to this Resolution.

SECONDED BY COUNCILMEMBER PARISE.

✓ Vote Record – R- 10- 18			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Johnson	Voter	X		
		Councilmember Solomon	Voter	X		
<input checked="" type="checkbox"/>	Accepted	Councilmember Flowers	Voter	X		
<input type="checkbox"/>	Accepted as Amended	Councilmember Coates	Voter	X		
<input type="checkbox"/>	Tabled	Councilmember Mallory	Voter	X		
		Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein	Voter	X		

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

Property Development Director Lewis informed the Council of the SEQRA resolution and sale resolution, authorizing the sale of 532 Main Street- Booth Firehouse.

A motion was made by Councilmember Parise to suspend the rules and seconded by Councilmember Johnson.

A motion was made by Council member Parise to resume the rules and seconded by Councilmember Johnson.

(R-10-19)

SEQRA RESOLUTION FOR SALE OF THE CITY OWNED PROPERTY LOCATED AT 532 MAIN STREET (TAX PARCEL # 6161-23-345962)

SECONDED BY COUNCIL MEMBER HERMAN:

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of a city owned property located at 532 Main Street (the former O. H. Booth Hose Company); and

WHEREAS, the sale of this city owned property is for the purchaser(s) to occupy the entire facility for ARCO Protection Systems, Inc, for engineering, administrative and training offices; and

WHEREAS, 6 NYCRR Section 617.6(b)(1) specifies that an agency will be the lead agency when it proposes to undertake, fund or approve a Type 1 or Unlisted Action that does not involve another agency; and

WHEREAS, the Common Council has determined that the above described action is a Type 1 action due to the fact that Section 617.4(b)(9) of Title 6 NYCRR, states a Type 1 action includes "Any unlisted action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district, or a prehistoric site as listed on the National Register of Historic Places, or that has been proposed by the New York State Board of Historic Preservation for a recommendation to the State Historic Preservation Officer, for nomination for inclusion in said National Register, or that is listed on the State Register of Historic Places." It should be noted that the above described structure is listed on National Register of Historic Places, thus, making this a Type 1 Action; and

WHEREAS, the Common Council has considered the hereto attached Full Environmental Assessment Form (EAF), due to the fact that pursuant to Section 617.6(a)(2) of Title 6, NYCRR for Type 1 Actions, it is stated that a Full Environmental Assessment Form (EAF) must be used to determine the significance of such actions that are funded, approved, or directly undertaken by an agency unless a draft EIS has been prepared on the action; and in accordance with Section 617.6(b)(1), since the Common Council is proposing to undertake the environmental review of the application for a Type 1 Action in which no other agency is involved, this action need not undergo a coordinated review; and

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WHEREAS, the Common Council has reviewed the proposed sale of property in accordance with 6 NYCRR 617.7(c) which is outlined in the Environmental Staff report which is made a part of this resolution by reference.

NOW THEREFORE BE IT RESOLVED

1. In accordance with Section 617.6(a)(1)(i) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.6(a)(1)(ii) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.6(a)(1)(iii) of Title 6 NYCRR, the Common Council determines that the above described action does not involve more than one agency; and
4. In accordance with Section 617.6(a)(1)(iv) of Title 6 NYCRR, the Common Council classifies the above described action as a Type 1 action. The Common Council, in making such preliminary classification, considered Section 617.4(b)(9) of Title 6 NYCRR, which states as one example of a Type 1 Action "Any unlisted action (unless the action is designed for the preservation of the facility or site) occurring wholly or partially within, or substantially contiguous to, any historic building, structure, facility, site or district, or a prehistoric site as listed on the National Register of Historic Places, or that has been proposed by the New York State Board of Historic Preservation for a recommendation to the State Historic Preservation Officer, for nomination for inclusion in said National Register, or that is listed on the State Register of Historic Places." It should be noted that the above described structure is listed on the National Register of Historic Places thus, categorizing it to be considered a Type 1 Action; and
5. In accordance with Section 617.6(a)(2) of Title 6 NYCRR, the Common Council determines that the above described project requires a Full Environmental Assessment Form for Type 1 Actions; and
6. That the Common Council officially makes a determination of nonsignificance 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. That this determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. That the City Chamberlain shall maintain a file of this determination as well as the attached EAF and staff report which are hereby made a part of this resolution.

