



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, July 6, 2010 6:30 pm City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

II. REVIEW OF MINUTES:

Common Council Meeting Minutes of January 19, 2010

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

ADD: VIII.

2. From Assistant Corporation Counsel Ackermann, Ordinance 0-10-21, an amendment to parking regulations on Noxon Street.

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

Janet Hausten- 114 Rinaldi Blvd. - Read a memo to Council regarding the parking fee for the Walkway over the Hudson. She strongly feels that street parking can be problematic however; parking fees are not good for the city of

Poughkeepsie. The state can possibly try to lower the fee to make it more reasonable. She would like the city to encourage the State to delay the elevator in Waryas Park until parking issues resolved.

Gus Kazolias- 47 Noxon Street- stated before the Council that he agrees with Janet. The Walkway Over The Hudson is the greatest thing for Poughkeepsie. He feels that possibly the State can install meters for \$1 an hour; people will not pay \$5.

He stated before the Council that 52 Noxon Street needs to be put on the tax role for the city of Poughkeepsie. He stated that the 2 interested parties for the property is profit/ and non-profit. The city has a limited amount of property. The city of Poughkeepsie needs money. He stated that he is strongly against non-profit organizations, and pilots. He wanted to state before the Council that he is glad to see that the parking issues on Noxon Street are being addressed.

Holly Wahlberg- 35 Garfield Place- She stated before the Council that she is proud to be here; the celebration of a city treasure 36 North Clover Street. This property has been recommended for inclusion on historic places. She stated that there is an amazing story of that particular institution; 95 years at the location, 5 generations of Poughkeepsie residents. Wheaton Park was created 100 years ago and she looks forward to quite a wonderful chapter.

JoAnne Dourdis- stated that serve at the Board of Directors at Poughkeepsie Day Nursery. The nursery has provided 103 years of service to the city of Poughkeepsie; and remained true to purpose. Poughkeepsie Day Nursery is an early childhood learning center. Hard work has gone into maintaining the building, rigorous inspections, health department, and fire department. The Poughkeepsie Day Nursery has a 2 year contract for a universal pre-k program, summer camp for Poughkeepsie schools. Poughkeepsie Day Nursery works with Vassar College, Dutchess Community College, and Marist College students.

Harvey Flad- 115 Academy Street- He stated that he is before the council to address resolution #2 on tonight's agenda. The Poughkeepsie Day Nursery building is very important to the long history of Poughkeepsie. The building was a carpet company during the 17th, 18th, and 19th century of Poughkeepsie as an industrial city.

Jean Wagner-11 South Randolph Avenue- Poughkeepsie Day Nursery is childcare. The childcare Council of Dutchess County gives referrals to parents. In 2009 the Childcare Council of Dutchess County received calls for 1, 535 children for childcare. She stated that there are very few programs in the city and they can not accommodate the childcare demand without the help of the Poughkeepsie Day Nursery. She urges the Common Council members visit the childcare facilities in Poughkeepsie.

Nancy Cozean- 115 Hooker Avenue/George Luckas 207 Overocker Road- She stated that it is wonderful that the Poughkeepsie Day Nursery is seeking

historic designation. She stated that this week Friday, July 9th, 10th, and 11th there will be an educational event. There will be a major event on FallKill; there will be a blacksmith, chair making, new green LED lights, and a hooked rope production. This will be a wonderful celebration for the waterfront with hands-on exhibits of Dutchess County and the city of Poughkeepsie. This event will create a greater picture of Poughkeepsie and what it provides. She hopes the city enjoys, Saturday 10 am to 4 pm and Sunday 12 pm to 4 pm.

