



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, July 8, 2013 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

**ROLL CALL- 6 Present, 2 Absent (Councilmember Boyd,
Councilmember Perry)**

II. REVIEW OF MINUTES:

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

ADD

VII. MOTIONS AND RESOLUTIONS:

- 4. FROM COMMISSIONER OF FINANCE BRADY Resolution R-13-62
designating and appointing the City Chamberlain as person upon which
the Secretary of State may send notice of claim.**

REMOVE

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. FROM THE POLICE DEPARTMENT, a demonstration regarding the
parking meter project.**

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

Ken Stickle - 118 Catherine Street – To answer the question about removing the property from the auction list – I believe if it does come off the auction list, it should be sold amongst all the community churches in that area. It should not be put for a not-for-profit piece of property. It should be taxed as a full. I do understand the church did put \$1.7 Million into that property, and I feel bad for them. But, if we're going to take that off, we need to get the full tax dollar for that. Approximately 48% of the City of Poughkeepsie is non-profit. Vassar Brothers Hospital just had a big expansion that took I don't know how many parcels off the tax rolls. We have a lot of non-profits in the City, and if we're going to do anything about taking it off, I believe it should be taxed at full value and let St. Mary's as well as the other churches in that area go in and if they have to charge a monthly fee for anybody parking there, so be it...to pay for the taxes and the repairs on that property. We need to keep improving the tax base without killing the taxpayers. I'm willing, after listening to the last financial statement, to see the tax at a realistic rate - not be at 2%, but it needs to be realistic and be brought up to at least be at 4 or 5% this year. We've got to start doing something. We're falling farther and farther behind, in the hole and this City cannot go on like this any longer. We've got to face reality; we've got to bring taxes up to a realistic point this year. The State Comptroller says it – there's no way around it. If you want to take the [church] property off the auction, then as long as there's a full tax assessment on it, I have no problem with it. Thank you.

Frank Zehnacker – 48 Fountain Place – Came to address a “horrible situation” developing across the street from his house, at 47 Fountain Place. The house is being rented by two different families on a street of single family dwellings. Complaints against this house have been brought up before. There was a fight around 11:00 p.m. between a woman downstairs and a man. The woman was in her car in the driveway and the man was punching her. She was blowing her horn and yelling for help. After around 20 minutes he called the Police. He was told that no one was available and they would send someone when they were available. This continued for around 30 minutes and when the Police finally arrived, the man had left. Also believes there are people living, or at least sleeping in the garage in back of the house. Saw men leaving the garage in the morning carrying paper bags. There are no bathroom facilities in the garage and is concerned. The tenants in the upstairs apartment are a man and his son and sometimes his daughter. They have a car that leaks oil badly. He has complained in the past and has called the DEC, who have investigated the situation and ticketed them. They fixed it temporarily, and now it's leaking again – onto the newly blacktopped street. He brought in a photo to show anyone who is interested in seeing it. He spoke to the father about one month ago and was told that it would be fixed. It never was. Has stated that Councilwoman Johnson was helpful in resolving the matter the first time. Asked for help once again. On many occasions, this vehicle is parked on the street with the residents and their friends playing loud music and hanging on and in the car drinking beer. Has had to go out quite a few times to ask them to turn the music down. Many mornings he has found empty beer bottles and cans and garbage around the car that he's had to pick up. On July 4th around 11:00 o'clock, a fight erupted between the residents and a girl visitor. Mike Thompson, the next door neighbor called the Police and Gwen Johnson. After talking with Mike and Gwen, he learned that they were hitting each other with beer

bottles and throwing them into the street. He cleaned it up the next morning. Also learned that a machete had been displayed. Stated that he was confused; people hitting each other with bottles, broken glass in the street, drinking beer and displaying a machete and nothing was done by the Police. Why? Why were people that assaulted others not arrested? Breaking bottles – no one arrested...displaying a dangerous weapon...no one arrested. After drinking, the Police let the people get into their cars and drove away. He's lived in his residence for 12 years. Since this house has become a rental, it's been nothing but problems. Mr. Thompson has sold his house and is moving out of the City because of this. Another neighbor who has lived there for 56 years, is afraid to come out of her house. His wife, who enjoyed walking their dogs on the street, is afraid to go outside. We should not be "held hostage" in our homes. The landlord needs to correct this situation. He has spoken to Mr. Ackermann about this and is hopeful that, together with Ms. Johnson, something can and will be done. He asked for any help that the Council could supply.

Constantine Kazolias - 47 Noxon Street – He's not alone. Noxon Street's in the same category. The Section 8 Housing, I don't know...I have a few questions about it. Just wanted to note that the State cut the revenues to the City of Poughkeepsie by half a million [dollars], and the County cut the sales tax 2 million [dollars], so we're looking at a 2.5 million in shortfall. When the County merged with the City for a partnership with compensation insurance, and I asked the County presenter and she said there were no pre-existing conditions carried over into the compensation insurance, so why is it done here? It's beyond me. It was raised by Councilwoman Johnson. I still say that there are no C-2 files claimed, so is it pre-existing conditions are awards. Not pre-existing conditions before January 1st each year. Why are all these pre-existing grouped into one place on the budget? The Firemen and Police have the biggest problems and they're not exempt. They're all grouped together, but yet, they extrapolate \$300,000 for the Sanitation thing. Let's put it this way, regarding the sale of the Cannon Street, I agree with Mr. Stickles over there. I think the Cannon Street parking deck should go back on the tax rolls. They're forty something monthly parkers as well as other people who park there is the school and neighborhoods, etc. This thing was financed by bonds. Let me say something else. Coincidentally, just seeing that report – the City of Poughkeepsie is 28% tax exempt and the revenues raised by property taxes are 28.7%...coincidental, very coincidental. Selling the parking deck to the church would be another tax exempt property off the tax rolls. This parking deck was financed through the bonds through the Parking Authority and now it's time to put it back on the tax rolls. As far as I'm concerned, to sell City owned property, you need a ¾ vote on the Common Council. As far as I'm concerned, it can go back on the tax rolls. I don't care who buys it, but I don't want it to be tax exempt. There are 40,000 tax exempt properties in the United States and the City has its share and I don't think it needs another piece of property because we're hurting. The best thing that audit did say is that we have the sanitation off the books. As far as I'm concerned, you need ¾ vote to sell it. The church wants to buy it, but I still don't think it should go off the tax rolls. I feel very strongly about it, but we're hurting, in case people don't know. That's why people are moving out; maybe that's why you have empty houses...I don't know what's going on here in the City. The thing is, it can't continue on this way, because it's probably on the verge of bankruptcy now. It's nice and

solid. Get it back on the tax rolls...I feel very strongly about it. I've been saying for a long time. Thank you, I appreciate your time.