SECOND BY COUNCIL MEMBER PARISE:

✓ Vote Record - R- 10- 19			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Johnson	Voter	X		
		Councilmember Solomon	Voter	X		
X	Accepted	Councilmember Flowers	Voter	X		
	Accepted as Amended	Councilmember Coates	Voter	X		
	Tabled	Councilmember Mallory	Voter	X		
		Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein	Voter	X		

**RESOLUTION
(R-10-20)**

INTRODUCED BY COUNCILMEMBER HERMAN:

WHEREAS, the City of Poughkeepsie is the owner of certain real property located at 523 Main Street in the City of Poughkeepsie, County of Dutchess, New York commonly known as the Booth House Firehouse; and

WHEREAS, the above mentioned properties have been offered for sale by the City in accordance with the policy for the sale of City owned property; and

WHEREAS, an offer has been received from CRAIG A. ARCO to purchase this property for the sum of \$125,000.00 along with a proposed development plan; and

WHEREAS, the City of Poughkeepsie’s Director of Property Development, having considered the City’s policy for the sale of City owned properties, has recommended that the City of Poughkeepsie accept this offer and development plan; and

WHEREAS, the Common Council hereby finds that the offer and development plan from CRAIG A. ARCO is the most favorable of the offers received and that it is in the best interests of the City of Poughkeepsie to approve such offer so that the premises may be returned to the tax rolls and development in accordance with the plan of development submitted; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this 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 CRAIG A. ARCO to purchase the premise known as 532 Main Street (6161-23-345962), in the City of Poughkeepsie for the sum of \$125,000 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel and the Director of Property Development 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 ninety days of the date of this resolution, unless the Director of Property Development shall grant such extension as she deems appropriate;
- B. Purchaser shall obtain a building permit inconformity with the proposed redevelopment plan submitted to the City within six (6) months of the date of closing of title;
- C. Purchaser shall obtain a valid Certificate of Occupancy for all structures and all other parcels shall be developed in accordance with the development plan submitted to the City within one (1) year after obtaining the building permit;
- D. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;
- E. 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, and subject to a restrictive covenant in form and substance satisfactory to the Corporation Counsel that no self-service credit or currency-operated pay telephones shall be placed on the exterior of the premises;
- F. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and
- G. Purchaser shall promptly apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and
- H. The sale shall be subject to an environmental clause requiring Purchaser to remediate any and all environmental conditions at the subject property and a corresponding indemnification clause as approved by the Corporation Counsel.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor, the

Director of Property Development and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER PARISE.

ENVIRONMENTAL DETERMINATION OF SIGNIFICANCE REPORT FOR THE SALE OF CITY OWNED PROPERTY LOCATED AT 532 MAIN STREET (TAX PARCEL NUMBER 6161-23-345962)

The proposed action to be assessed is the sale of a city owned property, located at 532 Main Street. The property will be sold to Craig Arco of Arco Protection Systems, Inc., with the mailing address of 18 Black Watch Drive, Wappingers Falls, NY 12590 in order to utilize the entire building for offices for engineering, administrative and training purposes.

The reviewer has compared all 12 criteria enumerated under Section 617.7(c) of the State Environmental Quality Review Act and has concluded that the Type 1 Action of selling the property (which is listed on the National Register of Historic Places) will not result in a significant adverse impact in any of the areas enumerated below:

- (i) A substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) Removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; or substantial adverse effects on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse effects to natural resources;
- (iii) The impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to Subdivision 617.14(g) of this part;
- (iv) The creation of material conflict with a community's current plans or goals as officially approved or adopted;
- (v) The impairment of the character or quality of important historical archeological, architectural, or aesthetic resources or of existing community or neighborhood character;
- (vi) A major change in the use of either the quantity or type of energy;

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- (vii) The creation of a hazard to human health;
- (viii) A substantial change in the use or intensity of use of land including agricultural, open space, or recreational resources or in its capacity to support existing uses;
- (ix) The encouraging or attracting of a larger number of people to a place or places for more than a few days, compared to the number of people who would come to such places absent the action;
- (x) The creation of a material demand for other actions that would result in one of the above consequences;
- (xi) Changes in two or more elements of the environment, no one of which has a significant impact on the environment, but which when considered together result in a substantial adverse impact on the environment; or
- (xii) Two or more related actions undertaken, funded, or approved by an agency, none of which has or would have a significant impact on the environment, but when considered cumulatively, would meet one or more of the criteria in this subdivision.