V. MAYOR'S COMMENTS:

Mayor Tkazyik- wanted to take the time to thank Chairman Klein, Nancy Cozean, and George Lucas for partaking in such great events. This past weekend was a great event on the 4th of July; he wanted to thank the sponsors M&T, and TD bank, and State Officials. He wanted to take the time to thank city staff who committed so much time and everything worked out. He stated that the fireworks were great! He stated in regards to the comments made earlier in the meeting the Walkway over the Hudson was before the Council and did propose a \$5 parking fee. He stated that Highland also has a parking charge. He stated that there are 70 spots at the Palace Diner; there is also parking at Pulaski Park. He stated that the city is currently negotiating with CSX for a shuttle. He stated that he understands the burden on the tax payer due to a parking fee; the burdens are hurting us all. He stated that he supports the Council to rescind/examine the parking fee. He wanted to welcome Assistant Corporation Counsel Nick to Gildard; who was once Assistant District Attorney. He wanted to take the time to thank/wish luck to Assistant Corporation Counsel Lynn Dicerbo who moved to Albany, NY. Mayor Tkazyik wanted to announce that Commissioner of Public Works Steve Miko will be retiring; please forward emails, and concerns to Pat Coyle and City Administrator Long. In the planning department, Jeremy Doxsee was a five year employee; he will be working in Peekskill. There will be an update on efforts for the 2011-2015 Capital Plan Commissioner of Finance, and City Administrator Long will be working to bring that before the Council. The city of Poughkeepsie pools are up and running; working with the town of Poughkeepsie. Tom Myering from the town will be running Spratt Pool, and Jim Nash will be running Pulaski Pool. The pools are full to capacity! Pulaski Pool is closed on Monday; Spratt Pool is closed on Tuesday.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Klein stated before the Council that he was present for the fireworks for the 4th of July. He wanted to take the time and welcome Assistant Corporation Counsel Gildard to the Corporation Counsel office. He has the highest confidence in Mr. Gildard he is an asset to the city. Mr. Gildard is a resident of the city of Poughkeepsie. Mr. Gildard's father is a retired Captain of the Police department.

VII. MOTIONS AND RESOLUTIONS:

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

Assistant Corporation Counsel Ackermann informed the council of the resolution before them renaming South Hamilton Street sewer project to scattered site sewer improvement project.

Community Development Director MacIssac informed the Council that renaming this project will give the city flexibility. The city will have the flexibility to use the funds anywhere they are needed for example, maintenance and emergency situations.

**R-E-S-O-L-U-T-I-O-N
(R-10-78)**

INTRODCUED BY COUNCILMEMBER HERMAN:

WHEREAS, by Resolution R-10-65 the Common Council approved the submission of several amended Community Development Block Grant (CDBG) action plans to provide for funding of the South Hamilton Street Sewer Project; and

WHEREAS, the City is now desirous of amending the title of the project from South Hamilton Street Sewer Project to Scattered Site Sewer Improvement Project to provide better flexibility to handle emergency sewer repairs as well as scheduled preventative maintenance throughout the City; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby authorizes the Director of Social Development to amend the 2010 Community Development Action Plan to reflect the renaming of the South Hamilton Street Sewer Project to Scattered Site Sewer Improvement Project; and

BE IT FURTHER RESOLVED, that the Common Council of the City of Poughkeepsie hereby authorizes the Director of Social Development to submit the amendment to the U.S. Department of Housing and Urban Development.

SECONDED BY COUNCILMEMBER PARISE.

✓ Vote Record – R- 10- 78						
			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		

- 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 resolution before them setting a public hearing to designate 36 North Clover Street as an historic building.

Chairman Klein made a motion to amend the resolution and was seconded by Councilmember Parise. The public hearing was set for the Special Meeting on July 21, 2010 at 6:00 pm.

**R- E- S- O- L- U- T- I- O- N
(R-10-79)**

INRODUCED BY COUNCILMEMBER HERMAN:

WHEREAS, an application for historic designation pursuant to Section 19-4.5(3) of the Code of Ordinances has been received by the Historic Preservation Committee for the

property known as 36 North Clover Street and more commonly known as the Poughkeepsie Day Nursery; and

WHEREAS, on June 23, 2010 the Historic District and Landmarks Preservation Commission duly convened and voted to recommend the Common Council approve the application and designate 36 North Clover Street as a local historic site; and

WHEREAS, the Common Council must hold a public hearing within thirty (30) days of the decision of the Historic District and Landmark Preservation Commission; and

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Section 19-4.5(e) of the Code of Ordinances, the Council shall hold a public hearing on the recommendation of the Historic District and Land Preservation Commission to nominate 36 North Clover Street as a historic property at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o'clock P.M., on July 21, 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- 79			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.