Fred Schaeffer – Attorney for the Redeemed Fellowship Church - Was at last week's meeting. Is happy to see that there's a motion on the floor to remove the parking lot, it's really a 200 car parking lot...you call it a parking garage property on Cannon Street - from the auction block. The church was purchased...it was mentioned, at \$1.7 Million. They also put \$100,000 investment into renovating it. This was a good faith investment in the City of Poughkeepsie. The church has many citizens living in Poughkeepsie. They also spend money here and enjoy being citizens of Poughkeepsie, but without the church being local, it's going to loosen that tie to the City of Poughkeepsie. It came to the church's attention, that the sale was proposed and I don't think that there are any meeting or environmental determinations with regard to this so-called auction. This is going to have an impact on the City of Poughkeepsie, both financially and environmentally-wise, because 40 people have permits for it, there are at least 20 cars in it at night and in the day and the church uses it on weekends and at night for meetings. So, I think you have a serious problem with regard to keeping it on the auction block, because you gave it a negative declaration which probably was not right. The church uses it for its congregation, but also for other religious groups who use the church. The church has over 50 members that use this parking garage. Maybe you have to save the money somehow, but getting rid of this garage is not going to help you and if it sells for \$25,000 you have listed for it. It's going to make a small dent in your budget, but yet, it's going to hurt the City in the long term basis, because the City needs parking and this happens to come off as a parking lot and is replaced with something else, it will not help the City. Other residences and businesses use it daily on an overnight basis. We're making this plea, to support the resolution and to pull this property from the auction block so it can benefit the City on a long-term basis. At the last meeting, I submitted a written request to this effect with supporting information and documents. I also submitted a petition with over 300 signatures. They have more signatures on the petitions I'm going to make copies of and submit after this meeting. Letters include Ridley-Lowell Business School and St. Mary's Church who also need parking. Personally feels the City would be hurt by not taking it off the auction block, because of the church's investment, because of a long-term need for parking – if this area is lost for parking, it might as well forget about this area to ever improve and have businesses. Maybe if this parking deck was restored and used, people would be able to work and live in that area and the area would improve. I ask for your support tonight in recommending that it be removed.

Bishop Kenrick McBean – Expressed his sincere appreciation to the Administration and Council for allowing the time to listen to their plea. He understands that decision-making is not easy, but it can also be rewarding. As a City elected official, he prays that God will give you wisdom and guide you every day. He spoke about how they have made a tremendous change in the community by patrolling the area making it a safer environment from criminal activity, including, but not limited to drug dealing. He can appreciate the stress that leaders face and may have sleepless nights, as he is also a leader (Minister) and has also had such sleeplessness facing the current issue at hand. Equates himself with the Police in making himself available 24/7 for his church members. Feels

that the Council and Administration are doing a great job too, but pleaded with the Mayor on behalf of the congregation and the community at large; your decision today can write a new chapter in the history of the City of Poughkeepsie. This is a great city. A city of love. A place that has come very far. A few years ago, I watched a bridge that once uselessly spanned across the river, become a tourist attraction because of someone who was vigilant and worked hard in its' restoration. We are attracting thousands of tourists each year into Poughkeepsie and this will be a greater dimension if we, as a church do what we are called to do in our community. It's not about you or me, it's what is best for the community. We should use our historical attractions, such as the church(es) with their stained glass windows and majestic domes rich with history to bring in revenue. We can join together to make this happen. Each tourist will bring in revenue. The greatest revenue in the State of New York is through tourism. This evening, I heard talk about the budget. We need to work together to find means to raise money. The decisions we make in the path in life will someday write our history. Sooner or later we will all leave this world. Pleaded to the Administration and Council to pass this resolution and remove the parking garage from the auction list on August 28th. This will certainly not put the City into bankruptcy, but this is about bringing great change to Poughkeepsie. Please allow the church to take over ownership; we are not rich. We are poor people with big hearts and compassion. We support and cooperate greatly in everything you are doing here. Let us make an offer right now and wrap up this deal and move on to something else. There are great things to be done. We cannot sit around arguing petty things about what is going to be lost if it comes off the tax rolls. Let's be realistic about life. What will bring revenue into the City, Ladies and Gentlemen? Thank you for this time. God bless you; remember one thing - the Bible is clear: Those who consider the poor... read a statement from the Bible. Told the Mayor and Council they were doing a great job and that the church would stand with them to support them in whatever they do. Thanked them again.

Devon Johnson – 155 Franklin Street – Member of the church. Supports the resolution and asks for the church to have the opportunity to have that property because it is vital to them. Asks that the Council and Administration come to an agreement of what needs to be done tonight, he would appreciate it.