Furthermore, for purposes of determining whether an action will cause one or more of the foregoing consequences, the lead agency considered reasonably related long-term; short-term and cumulative impact, including other simultaneous or subsequent actions which are:

- 1) included in any long-range plan in which the action under consideration is a part; or
- 2) likely to be undertaken as a result thereof; or
- 3) is dependent thereon.

Significance of a likely consequence, i.e., whether it is material, substantial, large or important, was assessed in connection with:

- 1) its setting (e.g., urban or rural);
- 2) its probability of occurrence;
- 3) its duration;
- 4) its irreversibility;
- 5) its geographic scope;
- 6) its magnitude;
- 7) the number of people affected.

In view of the above, it is the underlying conclusion of the reviewer that the proposed action, the sale of the city owned property located at 532 Main Street will not result in the creation of any significant adverse impact on the environment. This conclusion is based on the comparison of the action to the criteria of significance listed above, as well as the fact that the property sale is for purposes as described above.

✓ Vote Record – R- 10- 20						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled		Councilmember Johnson	Voter	X		
		Councilmember Solomon	Voter	X		
		Councilmember Flowers	Voter	X		
		Councilmember Coates	Voter	X		
		Councilmember Mallory	Voter	X		
		Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein	Voter	X		

- 3. A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print. Commissioner of Finance Bunyi informed the Council of the resolution before them; authorizing the Mayor to sign the application for the Federal Transit Administration grant.**

Resolution R-10-21

RESOLUTION AUTHORIZING SUBMISSION OF AN APPLICATION WITH THE FEDERAL TRANSIT ADMINISTRATION FOR SECTION 5307 CAPITAL ASSISTANCE

INTRODUCED BY COUNCILMEMBER HERMAN:

Resolution authorizing the filing of applications with the Federal Transit Administration, an operating administration of the United States Department of Transportation, for Federal transportation assistance authorized by 49 U.S.C chapter 53, title 23 United States Code and other Federal statutes administered by the Federal Transit Administration.

WHEREAS, the Federal Transportation Administrator has been delegated authority to award Federal financial assistance for a transportation project;

WHEREAS, the grant or cooperative agreement for Federal Financial assistance will impose certain obligations upon the Applicant, and may require the Applicant to provide the local share of the project cost;

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WHEREAS, the Applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project.;

NOW, THEREFORE, BE IT RESOLVED BY the City of Poughkeepsie Common Council

1. The Mayor or his designee is authorized to execute and file application for Federal assistance on behalf of the City of Poughkeepsie with the Federal Transit Administration for Federal Assistance authorized by 49.U.S.C. chapter 53, Title 23, United States Cede, or other Federal statutes authorizing a project administered by the Federal Transit Administration, the City of Poughkeepsie is requesting Urbanized Area Formula Program assistance authorized by 49 U.S.C. §5307, either alone or in addition to other Federal assistance administered by the Federal Transit Administration and is the Designated Recipient as defined by 49 U.S.C. §5307 (A.X2).

2. The Mayor or his designee is authorized to execute and file with its application the annual certification and assurances and any other document the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement.

3. The Mayor or his designee is authorized to execute grant and cooperative agreements with the Federal Transit Administration on behalf of the City of Poughkeepsie.

SECONDED BY COUNCILMEMBER PARISE.