Property Development Director Lewis informed the Council of the resolution before them SEQRA and SALE resolution of 52 Noxon Street. She informed the Council that this property is a vacant lot. She stated that letters were sent out to

adjacent property owners. The two interested parties are The Potter House, and Ronald D'Souza. She informed the Council that the development office has discussed the sale of this property with Councilmember Coates, in whose ward this property is located. Administration is in support of transferring the property to Mr. D'Souza, as it will place the property on the tax rolls.

SEQRA RESOLUTION FOR SALE OF THE CITY OWNED PROPERTY LOCATED
AT
52 NOXON STREET

**RESOLUTION
R10-72**

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of a city owned property located at 52 Noxon Street; and

WHEREAS, the sale of this city owned property is to allow the owner of 50 Noxon Street to combine the two properties into one lot of record and maintain the parcel known as 52 Noxon Street as a green side yard; 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 an Unlisted Action under the provisions of 6 NYCRR of Part 617 of SEQRA and does not involve any other agencies; and

WHEREAS, The property is 0.085 acres, roughly 3,700 square feet and is too narrow to place a structure on and can only be used as a green side yard for one of the two adjacent parcels; and

WHEREAS, the Common Council has considered the hereto attached Short Environmental Assessment Form (EAF), and has determined that there are no potential significant adverse environmental impacts that will occur as a result of the proposed sale; and

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 an Unlisted Action.
5. In accordance with Section 617.6(a)(3) of Title 6 NYCRR, the Common Council determines that the above described project requires a Short Environmental Assessment Form for Unlisted Actions; and
6. That the Common Council officially makes a determination of nonsignificance in that the proposed sale of the 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 COUNCILMEMBER PARISE

✓ Vote Record – R- 10- 72						
			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		

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

RESOLUTION
(R-10-73)

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the City of Poughkeepsie is the owner of certain real properties located at 52 Noxon Street in the City of Poughkeepsie, County of Dutchess, New York; and

WHEREAS, the above mentioned property has 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 RONALD R. D'SOUZA. to purchase this property for the sum of \$5,000.00; and

WHEREAS, this property has been offered for sale in accordance with the City of Poughkeepsie's policy for the sale of city owned property; and

WHEREAS, the Common Council hereby finds that the offer from THE POTTER HOUSE, INC. 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; 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 RONALD R. D'SOUZA to purchase the premise known as 52 Noxon Street (6161-21-054964), in the City of Poughkeepsie for the sum of \$5,000.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel and the Director of Property Development shall deem appropriate; and be it further

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

- A. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title; and**
- B. 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; and

- C. 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
- D. the conveyance of title and the payment of the purchase price shall take place within ninety days of the date of the City merging the two parcels into one single parcel, unless the Director of Property Development shall grant such extension as she deems appropriate; and
- E. transfer of subject property shall be subject to a restrictive covenant ensuring the parcel will forever be green and prohibiting any development on such parcel.

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

✓ Vote Record – R- 10- 73						
			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Johnson	Voter	X		
		Councilmember Solomon	Voter	X		
		Councilmember Flowers	Voter	X		
X	Accepted	Councilmember Coates	Voter		X	
	Accepted as Amended	Councilmember Mallory	Voter	X		
	Tabled	Councilmember Parise	Voter	X		
		Councilmember Herman	Voter	X		
		Councilmember Klein	Voter	X		

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

Development Director Wojtowicz informed the Council of the resolution before them, setting a public hearing for the re-zoning of a parcel on Milton Street (tax grid number 6162-73-623227) from R4- R2. She informed the Council that it has

been brought by the request of Councilmember Flowers. She informed the Council that prior to entertaining the ordinance; the council must hold a public hearing and circulate the change to the Dutchess County Planning Department. The public hearing will be set on Monday August 23, 2010 at 6:00 pm prior to the Common Council meeting.