Sean Harden - 36 Glenwood Avenue – After watching the tail end of the last meeting held, I also want to vote, “No” on the proposition of the parking deck. It's not because...these are a great group of people back here, it's because we're hurting with untaxed properties. Think about it. We have a hospital, a number of schools, firehouses, this building. The list goes on and on. There are 300 vacant properties in the City. We can talk about selling it to them, but it has to be taxed. We can't let another property go tax free; it's outrageous. Like I said, it's a great group of people here and they spent \$1.7 million in that church, but we need the revenue from the auction and long-term tax revenue. The other reason I came here tonight was, after watching a recent meeting and someone asked why a fire truck was taken out of service and I'm going to speak on that in a little bit. Our firefighters don't work overtime automatically. The only person who might know that is Mr. Parise. Went on to explain how overtime pay is factored in. If

you work all your jobs in a two week pay period, and then you get one overtime job for example, for 12 hours, that's still straight time. If you get another job, of whatever that may be, then it's going to be at time and one half. It just does not work that way. That's why a rig was put out of service. It was a probably a beautiful week and probably no one wants to go in for straight time. Contracts are coming up for all three unions this year, so something's got to be worked out with that, you know. For a number of years, they didn't get any time and one half. That's basically how it worked. Lastly, that property at Glenwood is still a nuisance. Just yesterday, the Fire Department went there for a smoke detector that was sounding for over 25 minutes – no one calls. Another time, I came home from work at 1:30 a.m. and the Police did a great job with this: There was a fight between two men there, music's blaring, they had them turn it down. Why are the Police and Fire Department always going out there? I see the Building Department come and take pictures. I saw that there's an upcoming Zoning Board meeting where they're trying to make that a legal two-family. I don't think that's a good idea. That needs to be kept as a one-family and the boarding house in the back needs to be kept out, because that's a nuisance property. There are unregistered motor vehicles in the back and God knows what in the garage that causes flooding in my yard, and something needs to be done about that property. Thank you.

Salome Brown-Burrell – 1101 Parr Meadow Dr. – Newburgh – Served in various capacities in the church over the past 14 years. Currently serves as the Women's Ministry Director. Thanked Mayor Tkazyik for sending an acknowledgment placque for Bishop McBean Appreciation Day, acknowledging Bishop McBean's service and dedication to the community. I have come to ask your support in allowing the church to keep the parking garage. Without the parking garage, there is no place for the churchgoers to park. The church is a Beacon of Light in the Poughkeepsie and surrounding areas. Services provided by the church makes a difference in the community and makes our job easier including yours. This is done by character building through the Christian church in order to lead more satisfying and fulfilling lives. The garage is off the auction block for a limited time. We ask that you allow us more time for us to come up with the money so we can purchase the place. We are no match for the very rich and wealthy, savvy business people in this area. There's no question that they could outbid us and take the parking space away from us. That would be detrimental to our services at 100 Cannon Street. Our role in the community is vital and very important. We care for the spiritually sick and are doing a very good job at it. We feed the hungry, and we bring hope to the hopeless. The city has been helpful in many regards. We thank you and ask for your continued help.

Clement James - 87 Clinton Avenue – Kingston, NY – Deacon of the Redeemed Fellowship Church. Pleaded with the Administration and Council to take 88 Cannon Street off the auction block and pass the resolution to allow them come to the table and negotiate with you. Mr. Mayor, we both want what's best for the City of Poughkeepsie. Our goal is to go forth, teach forth, help one another and make good citizens in our community. Please help us to help you. When we do good, you do good. If we do bad, you do bad, Mr. Mayor. Please give us a chance to negotiate a price with you. God Bless You. Have a good night.

Ewart Lurch – 155 Franklin Street - Member of the church since 1996. It's a great, great ministry doing great things not only in Poughkeepsie, but in the entire Northeastern region. This is one of the largest congregations in the Northeastern region. We need this parking garage for our 900 vehicles. Where else would we be able to park 900 vehicles if the parking garage were to be torn down and taken over by something else? Please, we need this. You will be blessed.

Evelt Blankenship – 55 South Bridge Street – Came for a second time to ask that the Administration and Council reconsider the resolution and remove the parking garage from the auction block. This church is dear to our hearts. The parking garage is vital to the church. We are here to enter into a mutual agreement where both parties are satisfied. We would like to join hands with you to be a part of this community, in the growth and development of the community. Please allow us to do so.

Delroy Brown - 22 Conklin Street – Is a minister in the church. We do wonderful things in the community. The church feeds over 500 people per week. There is also a school in the evenings for the community. Asked that the resolution gets passed. They need it, not just want it. Appealing to the Council and the Administration to come to a reasonable price and not overcharge them for it. Please make that judgment tonight so that we can move ahead.

Eneaya Foster - 159 Washington Street – Member of the church. Also volunteers in the food pantry which feeds hundreds of people each week. The garage is important to them and asks to be considered in making this property theirs.

Verona West - 2 Greenhouse Lane – Is here for the second time to plea with the Councilmembers to pass the resolution to remove 88 Cannon Street from the auction block. She understands the issue of revenue, but by selling it to the church, it will generate revenue. Consider it and give them a chance to negotiate.

Lesma Haye - 165 Wisner Avenue, Middletown, NY – Asked for support of the resolution removing the parking garage from the auction block and give the church a chance to purchase it.

Joe Lepore - 11 Marie Court – This City needs income. We business owners cannot afford to stay in the City. We have to do something. We already lost a building on Market Street and I know it's not the City's fault. Another church took it over, and again, the City lost revenue. The City is the Capitol of not-for-profit. It's the capitol of people that don't pay tax, between the County, churches...and again, these are good folks here and I love their church because I pass by every morning. It's a great church. I urge you to give it to them, but they've got to pay property tax. No question about that; the City needs an income. You already said that you've got to run the City like a business. Five years ago, we fixed the building on Cottage Street. Two weeks later, we got hit with MTA tax. Today, with over 200 employees, I'm still paying MTA tax. If I knew that, I would've moved to the other side of the river where there is no MTA tax. My staff

doesn't even use MTA transportation. So, let's be realistic. I have nothing against the church – gorgeous church. Nice folks here...it's just that the City needs an income. It's not fair to the residents. Another church will come along and needs another building. What's it gonna be...for free? You need to run the City like a business. Thank you for your help. You've got to help business owners because you'll see more businesses move out of the City.

Sharon Scafe - 53 Lindbergh Place – Member of the church. Asks that the parking garage be removed from auction and give them the opportunity to purchase it. We have and will continue to do good.

Charmain Ellsworth - 4101 Cherry Hill Drive - Member of the church. Asks that the parking garage be removed from auction block. They really need it. Wants to come up with a resolution to get it back.

Ingrid Selman - 14 Wilson Blvd – Member of the church. This is her second time to ask that the parking garage be removed from the auction block.