✓ Vote Record – R- 10- 21						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled		Councilmember Johnson	Voter	X		
		Councilmember Solomon	Voter	X		
		Councilmember Flowers	Voter	X		
		Councilmember Coates	Voter	X		
		Councilmember Mallory	Voter	X		
		Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein	Voter	X		

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

Corporation Counsel Morgan informed the Council of the resolution before them that will authorize the Mayor to sign a ten year agreement with the County of Dutchess for the City to retain its status as an 911 Public Safety Answering Point (**PSAP**). He informed the Council that upon acceptance of this resolution the agreement will replace the existing dated back to December 1998.

RESOLUTION

(R-10-22)

INTRODUCED BY COUNCILMEMBER HERMAN:

WHEREAS, by Resolution R-98-204 the City of Poughkeepsie Common Council approved an Intermunicipal Agreement dated December 15, 1998 between the City and Dutchess County Department of Emergency Response establishing the City as a Public Service Answering Point (PSAP) for the County; and

WHEREAS, the Intermunicipal Agreement provided in part that the City, as part of the County’s E 911 system, would be responsible for handling all E 911 calls originating within the City and that both municipalities would act as backup sites for each other; and

WHEREAS, the terms of said agreement have expired on November 30, 2008 and by Resolutions R-09-34 and R-09-79 the agreement was extended to January 31, 2010 while a final agreement was negotiated; and

WHEREAS, the City and County have reached a final agreement and the Administration recommends that the final agreement be executed and the Common Council is desirous of entering into a final agreement; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby approves the annexed PSAP Intermunicipal Agreement with Dutchess County and hereby authorizes the Mayor to execute said Agreement on behalf of the City of Poughkeepsie in substantially the same form attached hereto.

SECONDED BY COUNCILMEMBER PARISE.

✓ Vote Record – R- 10- 22			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Johnson	Voter	X		
		Councilmember Solomon	Voter	X		
		Councilmember Flowers	Voter	X		
		Councilmember Coates	Voter	X		
		Councilmember Mallory	Voter	X		
		Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein	Voter	X		

X	Accepted
	Accepted as Amended
	Tabled

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

City Administrator Long informed the Council of the resolution before them amending the 2010 Capital Plan to be in compliance with the New York State DOT regulations and timelines.

**RESOLUTION
(R-10-23)**

INTRODUCED BY COUNCILMEMBER HERMAN:

WHEREAS, in accordance with Section 5.02 of the Charter of the City of Poughkeepsie, the Mayor presented the 2010-2014 Capital Projects Program to the Common Council on August 5, 2009, and

WHEREAS, the Common Council held a public hearing concerning the 2010-2014 Capital Projects Program on August 17, 2009; and

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

WHEREAS, the Common Council is desirous of amending the 2010-2014 Capital Projects program in order to be consistent with the Metropolitan Planning Organization (MPO) Poughkeepsie Dutchess Transportation Council (PDCTC); and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby approves the amended 2010-2014 Capital Projects Program budget annexed hereto, subject to such amendments as may be deemed necessary and/or advisable, and also subject to such further approvals as may be required by law.

SECONDED BY COUNCILMEMBER PARISE.

✓ Vote Record – R- 10- 23			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Johnson	Voter	X		
		Councilmember Solomon	Voter	X		
X	Accepted	Councilmember Flowers	Voter	X		
	Accepted as Amended	Councilmember Coates	Voter	X		
	Tabled	Councilmember Mallory	Voter	X		
		Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein	Voter	X		

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

Assistant Corporation Counsel Ackermann informed the Council of the resolution before them introducing Local Law and providing for public notice and hearing. The public hearing is for a proposed local law repealing the ability for the Common Council to secure counsel. The resolution schedules the public hearing for the next regular meeting on February 2, 2010 at 6:30 pm.

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-10-24)**

INTRODUCED BY COUNCILMEMBER HERMAN

BE IT RESOLVED, that an introductory Local Law, entitled “Amending Section 6.01 of the Code by repealing Local Law No. 1 of 2008,” be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:30 o'clock P.M., on February 16, 2010; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER PARISE.