INTRODUCED BY COUNCILMEMBER HERMAN:

**THE CITY OF POUGHKEPSIE CODE OF ORDINANCES ENTITLED
“ZONING AND LAND USE REGULATION
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-10-80)**

BE IT RESOLVED that an introductory ordinance amending Section 19-32 of the City of Poughkeepsie Code of Ordinances, entitled “Zoning Map,” rezoning property known as Grid No. 31-6162-73-623227-00 from R-4 District to R-2 District, 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 ordinance be laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council hold a public hearing for public comments on said proposed ordinance at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o’clock P.M., on August 23, 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 ten (10) days prior thereto.

On a motion by Councilmember Herman, seconded by Councilmember Parise, the resolution was adopted on a vote of 8 Ayes, 0 Nays.

The Mayor declared this resolution adopted.

SECONDED BY COUNCILMEMBER PARISE

✓ Vote Record – R- 10- 80						
			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			

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 resolution before them Local Law III, providing for alternate members on the zoning and planning boards.

Mayor Tkazyik stated that this Local Law was brought forth by the request of the Planning staff.

LOCAL LAW AMENDING SECTION 3.02(a) OF THE ADMINISTRATIVE CODE OF THE CITY OF POUGHKEEPSIE, NEW YORK; SECTION 2-17 OF CHAPTER 2 OF THE CODE OF ORDINANCES, CITY OF POUGHKEEPSIE, NEW YORK, ENTITLED “ADMINISTRATION;” AND SECTIONS 19-8.1 (1) and 19-8.3 (a) OF CHAPTER 19 OF THE CODE OF ORDINANCES, CITY OF POUGHKEEPSIE, NEW YORK
AND
LOCAL LAW ENACTING A NEW SECTION 2-24 TO CHAPTER 2 OF THE CODE OF ORDINANCES, CITY OF POUGHKEEPSIE, NEW YORK ENTITLED “ADMINISTRATION” AND SECTION 19-8.1(7) TO CHAPTER 19 OF THE CODE OF ORDINANCES, CITY OF POUGHKEEPSIE, NEW YORK, ENTITLED “ZONING AND LAND USE REGULATIONS”
(LL10-3)

INTRODUCED BY COUNCILMEMBER HERMAN:

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

SECTION 1: Section 3.02(a) of the City of Poughkeepsie Administrative Code is hereby amended to read as follows:

Section 3.02

- (a) **There shall be appointed by the m Mayor, by certificate filed in the office of the e City e Chamberlain, two city judges, the members and two (2) alternates of the pPlanning b Board, and the z Zoning b Board of a A Appeals; ; the members of the r Recreation e Commission, the housing authority and the examining boards for whose appointment the m Mayor is responsible by law. Any officer appointed by the m Mayor hereunder, except the city judges, may be removed by the m Mayor for cause, after he has had the opportunity to be heard, by a certificate filed in the office of the e City e Chamberlain, and the m Mayor may appoint another in his place for the remainder of the unexpired term.**

SECTION 2: Section 2-17 of the Code of Ordinances of the City of Poughkeepsie, Chapter 2 under heading "Administration," is hereby amended to read as follows:

Section 2-17 Creation, membership⁵

Pursuant to Section 27 of Article 3 of the General City Law of the State of New York, there is hereby created in the city a Planning Board to consist of seven (7) members and two (2) alternates, appointed by the Mayor. Not more than a minority of the members of such Board shall hold any other public office or position in the city. (Ord. of 2-4-1952, § 1)

SECTION 3: A new section 2-24 of Chapter 2 of the City of Poughkeepsie Code of Ordinances entitled, "Administration," is hereby enacted to read as follows:

2-24 Alternate Members

The Mayor may appoint two alternate members of the Planning Board for service on the Planning Board at any meeting when any regular member is absent.