John Darrow - 39 South Hamilton Street – Owner of the Darrow Funeral Home on South Hamilton Street. I have a situation where, when we come out of the parking lot, (and this happened to me last week) I almost was hit head on. It scared the Hell out of me. South Hamilton Street used to be one-way, going north. We had parking spots in the front of the Funeral Home. Now it's a problem coming out of the exit. Looking north isn't so bad, because that's coming down in the far lane. But, to look down toward St. Mary's Church and those cars that are all parked there the visibility of even looking at Church Street, is not there. So, even when we have a funeral, I have someone out there with a funeral sign, "Stop," and I did it myself last week and three fire trucks were coming up south to go on a run. I stood right in front of that fire truck...I don't know why I did that, and thank God it went slow. I was able to get my cars out, which was my main concern - to keep them all in line for the funeral procession. I've come here to ask for three parking spots in front of the Funeral Home. They're very important for visibility to see cars coming south. I've seen these cars there a number of times. They're either students going to the old St. Mary's School that is now turned into a school. They do not pay taxes. They rent and for some reason, the properties they border have no parking on them, so they park in front of my funeral home. Every morning, my staff picks up all the trash that is left there in the gutter. I wouldn't mind if they were clean parkers, but we have enough of our own trash to pick up. His point is the visibility coming out of the funeral home that is a detriment and Joe Rich and Captain Pape were kind enough to come to my funeral home to talk to me. They agree that it is a hindrance and somebody is going to get hit. I'm afraid somebody is going to get killed. Believe me, soon as the light changes from red, they want to get across the arterial and zoom like Hell coming up that way. It always seems to be when I'm there, pulling out. I'm upstairs in the office making funeral arrangements with a family...zoom! They come up like they're at the Indianapolis Speedway. The fact of the matter is the safety factor. Incidentally, I am a taxpayer and I have been since 1928, when my father started it. I think I paid my share of taxes, and so has my father. I've heard conversations here about

tax, about input in the City of Poughkeepsie and getting money. I don't mind paying my taxes, I know my time is up. I only ask if you could please grant us those parking spaces. We will keep them up, and even if you increase my taxes, I don't care.

Ms. Campbell's name was called, but she stated her name which sounded like "Ahil" Williams, (first name inaudible) - 5 Denver Place, Poughkeepsie, NY - Is 15 years old. Attends church and wants to be a role model for others. She's a youth leader. On Easter Sunday, there are 900 people attending services. Where would you put 900 cars or 900 people? Wants the garage taken off the auction block so that the church can raise more money to purchase it.

Shelyan King - 14 Wilson Blvd – Is a member of the church who is a part of feeding and clothing the community. They need the parking space for the clients and volunteers alike. Asks that they be allowed to purchase the parking lot.

Fernando Morrison - 97 South Cherry Street – Member of the church. Helped build the City Hall Building. Is a homeowner and is a taxpayer. Asked that the City allow the church to purchase the parking lot.

Janet Morgan - 107 South Cherry Street – Is a Minister at the Redeemed Church, a teacher at Ridley-Lowell Business School and a nurse at the Pines of Poughkeepsie. Wants to be able to ensure the safety of those who attend the church and school at night. They can travel in groups to go to the parking garage. If they are separated, their safety may be compromised. Asked that the church be allowed to purchase the garage.

Nadine Wright - 3 Weed Street – A member of the church. Asks that the City allow them to own the parking garage.

Alma Aikens - 67 North Hamilton Street – Her children live in Poughkeepsie and pay taxes. Volunteers at the Food Pantry 8:00 a.m. Sometimes the line goes down from Church Street to Cannon Street. Has a bad knee and cannot walk there. The parking garage is really needed.

Renee Thomas Lavin – He and his family voted for Mayor Tkazyik during both elections. Said that he did the Mayor a favor and asked for a return favor of letting the church own the parking garage.

Mavis Smith - 68 Lincoln Avenue - Member of the church. Also volunteers at the food pantry. Asked that the parking lot be removed from the auction block. There would be no place to park during funerals or weddings either. Asked that they be considered in purchasing the park.

Katina White – 24 Lincoln Avenue – As her fellow church members have already "said it all," she stated, "We declare, we decree and we claim that this parking lot shall be ours." Asked that the Administration and Council agree with the church.

Tron Melton - 15 Morgan Avenue – I’ve come before you before. It’s been almost a year, and I’m just tired of the disrespect that this municipality has shown me. I met with the Common Council, Paul Ackerman and he promised me certain things – supposed to be on the agenda tonight. He did not deliver. Did not even answer my emails so we can negotiate whatever we were going to do. Now, he told me one “prevarication” after another. He wrote me just before I came to this meeting today. It’s too late. He was supposed to already do that weeks ago, and I’m just sick of the disrespect of me. You know, I’m not a Republican, I’m not rich, I’m not white and the only thing I could come to is that, because I’m black I can’t get this property.

Mayor Tkazyik: Mr. Chairman, he’s totally out of order.

Chairman Mallory: Please stay focused on what we have without making allegations.

Mr. Melton: I’m staying focused. That’s the only reason I can see. If it was the Ice House up here, you’d be up here...no problem. No, I’m disgusted in what you’re doing to me, and what you’re doing to other people, you know? You disrespect me long enough. It’s been almost a year. Almost a year. Either it’s yes or no. I can’t even get information on a property. I’m just so sick of it. How is somebody in my situation...I’m not rich, I’m more on the poor side gonna ever get to get property to move up in life if you keep “dissin’ me” like this? If you keep disrespecting me and ignoring me, saying you’re gonna do something and don’t do it. At that Council meeting and my Councilwoman, she’s not here, Ann Perry he promised me certain things. It’s not even here. He didn’t even answer me. He didn’t even have the decency to answer my emails. And, if you don’t see that as a disrespect, then I don’t know what your meaning of disrespect is. I can no longer take this without, without...what do you think would come to mind? I see all these Republicans and everything getting their properties. It don’t take them almost a year. The Ice House – every time something goes wrong with that you get liquor license...whatever. It doesn’t take them almost a year to get it or get on the agenda. I can’t even get on the agenda. Now, the only thing I can think of is because I’m poor black to get a City owned property.