✓ Vote Record – R- 10- 24		Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Johnson	Voter	X		
	Councilmember Solomon	Voter	X		
X	Accepted				
	Accepted as Amended				
	Tabled				
	Councilmember Flowers	Voter	X		
	Councilmember Coates	Voter	X		
	Councilmember Mallory	Voter	X		
	Councilmember Parise	Voter	X		
	Councilmember Herman	Voter	X		
	Councilmember Klein		X		

VIII. ORDINANCES AND LOCAL LAWS:

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

Assistant Corporation Counsel Ackermann informed the council of the Ordinance before them amending the parking regulations on Market Street and on Mansion Street.

**ORDINANCE AMENDING §13-269 OF THE
CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED “HANDICAPPED PARKING AREAS DESIGNATED” AND §13-213
OF THE CODE OF ORDINANCES ENTITLED, “RESTRICTED ZONES”
(O-10-6)**

Amended 1/19/10

INTRODUCED BY COUNCILMEMBER HERMAN:

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

SECTION 1: Section 13-213 of the City of Poughkeepsie Code of Ordinances entitled “**Restricted Zones**” is amended so as to read in pertinent part as follows:

Market Street, west side, [~~from Union Street to Church Street at all times, except for the dropoff lane in front of 60 Market Street on the west side of Market Street, north of Church Street (eastbound leg of Arterial Highway)~~] **beginning 30 feet north of Church Street an continuing northerly for a distance of 420 feet therefrom; from 6:00 a.m. to 6:00 p.m.**

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

SECONDED BY COUNCILMEMBER PARISE.

BOLD and UNDERLINING indicate ADDITION
 BRACKETS [] and ~~Strikethrough~~ indicate DELETION

✓ Vote Record – 0-10-6						
			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Mallory	Voter	X		
		Councilmember Johnson	Voter	X		
		Councilmember Solomon	Voter	X		
X	Accepted	Councilmember Flowers	Voter	X		
	Accepted as Amended	Councilmember Coates	Voter	X		
	Tabled	Councilmember Mallory	Voter	X		
		Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein		X		

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

Assistant Corporation Counsel Ackermann informed the Council of the Ordinance before them rescinding the Historic Preservation Ordinance.

ORDINANCE REPEALING ORDINCANCE AMENDING CHAPTER 19.4.5 ENTITLED HISTORIC PRESERVATION ORDINANCE

(O-10-7)

INTRODUCED BY COUNCILMEMBER HERMAN:

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

SECTION 1: The Common Council hereby repeals Ordinance 0-09-06 Amending Chapter 19-4.5 Entitled “Historic District and Landmark Preservation Commission” as adopted by the Common Council on October 19, 2009 and which was vetoed by the Mayor and which Veto the Common Council overrode. Section 19-4.5 prior to the amendments shall remain in full force and effect.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER PARISE:

✓ Vote Record – 0- 10- 7						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled		Councilmember Johnson	Voter		X	
		Councilmember Solomon	Voter		X	
		Councilmember Flowers	Voter	X		
		Councilmember Coates	Voter	X		
		Councilmember Mallory	Voter		X	
		Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein	Voter	X		

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

Assistant Corporation Counsel Ackermann informed the Council of the Local Law before them moving the building department to the development department.

**LOCAL LAW AMENDING
THE CITY OF POUGHKEEPSIE
ADMINISTRATIVE CODE AND THE CODE OF ORDINANCES
(LL-10-01)**

INTRODUCED BY COUNCILMEMBER HERMAN

BE IT ENACTED by the Common council of the City of Poughkeepsie, New York, as follows:

SECTION 1: Article IX of the Administrative Code shall be amended by certain additions and deletions indicated so as to read as follows:

Section 9.01 Department of development

There shall be a department of development which shall consist of the planning, **building, and** social ~~and property~~ development divisions. The department of development shall be managed by the development director.

Section 9.02 Building Division

The Building Department shall include a division of building which shall be responsible for

(a) the enforcement of the state and local building codes, Minimum Housing Standards Ordinance and Zoning Ordinance, and the issuance of notices and orders for enforcement of the same;

(b) the review of plans and specifications for and inspection of rehabilitation and construction work within City of Poughkeepsie; and

(c) the administration and enforcement of all provisions of the laws, ordinances and regulations applicable to the construction, alteration, repair, removal and demolition of buildings and structures and the installation and use of materials and equipment therein and the location, relocation, use, occupancy and maintenance thereof.