SECTION 4: Section 19-8.1(1) of the Code of Ordinances of the City of Poughkeepsie, Chapter 19 under heading “Zoning and Land Use Regulations,” is hereby amended to read as follows:

§ 19-8.1 Establishment, appointment and organization

- (1) **The City of Poughkeepsie Zoning Board of Appeals is hereby continued in accordance with § 81 of the General City Law. Such Board shall consist of seven (7) regular members and two (2) alternates, appointed by the Mayor, who shall serve initial terms of one (1) year and may be reappointed upon the expiration of such term for subsequent terms of three (3) years. Members shall serve until the appointment and qualification of their successors. The Mayor shall designate one (1) member of the Board to serve as Chairperson, who shall preside at meetings of the Board and who shall execute the duties normally conferred by parliamentary order, in addition to those prescribed by this Article.**

SECTION 5: A new section 19-8.1 (7) of Chapter 19 of the City of Poughkeepsie Code of Ordinances entitled, “Zoning and Land Use Regulations,” is hereby enacted to read as follows:

(7) *Alternates.* Each alternate shall serve at the pleasure of the Mayor, and shall attend meetings and may cast votes on matters before the Zoning Board of Appeals when assigned by the Chairman to substitute for an absent member.

SECTION 6: Section 19-8.3(a) of the Code of Ordinances of the City of Poughkeepsie, Chapter 19 under heading “Zoning and Land Use Regulations,” is hereby amended to read as follows:

- (a) **A quorum of the Zoning Board of Appeals shall be defined as four (4) regular members of the Board, including up to two (2) duly appointed alternates if regular members are absent from a meeting. In order to convene a public meeting and to officially transact the business of the Board, a quorum must be present.**
- (b) **Except as provided in § 239-m of the General Municipal Law, the concurrence of four (4) Board members approving of a motion is necessary to reverse any order, requirement, decision or determination of any administrative official or to decide in favor of the applicant regarding any matter which the Board is required to review. If a motion is not carried, the**

failure to approve the motion is the effective denial of same. Members shall have the right to ~~abstention~~ abstain.

SECTION 7: The Common Council of the City of Poughkeepsie has determined that this Local Law constitutes a Type II action as defined by the New York State Environmental Quality Review Act as codified by 6 NYCRR Section 617.

SECTION 8: This Local Law shall take effect immediately upon compliance with all provisions of the law, including filing of this Local Law with the Secretary of State.

SECONDED BY COUNCILMEMBER PARISE:

~~STRIKETHROUGH~~ INDICATES DELETION; **BOLD** and UNDERLINE INDICATES NEW

✓ Vote Record – Local Law 10-3							
			Yes/Aye	No/Nay	Abstain	Absent	
			Councilmember Johnson	Voter	X		
			Councilmember Solomon	Voter	X		
			Councilmember Flowers	Voter	X		
X	Accepted		Councilmember Coates	Voter		X	
	Accepted as Amended		Councilmember Mallory	Voter	X		
	Tabled		Councilmember Parise	Voter	X		
			Councilmember Herman	Voter	X		
			Councilmember Klein	Voter	X		

- 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 parking regulations on Noxon Street. He informed the Council that this amendment adds Noxon Street into Vassar Hospital residential parking district. This will allow residents to park on Noxon Street despite the 2 hour parking restrictions.

**ORDINANCE AMENDING §§13-126 OF THE
MOTOR VEHICLES AND TRAFFIC ORDINANCE
CONCERNING VARIOUS PARKING REGULATIONS**

(O-10-21)

INTRODUCED BY COUNCILMEMBER HERMAN:

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

SECTION 1: Section 13-126 of the City of Poughkeepsie Code of Ordinances entitled “Residential parking permit areas” is hereby amended by the addition of the following to the portion thereof labeled “District 1: Vassar Hospital District”:

Street	Side	Description	Parking Regulation	Time Regulation
Noxon Street	Both	From Market Street to Academy Street	Two-hour and permit parking; Subject to § 13-195 concerning alternate side parking	9:00 a.m. to 6:00 p.m.; Monday through Friday Except Holidays

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER PARISE.