IX. MAYOR’S COMMENTS:

Mayor Tkazyik: Thank you Mr. Chairman. First off, I will spew any of the attacks or allegations in relation to the previous speaker on the process. We will not stand or tolerate that type of ignorance or attacks...That property is not even on the list for availability. This was a specific request. The Administration has made regards to this property with the Councilmember of that ward. There are certain requests coming from that Councilmember in relation to this property, which we will be happy to discuss with members of the Council in Executive Session if they so choose to know about - Topic number one. Number two, I’d like to thank everyone for coming out for the glorious spectacular Fireworks Display in the City of Poughkeepsie. Over 14,000 people came into the City between Waryas Park, the surrounding streets and close to 4,000 people on

the Walkway Over the Hudson. A beautiful show was there – people were out barbequing and picnicking down in Waryas Park and throughout various parts of the City even to the North and South. So I want to thank everyone for again, coming together and celebrating the holiday with us. I want to thank all the members of the Redeemed Christian Fellowship Church for coming out here this evening and speaking out and of course, to Bishop Kenrick McBean for all that you do, Sir. You are a true shepherd to the people here in the City, and for the magnificent work you've done on Cannon Street with the renovations and completions of that great structure. The City announced the auction of several different properties a few weeks back and in regard to that, the City (not with just this property, but with other properties) had determined that there was no longer a municipal need for these properties. Not that we mentioned the public need, we mentioned the municipal need. The City can no longer afford to maintain upkeep or to provide that municipal service or use for the various lots throughout the City. That's why not only we chose this particular parcel, but the other parcels to put onto the auction list. Now, in that list that the Common Council adopted, the City has received numerous, numerous inquiries and interest and offers made to the same request that the members of the Redeemed Christian Fellowship Church God of Prophecy is making this evening. I'm speaking in relation to a process. A fair and equitable way for the City assets to be disposed of this size and of this structure is through the auction process. However, if the Redeemed Christian Fellowship Church God of Prophecy is not the awardee of the auction in the end, the City will be happy to meet with the Bishop and the church and the new owners to work out some sort of arrangement in relation to accommodating parking for religious service, not just for their church but I'm sure for other churches in the area. But, the fair and equitable way to dispose of this property is through that process. As I mentioned to you, the church is asking for you to remove it this evening to make a straight offer and I'm saying we have also received the same level of interest as the church to do the same sort of thing. Not just even for the Cannon Street deck, for other properties that were chosen to be auctioned. So, in relation to process and procedure, a fair and equitable way to dispose of this property of this magnitude and size is through the auction process. And, again, if the church is not the awardee in the end, we will work with representatives from the church and the new owners to accommodate the religious service need particularly on the weekends. I know that it's a tough issue, it's a tough challenge the City faces great challenges, and we appreciate all that you have come and said tonight. It's certainly something that I know I'm not taking lightly and I see your public need for the lot. However, the best way, I feel, to proceed is through the auction process which is the most fair and equitable way to dispose of this and to the five other pieces of property that the Common Council voted to auction a couple of meetings ago. Before you as well tonight, on the agenda of course, is the adoption of the 2013 Adjusted Base Proportion and Commissioner De Marco is here to explain that and of course, part of the negotiations and moving forward with the upgrades to the Joint Water Plant with the Ozone Project is the municipal approval for the bonding to meet the requirements mandated to us by the EPA. Mr. Chairman, that concludes my comments this evening.

X. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Mallory Thank you very much. May we please have a moment of silence for two women who dedicated their lives to the betterment of our community, Ella Spooner and Gail Webster. Thank you. Finally, I'd like to wish a speedy recovery to our City Administrator, Milo Bunyi.

VII. MOTIONS AND RESOLUTIONS:

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

Commissioner DeMarco: Good evening, Mr. Mayor, Councilmembers. This is my annual evening when we adopt the new Adjusted Base Proportions. As you know, every year depending upon the changes; changes in the roll, changes in the value, classifications, the adjusted base proportion, meaning the proportions of the roll that are paid for by the homestead or the residential portion or the commercial portion changed slightly. This year they did change from last year and lean a little more in favor of the residential properties this year. But, I assume that you have before you, all the necessary documents to see where we are in this particular year. As a matter of law, we need to vote on a resolution so that not only will they be used for next year's tax rates, but also for the School Tax rates that are...bills are going out next month or so. This is always done immediately after the final roll after July 1st of every year. If anyone has any question about them or trending or whatever, I'd be happy to answer them.

**R E S O L U T I O N
(R 13-59)**

INTRODUCED BY COUNCILMEMBER SOLOMON

BE IT RESOLVED, that the attached certificates of Base Percentages, Current Percentage, Base Proportions and Certificate of Adjusted Base Proportions for the levy of taxes on the 2013 Assessment roll are hereby approved in accordance with Article 19 of the Real Property Tax Law.

SECONDED BY COUNCILMEMBER PARISE

06/26/13

NEW YORK STATE OFFICE OF REAL PROPERTY TAX SERVICES
 Bldg 8A - WA Harriman Campus Albany, NY 12227

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND
 CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 16, RPTL, FOR THE
 LEVY OF TAXES ON THE 2012 ASSESSMENT ROLL

Approved Assessing Unit City of Poughkeepsie, 131300
 Name of Portion City of Poughkeepsie, 131300

CERTIFICATION

DETERMINATION OF BASE PERCENTAGES

Section I	(A) 2006 Taxable Assessed Value	(B) 2006 Class Equalization Rate	(C) Estimated Market Value A/(B*100)	(D) Base Percentages (C/sum of C)
Homestead	1,663,288,662	100.00	1,663,288,662	70.8173
Nonhomestead	685,416,541	100.00	685,416,541	29.1827
Total	2,348,705,203		2,348,705,203	100.0000