The duties of the development director shall include the duty to supervise and manage the activities of the building division.

SECTION 2: Subsections (b) and (c)(2) of Section 7-90 of Chapter 7 of the Code of Ordinances shall be amended by certain addition and deletions indicated so as to read as follows:

(b) The Development Director shall be in charge of the Department of Development and its divisions of planning, building, **and** social development ~~and property development~~. (S)he shall be responsible for development in the City of Poughkeepsie and the coordination of work of all development department divisions. (S)he shall further be charged with the responsibility for the development and management of social ~~and property~~ development programs sponsored by the City, including housing rehabilitation programs, to enhance the property of the city.

(c) (2) To provide overall management and supervise and coordinate the work of the planning, **building, and** social development [~~and property development~~] divisions of the Department of Development.

SECTION 3: Article XI of the Administrative Code shall be amended by the deletion of S 11.07 as follows:

~~[Section 11.07 — Building Division~~

~~The Fire Department shall include a division of building which shall be responsible for~~

~~—— (a) —— the enforcement of the state and local building codes, Minimum Housing Standards Ordinance and Zoning Ordinance, and the issuance of notices and orders for enforcement of the same;~~

~~—— (b) —— the review of plans and specifications for and inspection of rehabilitation and construction work within City of Poughkeepsie; and~~

~~—— (c) —— the administration and enforcement of all provisions of the laws, ordinances and regulations applicable to the construction, alteration, repair, removal and demolition of buildings and structures and the installation and use of materials and equipment therein and the location, relocation, use, occupancy and maintenance thereof.~~

~~The duties of the fire chief shall include the duty to supervise and manage the activities of the building division].~~

SECTION 4: This Local Law shall take effect immediately upon compliance with provisions of the law, including but not limited to the requirement of filing this Local law with the New York State Secretary of State.

SECONDED BY COUNCILMEMBER PARISE

BRACKETS [] AND ~~STRIKETHROUGH~~ INDICATE DELETION
BOLD AND UNDERLINE INDICATE ADDITIONS

Official Minutes Common Council Meeting of January 19, 2010

✓ Vote Record – LL – 10- 1						
			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Johnson	Voter	X			
	Councilmember Solomon	Voter	X			
	Councilmember Flowers	Voter	X			
X	Accepted					
	Accepted as Amended					
	Tabled					
	Councilmember Coates	Voter	X			
	Councilmember Mallory	Voter	X			
	Councilmember Parise	Voter	X			
	Councilmember Herman	Voter	X			
	Councilmember Klein	Voter	X			

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

City Administrator Long submitted a memo to the Council.

The City of Poughkeepsie

New York

Michael H. Long
City Administrator
milong@cityofpoughkeepsie.com



62 Civic Center Plaza
Poughkeepsie, New York 12601
TEL: (845) 451-4072 FAX: (845) 451-4013

January 11, 2010

COMMON COUNCIL
City of Poughkeepsie

Re: Parking Lot Fee – Hourly fee increased 25 cents per hour Effective January 19, 2010

Dear Council Members:

During the 2009 budget year, a project was identified to replace the existing deteriorated attendant booth at the Financial Plaza Park Deck (FPD). The 30 year old system was severely deteriorated and in need of replacement. An evaluation was completed by former Assistant Superintendent of Public Works Stan Merritt as to the practicability of replacement with a new attendant booth. After considerable conversation with the city council, capital funds were allocated to purchase and install a new automated revenue collection system for use at the FPD parking garage. The concept is that the parking lot attendant would then be able to assist around the site, add additional maintenance and visibility throughout the parking facility without being tied to the booth. There were several times when security issues would be enhanced with the parking maintenance staff being able to be used throughout the entire parking system. The entrance ticket would be put into the machine which would calculate the balance due to exit. The new system would be fully automated accepting cash only initially which will be allowed to use credit cards and debit cards in the future, charging users as they leave the lot.