BOLD denotes ADDITION.

Official Minutes of the Common Council Meeting of July 6, 2010

✓ Vote Record – 0- 10- 21						
			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:

- 1. City Administrator Long** submitted a memo to Council.

The City of Poughkeepsie

New York

Michael H. Long
City Administrator
mlong@cityofpoughkeepsie.com



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

June 30, 2010

Mayor, Chairman Klein and Members of the Common Council
62 Civic Center Plaza
Poughkeepsie, NY 12601

Re: Vassar Brothers Medical Center Assessments

Dear Chairman Klein and Members of the Common Council

At a recent City Council meeting, Councilwoman Mary Solomon asked about the proposed Vassar Brothers Medical Center Expansion and what potential budget impacts there might be associated with the additional purchases of property within the neighborhood. As the City Council is aware, Vassar has been acquiring property over the last several years towards the anticipated expansion plan.

Assessor Gene DeMarco has prepared a summary of the various tax parcels associated with Vassar Medical Center. This has recently been updated to include the 2010 Assessment Values which will impact the city's property tax collection as anticipated with the 2011 budget year. We have broken the list into two sections, previously held property that was developed and the recent acquisitions. It should be noted that some Vassar parcels have been granted reductions through valuation analysis and Tax Certiorari proceedings which has reduced the 2010 values going forward.

As the development plans become finalized, the next step will be to begin the negotiations with Vassar Brothers Medical Center about the anticipated commercial uses vs. the not for profit usage in determining a fair and equitable basis for property tax collection. This would be a continuation of the existing process the Assessor has currently been engaged with. Another potential process may include the negotiation with the City of Poughkeepsie Industrial Development Agency (CPIDA) of a PILOT or (Payment in Lieu of Taxes) whereby a specific payment plan is agreed to by both parties.

The staff will continue to update the city council on these matters as they develop.