DETERMINATION OF CURRENT PERCENTAGES

Section II	(E) 2012 Taxable Assessed Value including Special Franchise	(F) 2012 Class Equalization Rate	(G) Estimated Market Value E/(F*100)	(H) Current Percentages (G/sum of G)
Homestead	1,164,554,388	100.00	1,164,554,388	65.8652
Nonhomestead	603,532,295	100.00	603,532,295	34.1348
Total	1,768,086,683		1,768,086,683	100.0000

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

DETERMINATION OF CURRENT BASE PROPORTIONS

Section III	(I) Local Base Proportion for the 2006 Assessment Roll	(J) Updated Local Base Proportion	(K) Prospective Current Base Proportion Column (L) Prorated to 100.00	(L) Adjusted Base Proportion used for Prior Tax Levy	(M) % difference between prior Adjusted Base Proportion and Prospective Current Base Proportion ((K/L)-1*100)	(N) Maximum Current Base Proportion	(O) Current Base Proportions
Class		I*(H/D)	(J/sum of J)		(L-1.05)		
Homestead	65.20854	60.64871	59.84444	51.49859	-2.69		59.84444
Nonhomestead	34.79146	40.69523	40.15556	38.50141	4.30		40.15556
Total	100.00000	101.34395	100.00000	100.00000			100.00000

signature

title

date

NEW YORK STATE OFFICE OF REAL PROPERTY TAX SERVICES Box 8A - WA Harriman Campus Albany, NY 12227									
CERTIFICATE OF ADJUSTED BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL FOR THE 2013 ASSESSMENT ROLL									
APPROVED ASSESSING UNIT City of Poughkeepsie, 131320									
REFERENCE ROLL City of Poughkeepsie, 131320									
LEVY ROLL 2013									
CERTIFICATION									
I, the clerk of the legislative body of the approved assessing unit, identify above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.									
SIGNATURE _____ TITLE _____ DATE _____									
RP-6703	NEW YORK STATE OFFICE OF REAL PROPERTY TAX SERVICES Box 8A - WA Harriman Campus Albany, NY 12227								
CERTIFICATE OF ADJUSTED BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL FOR THE 2013 ASSESSMENT ROLL									
APPROVED ASSESSING UNIT City of Poughkeepsie, 131320									
REFERENCE ROLL City of Poughkeepsie, 131320									
LEVY ROLL 2013									
CERTIFICATION									
I, the clerk of the legislative body of the approved assessing unit, identify above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.									
SIGNATURE _____ TITLE _____ DATE _____									
SECTION I DETERMINATION OF PORTION CLASS NET CHANGE IN ASSESSED VALUE DUE TO PHYSICAL AND QUANTITY CHANGES, EQUALIZATION CHANGES AND COMPUTATION OF CLASS CHANGE IN LEVEL OF ASSESSMENT FACTOR									
(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)
Total Assessed Value on the Roll including (Special/Franchise)	Total Assessed Value of Physical and Quantity Changes between the Reference Roll and Levy Roll	Total Assessed Value of Physical and Quantity Changes between the Reference Roll and Levy Roll	Net Assessed Value of Physical and Quantity Changes (B-C)	Surviving Assessed Value Total Reference Roll (A-C)	Total Assessed Value of Physical and Quantity Changes between the Reference Roll and Levy Roll	Total Assessed Value of Equalization Increases between the Reference Roll and Levy Roll	Net Assessed Value of Equalization Changes (F-G)	Change in Level of Assessment Factor (H/I)	Class Adjustment Factor (J)
1,97,598,211	1,203,330	873,700	338,630	1,184,724,611	598,670,051	533,300	5,552,800	566,136,761	
Homestead									
Nonhomestead									
SECTION II COMPUTATION OF PORTION CLASS ADJUSTMENT FACTOR									
(K)	(L)	(M)	(N)	(O)					
Total Assessed Value on the Levy Roll excluding Special Franchise	Assessed Value of Special Franchise on the Levy Roll at the Reference Roll Level of Assessment (K-L)	Total Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (K-L)	Total Taxable Assessed Value on the Reference Roll	Class Adjustment Factor (M/N)					
1,100,307,461	1,184,943,165	1,184,943,165	1,184,943,388	1.00033					
Homestead									
Nonhomestead									
SECTION III COMPUTATION OF ADJUSTED BASE PROPORTIONS									
(P)	(Q)	(R)							
Current Base Proportions	Current Base Proportions adjusted for Physical and Quantity Changes (P-Q)	Adjusted Base Proportions (Sum of Q)							
59.84444	59.85442	59.23110							
Homestead									
Nonhomestead									
Total	401,052,411	100,000,000							

Official Minutes of the Common Council Meeting of July 8, 2013

Local Adjustments to the Adjusted Base Proportions

The municipality may make certain adjustments to the ABPs.
See Subsection 1903-4(c) of the Real Property Tax Law.

City of Poughkeepsie

2012

STEP 1 - Subtract the Adjusted Base Proportion for the Homestead Class from the Current Percentage for the Homestead Class

Current Percentage for Homestead Class (part H of form RP-6701)	65.86523
Adjusted Base Proportion for Homestead Class (part R of form RP-6703)	59.23510
Difference	6.63013

STEP 2 - Take the Difference computed in STEP 1 and multiply it by 10%, 20%, 25%, 30%, 40%, 50%, 60%, 70%, 75%, 80%, and 90%.
Add this amount to the Homestead Adjusted Base Proportion.

Select a Percentage	Amount to be added to Homestead ABP	POSSIBLE TAX SHARES WHICH MAY BE ADOPTED	
		Homestead	NonHomestead
		59.23510	40.76490
10%	0.66301	59.89811	40.10189
20%	1.32603	60.56112	39.43888
25%	1.65753	60.89263	39.10737
30%	1.98904	61.22414	38.77586
40%	2.65205	61.88715	38.11285
50%	3.31507	62.55016	37.44984
60%	3.97808	63.21318	36.78682
70%	4.64109	63.87619	36.12381
75%	4.97260	64.20770	35.79230
80%	5.30411	64.53920	35.46080
90%	5.96712	65.20222	34.79778
100%	6.63013	65.86523	34.13477

Official Minutes of the Common Council Meeting of July 8, 2013

R13-59						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Chairman Mallory: Mr. Alstadt, would you like to please come forward in case we have more questions about bonding? Thank you for reminding me, Mr. Mayor.