As a part of the 2010 operating budget, the parking revenues were estimated to be increased to offset the additional cost of the automated equipment. As the new system will be operational at FPD on January 19, 2010 and the parking fees need to be programmed, it was determined that the new parking rates would go into effect at this same time. The monthly rates would remain the same. The hourly rates have been at 50 cents per hour since at least 1995. The hourly rates will be increased 25 cents per hour for day users at all of the city parking lots. Also, after the new system is operational, (2) additional systems are anticipated at the Grand Hotel and the Liberty Lot. Funds were included within the 2010 operating budget for these capital expenses.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael H. Long". The signature is fluid and cursive, with a large loop at the end.

Michael H. Long
City Administrator

cc: DPW / Parking Operations

O:\Mike Long\Parking Issues\council re parking fees increased 1 11 10.doc

X. UNFINISHED BUSINESS:

Councilmember Mallory stated that possibly the city can become self insured in regards to claims.

Assistant Corporation Counsel responded that without being self insured the city pays lower premiums. Every claim against city funding comes from the general fund; the city is trying to be diligent and reduce the number of claims.

XI. NEW BUSINESS:

Councilmember Solomon- stated before the council that the Common Council members have not toured the Brownfield. She would like to know what has been done and accomplished. Can a tour be arranged?

Mayor Tkazyik- responded that Brownfield is a construction site, when it is said appropriate to go on site the members can visit the site.

City Administrator Long- responded that he will try to set a date.

Councilmember Solomon- asked what happens to complaints from constitutes, what happens, what are the next steps. She stated that it has been an ongoing problem, what can be a resolution.

City Administrator Long- responded that he will get back to Councilmember Solomon.

Councilmember Johnson- stated that she is concerned with the garbage can lid; the fine is high. She wants to know if the Common Council can revisit the ordinance and remove the lid requirement; possibly a more reasonable fine.

Mayor Tkazyik- stated that the ordinance is worth re-visiting the ordinance and getting input from the sanitation department.

Assistant Corporation Counsel Ackermann- stated that it was part of the original ordinance.

City Administrator Long- stated that without lids; the concern was that crows and birds getting into garbage cans.

Councilmember Flowers- stated that her big concern is that garbage can lids disappear and will become a burden for residents.

Councilmember Coates- stated that he would like to re-visit the Ordinance.

Councilmember Johnson- stated before Council that she attended a gun summit meeting in the city of Newburgh. The summit had a gun buy back program and they have been working with Shop Rite. Councilmember Johnson also attended the press conference; possibly next year the city of Poughkeepsie can be involved. Councilmember Johnson also asked when the Common Council meetings will be televised on Verizon.

City Administrator Long- responded to Councilmember Johnson that the equipment is available; looking into some time this week.

Mayor Tkazyik- stated that Chief Knapp and Assistant Corporation Counsel Ackermann have been looking into alternatives and buy back program to tackle issues to deal with gun violence.

Assistant Corporation Counsel- stated that it is a difficult situation, regulating children forcing parents to have better control of their children. There are foot patrol officers that move along to possibly address behaviors of children.

Councilmember Herman- stated why there is no loitering.

Assistant Corporation Counsel Ackermann- responded to Councilmember Herman that a loitering law is unconstitutional; possibly a curfew. However, with a curfew the issue will be the enforcement of it.

Councilmember Flowers- is concerned with lighting on the North side; are they city poles.

Councilmember Solomon- responded that possibly the north side can have lights similar to those on South Hamilton Street.

Mayor Tkazyik- wanted to take the time and thank Councilmember Johnson for her time on the Shade Tree Commission; and wanted to congratulate Councilmember Mallory the new Shade Tree Commission member. He also wanted to congratulate Councilmember Herman for becoming a new member of the McCann Golf Committee.

XII. ADJOURNMENT:

Official Minutes Common Council Meeting of January 19, 2010

A motion was made by Chairman Klein and seconded by Councilmember Herman moved to adjourn meeting at 10:45 pm.

Dated: June 28, 2010

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, January 19, 2010.

**Respectfully submitted,
Arlet C. Wilks
Deputy City Chamberlain**