Sincerely,

Michael H. Long
City Administrator

Official Minutes of the Common Council Meeting of July 6, 2010

Properties For Vassar Hospital Proposal					* Parcels provided from Planning Department Docs				3024210	
Owner Name	Grid Number	St Nbr	Street	2007 AV	2008 AV	2009 AV	2010 AV	Taxable	Date Acquired	
Vassar Brothers Hospital	6091-35-841783-0000	23	Columbia	\$2,200,000	\$2,200,000	\$2,200,000	\$2,200,000			
Vassar Brothers Hospital	6091-35-841783-0001		Columbia	\$14,000,000	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000		
Vassar Brothers Hospital	6091-35-841783-0002		Westage Bldg Parking	\$0	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000		
Vassar Brothers Hospital	6091-35-842768-0000		Reade	\$68,000	\$50,000	\$50,000	\$50,000	\$1,000,000		
Vassar Brothers Hospital	6091-36-878764-0000	28	Reade	\$650,000	\$350,000	\$350,000	\$350,000	\$50,000		
Vassar Brothers Hospital	6091-36-888758-0000	66	Lincoln (Parking)	\$80,000	\$60,000	\$60,000	\$60,000	\$80,000		
Vassar Brothers Hospital	6091-36-888769-0000	66	Lincoln (Parking)	\$80,000	\$60,000	\$60,000	\$60,000	\$80,000		
Vassar Brothers Hospital	6091-43-843721-0000	31	Reade	\$70,000,000	\$70,000,000	\$70,000,000	\$70,000,000			
Vassar Brothers Hospital	6091-43-843721-0001		Reade (Mary Tower Bld)	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000	\$2,400,000		
Vassar Brothers Hospital	6091-43-843721-0004	9A	Reade	\$90,000	\$90,000	\$90,000	\$90,000			
Vassar Brothers Hospital	6091-44-884678-0000	18	Dyson Building Offices	\$0	\$3,000,000	\$3,000,000	\$3,000,000	\$3,000,000		
Vassar Brothers Hospital	6091-44-884678-0000	48	Fox	\$193,000	\$193,000	\$181,400	\$181,400	\$193,000		
Vassar Brothers Hospital	6091-44-887982-0000		Livingston	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000		
Vassar Brothers Hospital, DBIA	6091-44-893984-0000		Fox	\$82,000	\$50,000	\$50,000	\$50,000	\$50,000		
Vassar Brothers Hospital, DBIA	6091-44-892886-0000		Fox	\$15,000	\$12,500	\$12,500	\$12,500	\$12,500		
Vassar Brothers Hospital, DBIA	6091-44-894708-0000	12	Fox	\$218,000	\$218,000	\$205,000	\$192,900	\$203,000		
Vassar Brothers Hospital, DBIA	6091-44-895688-0000	10	Fox	\$120,000	\$120,000	\$120,000	\$120,000			
Vassar Brothers Hospital, DBIA	6091-44-895893-0000	6	Fox	\$206,000	\$206,000	\$183,800	\$183,800	\$193,600		
Vassar Brothers Hospital, DBIA	6091-44-895899-0000		Fox	\$182,000	\$182,400	\$182,300	\$182,300	\$182,300		
Vassar Brothers Hospital	6091-44-895793-0000	75	Lincoln	\$70,000	\$70,000	\$70,000	\$70,000			
Vassar Brothers Hospital	6091-44-898742-0000	70	Lincoln	\$82,000	\$80,000	\$80,000	\$80,000			
Vassar Brothers Hospital, DBIA	6091-44-818675-0000	7	Fox	\$2,200,000	\$2,200,000	\$2,134,000	\$2,134,000	\$2,134,000		
Vassar Brothers Hospital	6091-44-819738-0000		Reade (Parking)	\$70,000	\$70,000	\$70,000	\$70,000			
Vassar Brothers Hospital	6091-44-820734-0000		Livingston	\$250,000	\$250,000	\$250,000	\$250,000			
Vassar Brothers Hospital	6091-44-828795-0000		Reade (Parking)	\$75,000	\$75,000	\$75,000	\$75,000			
Fox Street Condos LLC	6091-52-811680-0000	21	Fox	\$1,200,000	\$1,000,000	\$1,000,000	\$1,000,000			
Gregory Charamona	6091-52-811680-0000		Fox	\$2,000,000	\$2,000,000	\$1,940,000	\$1,940,000	\$1,940,000		
Gregory Charamona	6091-55-883768-0000	30	Reade	\$350,000	\$350,000	\$338,500	\$338,500	\$338,500		
SUBTOTAL				\$96,449,000	\$86,494,800	\$88,211,300	\$86,244,600	\$23,434,900	23.96%	