Corporation Counsel Ackermann: Mr. Chairman, before you is a resolution approving the bonding of an amount not to exceed \$9,062,945 for the upgrade at the Joint Water Plant. As you are aware, the Water Board completed SEQRA. Now it comes back to the Board to adopt and fund the project. Mr. Alstadt is pretty well versed and is here to answer any technical questions with regard to the upgrades. This is the bonding mechanism for those upgrades.

Chairman Mallory: Mr. Alstadt Would you like to fill us in on anything you haven't been beforehand before we ask you questions?

Randy Alstadt: No, Sir. I think we've covered all the issues. If you have any questions, I'll be glad to answer them.

Councilmember Solomon: Is this the last time we're going to bond something for the Water Plant this year? I think we're up to what? \$16 Million?

Corporation Counsel Ackermann: I believe this is the only scheduled upgrade to the Water Plant. The first phase was already bonded for. That was the centrifuges, and this is the actual upgrade, which has a total project cost of \$16.5 Million split - \$7.4 Million to the Town [of Poughkeepsie] (\$9.1 Million to the City) but I don't anticipate any other projects at the Water Board, especially this year.

Mr. Alstadt: There are no other capital improvements on the schedule for the next year.

Councilmember Solomon: We're very grateful.

Mr. Alstadt: So am I.

Councilmember Solomon: But we will have wonderful, clear water and I know that all of us will benefit from it and all of us will be paying for it for a long time.

Councilmember Johnson: I know we took the fluoride out and put the chloramine in the water. Then the water had lead, correct?

Mr. Alstadt: That came from customers' plumbing.

Councilmember Johnson: OK. Then it had carcinogenics, I read.

Mr. Alstadt: All water has a small level of carcinogenics, yes Ma'am.

Councilmember Johnson: How's the water right now?

Mr. Alstadt: Good.

Councilmember Johnson: It's Good? Is it safe to drink?

Mr. Alstadt: Yes. We have passed every drinking water regulations for the last 20 years.

Councilmember Johnson: How's the lead level?

Mr. Alstadt: The lead level's...what happened in...water is corrosive. What we found is if we added orthophosphoric acid to the water, it helps line the lead pipe and therefore, the lead levels are very low. That chemical was protecting the water system.

Councilmember Johnson: When did you start that?

Mr. Alstadt: That was originally put in 1998.

Councilmember Johnson: OK. So, now what will we be doing to the water as far as this disinfection? By-product upgrade...

Mr. Alstadt: This upgrade will be adding ozone, which is an oxidant that destroys or breaks down organics in the service water. So large molecular organics get broken down. Then they will go down on to the filters and be taking out any active [organics] in a biologically activated filter. Then we test. It's identified how well this procedure will work and that's what the recommended plan is. We will be able to...what's happening in our drinking water system is that disinfection by-products increase over time, and it's based upon the various characteristics of our water; the pH, the temperature of the water and the time the water's in the distribution system. Under our current treatment, if the water's in our distribution system over 5 to 7 days, disinfection by-products go up to unacceptable levels. What's happening is we are going to remove them to the point where that it will take more like 12 to 15 to 30 days so it can stay in the water and stay in the distribution system. So, it allows for different opportunities with the distribution system and also optimizes the ability to sell the water to remote customers.

Councilmember Johnson: So IBM won't have a problem with the water?

Mr. Alstadt: Our testing indicates there's no problem. That their needs for removal – their issue is urea...at the procedure we did extra testing to prove how that would work and it removed the urea to below detection level.

Councilmember Johnson: OK, so now will this meet with the EPA standards?

Mr. Alstadt: Yes.

Councilmember Johnson: OK, so when are you going to start, basically?

Mr. Alstadt: We would like to start design the first of August.

Councilmember Johnson: And, the end date again?

Mr. Alstadt: The end would be March of 2016.

Councilmember Johnson: What is it - two phases?

Mr. Alstadt: There are two phases. The delays...they're trying to get the centrifuges in first, because the centrifuges help us to remove the solids that are taken out of the water and helps us to optimize the existing treatment. So, there's two phases. The first phase is...

Councilmember Johnson: OK, so the total cost of the project is \$16 Million?

Mr. Alstadt: The total cost of the project is \$18.85 Million. The City in the first phase was \$1.3 Million. The second phase is about \$9 Million.

Councilmember Johnson: I think I had in my other sheets, a total of \$16.5...

Mr. Alstadt: That's for phase two. I'm sorry, that's combined. Phase one was \$2.35 Million. Phase two is \$16.5 Million.

Councilmember Johnson: OK.

Mr. Alstadt: I'm sorry, I was talking about total project.

Councilmember Johnson: OK, and our share for phase one will be?

Mr. Alstadt: \$1.29 Million.

Councilmember Johnson: And for phase two?

Mr. Alstadt: \$9.06 Million.

Councilmember Johnson: And the Town?

Mr. Alstadt: \$1.06 [Million], phase one; \$8.5 [Million], phase two.

Councilmember Johnson: The Town's happy?

Mr. Alstadt: The Town's approved it, yes.

Councilmember Johnson: OK. So now, the new water meters really had nothing to do with this?

Mr. Alstadt: They are two different projects.

Councilmember Johnson: Yes, I just want to make that known to the listening public. OK.

Councilmember Rich: Can you tell me when the Federal EPA increased the standards of water quality that required us to proceed with this enhancement? When was that passed?

Mr. Alstadt: It takes effect in October of this year.

Councilmember Rich: But it was passed last year?

Mr. Alstadt: Probably three years ago.

Councilmember Rich: But, it takes effect...

Mr. Alstadt: October of this year.

Councilmember Rich: And if we don't make a move to meet their standards, what happens?