Properties Acquired by Vassar Hospital					2007 AV	2008 AV	2009 AV	2010 AV	Taxable	Date Acquired
Vassar Brothers Hospital	6091-35-857803-0000	28	Columbia	\$254,000	\$254,000	\$238,800	\$238,800	\$238,800	Feb-06	
Vassar Brothers Hospital, DBIA	6091-43-853875-0000	30	Livingston	\$288,000	\$288,000	\$270,700	\$246,500	\$270,700	Aug-08	
Vassar Brothers Hospital, DBIA	6091-43-871680-0000	40	Livingston	\$206,000	\$205,000	\$190,600	\$183,800	\$193,800	Oct-07	
Vassar Brothers Hospital, DBA	6091-43-871681-0000	42	Livingston	\$230,000	\$218,500	\$194,500	\$175,100	\$184,500	Mar-06	
Vassar Brothers Hospital	6091-44-878889-0000	44	Livingston	\$250,000	\$237,500	\$211,400	\$190,300	\$211,400	Jun-07	
Vassar Brothers Hospital	6091-44-878897-0000	46	Livingston	\$178,000	\$179,000	\$168,300	\$168,300	\$168,300	Mar-05	
Vassar Brothers Hospital, DBIA	6091-44-890688-0000		Fox (Vacant)	\$87,600	\$50,000	\$50,000	\$50,000	\$50,000	Sep-02	
Vassar Brothers Hospital, DBIA	6091-44-811703-0000	66	Livingston	\$214,000	\$214,000	\$201,200	\$191,100	\$201,200	Apr-06	
Vassar Brothers Hospital, DBIA	6091-44-814707-0000	68	Livingston	\$198,000	\$188,000	\$240,000	\$240,000	\$240,000	Aug-06	
Vassar Brothers Hospital, DBIA	6091-44-825705-0000	74	Livingston	\$375,000	\$375,000	\$363,800	\$363,800	\$363,800	Jul-06	
Vassar Brothers Hospital, DBIA	6091-44-822721-0000	78	Livingston	\$55,000	\$60,000	\$60,000	\$54,000	\$60,000	Dec-07	
Vassar Brothers Hospital, DBIA	6091-44-898730-0000	81	Livingston	\$244,000	\$231,800	\$206,300	\$185,700	\$206,300	Apr-06	
Vassar Brothers Hospital, DBIA	6091-44-840670-0000	168	South	\$319,000	\$303,100	\$268,600	\$242,800	\$268,600	Jan-08	
Vassar Brothers Hospital, DBIA	6091-44-843678-0000	166	South	\$220,000	\$220,000	\$206,000	\$206,000	\$206,000	Dec-07	
Vassar Brothers Hospital, DBA	6091-44-844719-0000	83	Livingston	\$280,000	\$280,000	\$244,400	\$222,400	\$244,400	Jun-08	
Vassar Brothers Hospital, DBA	6091-62-811802-0001	21	Fox	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000	Dec-02	
SUBTOTAL				\$4,093,500	\$4,002,400	\$3,826,300	\$3,661,500	\$3,826,300	100%	
TOTAL				\$100,482,500	\$102,497,200	\$102,037,600	\$100,463,000	\$27,261,200		

X. UNFINISHED BUSINESS:

Councilmember Herman- asked Councilmember Coates if he the Fire Chief formally apologized to him.

Councilmember Solomon stated before the Council that in the past personal matters are reviewed in executive session.

Councilmember Johnson asked how the YMCA is coming along in regards to water leaks. She was also concerned who looks after the building.

Councilmember Mallory stated that approximately two months ago he stated he was concerned with the communication tower on College Hill. He was wondering where the city is regarding that matter.

He also inquired about a grant team and stated that the city will benefit from having one. He was concerned with the taxi-cab ordinance.

Councilmember Johnson stated that she had 2 bus centers in her ward that are missing panels. She is also concerned with the scattered sidewalks repairs for 2010.

Councilmember Flowers stated that she wanted to take the time to thank DPW staff for cleaning up College Hill playground.

XI. NEW BUSINESS:

Councilmember Johnson stated that there is a new ice cream business in her ward on Main Street. She stated that residents notified her that the business was open at 1:00 am. The business was playing music; which can be a potential problem. She also stated that she noticed the Laundromat on Main Street is open 24 hours. She also noticed new stop signs on Meyer Avenue she was unaware of the stop signs.

Councilmember Flowers- stated that last week she attended a funeral service that was devastating. A young man was killed and he left a surviving child behind. She stated in the near future can the Youth Advisory Board and Youth Consultant take a pro-active approach; possibly a comprehensive plan to deal with the issues.

Councilmember Coates stated that he noticed a lot of loitering in front of the Congress bar. He is concerned why the city police department is allowing loitering in front of that building. He stated that the police department needs keep a close watch on the Congress. He stated that he is impressed with the improvements at Hume Park. He stated that the youth look forward to leagues.

Chairman Klein stated that there are a few wards that have concerns with speeding. He also stated that perhaps a resolution can be drafted for the issue of the fee for the Walkway Over the Hudson.

Councilmember Mallory stated if possibly the parking regulations on Smith Street be amended to 4 hour parking.

XII. ADJOURNMENT:

A motion was made by Chairman Klein and seconded by Councilmember Herman moved to adjourn meeting at 9:00 pm.

Dated: August 9, 2010

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, July 6, 2010.

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