Mr. Alstadt: You go into violation and then you go to fines. Once you exceed a drinking water standard, the EPA will put you on a compliance plan to improve your product and to meet the standards. That will be enforced. So, we're about a step ahead because it's not October '16 yet; we have not failed the drinking water standard. The testing we have shown and gone through, based upon our desire to use free chlorine in the distribution system, indicates that we will fail the system and that our wholesale customers will fail the system. We've had failures in Greenbush, which is in Hyde Park and we've had failures in Hopewell Glen, which is down near Fishkill. Those are customers of the City of Poughkeepsie and they failed the standards because this is necessary...that indicates we need this treatment.

Councilmember Rich: Has the Federal Government...the Federal Environmental Protection Agency is part of the Federal Government. How much has the Federal Government assisted us within meeting this new Federal Standards?

Mr. Alstadt: Zero dollars.

Councilmember Rich: I hope everybody in the audience hears that. Zero dollars.

Councilmember Rich: Yet, it's their rule. You'd better obey it, or else.

Mr. Alstadt: The one advantage the Federal Government has given is that they will assist with the bonding and give you a low interest rate of approximately 3¼% vs. what other market rate you can get.

Councilmember Rich: Well, that's helpful I have to admit. Yes, it is. The other thing I wanted to ask you about is Section 6. Again, for the enlightenment of anybody that is watching us on television and in our audience, that deals that with the full faith and credit clause. When we vote for this, that the full faith and credit of the City of Poughkeepsie is pledged to this bond once we issue it. And, if we cannot meet it, based upon whatever reason, we then must...and I'm reading here...if we can't meet that, we shall annually be forced to levy on all taxable Real Property of the City of Poughkeepsie tax sufficient to pay the principle and interest of said bonds. So, that means that no matter what we do, we got to pay this, including being required to raise property taxes. Is that correct?

Mr. Alstadt: No, Sir. The water system is paid for through water rates, not taxes.

Councilmember Rich: Well, it says here, that if we can't meet it...I'm just saying that if this isn't necessary, can we take this out and still be in compliance? Can we take this statement at the Real Property Tax of the City of Poughkeepsie is pledged...if we can't make these bond payments. Do we take that out if it's not necessary?

Corporation Counsel Ackermann: No, as explained at the last time it went to the buying process, that is required of a municipality going through the bond market.

Councilmember Rich: I kind of knew that, I just wanted the people to know that the Federal Government requires us to...kind of like in blood – blood oath, that for whatever reason we can't meet these payments, we got to put the property tax, zippity-doo-da up to meet it. That is something all of us should ponder, of what the City is facing and why we're being so careful of doing additional things, or why it's necessary for us to sell long-standing City property, because you know what? Because we have to. We don't have the money unless we tax you additionally. So, there it is. I'm going to vote for this, but I just want everybody to know that this is not a voluntary vote in many senses of the word.

Councilmember Solomon: When we hear about ozone, it is always the ozone layer that surrounds the planet. When there are increases in ozone, I believe it's O3, it's no good

for us. Where do we get the ozone for this process, and is any of it going to be released into the atmosphere?

Mr. Alstadt: We will bring in liquid oxygen. We will excite that to make O₂ to O₃. We will bubble that into a closed contactor, which will react with the drinking water. Then, from there it will be quenched - that means it will be taken in and used. We will not have overproduction of the ozone and any excess will be removed...there will not be any atmospheric destruction.

**RESOLUTION
R13-60**

EXTRACT OF MINUTES

(Poughkeepsies' Water Treatment Facility—Disinfection Byproduct Upgrade Project)

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on July 8, 2013 at 6:30 o'clock p.m., local time.

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

PRESENT:

**Councilmember Thomas E. Parise
Councilmember Joseph Rich
Councilmember Robert L. Mallory, Jr.
Councilmember Mary Solomon
Councilmember Gwen C. Johnson
Councilmember Paul T. Herman**

ABSENT:

**Councilmember Nina Boyd
Councilmember Ann E. Perry**

The following persons were ALSO PRESENT:

Commissioner of the Water Plant Randy Alstadt

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

BOND RESOLUTION DATED JULY 8, 2013

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN

AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,062,945 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CITY'S SHARE OF THE COST OF THE POUGHKEEPSIES' WATER TREATMENT FACILITY DISINFECTION BYPRODUCT UPGRADE PROJECT AND AUTHORIZING THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE.

WHEREAS, the Poughkeepsies' Water Treatment Facility is owned and operated as a joint project of the City of Poughkeepsie and Town of Poughkeepsie pursuant to an inter-municipal agreement dated August 3, 1995, as amended (the "Inter-municipal Agreement"), entered into pursuant to Article 5-G of the General Municipal Law, and the Poughkeepsies' Joint Water Board has recommended certain improvements to the Poughkeepsie Water Treatment Facility including a Disinfection Byproduct Upgrade Project, the cost of which is to be allocated between the City of Poughkeepsie and the Town of Poughkeepsie pursuant to the Inter-municipal Agreement;

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

SECTION 1. The improvement of the Poughkeepsies' Water Treatment Facility, consisting of the planning, design, construction and installation of equipment, machinery, apparatus, appurtenances, and incidental site and other improvements and expenses in connection with the Disinfection Byproduct Upgrade Project, is hereby authorized at an estimated maximum joint project cost of \$16,501,400. The estimated maximum joint cost of the Disinfection Byproduct Upgrade Project is \$16,501,400, of which the City's share has been determined to be \$9,062,945, hereby appropriated for such purpose. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty years.

SECTION 2. It has been determined that the aforesaid purpose constitutes an unlisted action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQRA not to have a significant impact on the environment.

SECTION 3. The City plans to finance the City's share of the cost of said purpose by the issuance of the serial bonds in an amount not to exceed \$9,062,945, hereby authorized to be issued therefor pursuant to the Local Finance Law. The City plans to provide for amounts equal to annual debt service costs with respect to obligations issued hereunder from its Water Fund revenues. The remaining \$7,438,455 of the total joint project cost is to be paid by the Town of Poughkeepsie pursuant to the Inter-municipal Agreement.

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

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

SECTION 6. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

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

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

SECTION 9. The Commissioner of Finance is further authorized, in his discretion, to execute a project financing and loan agreement and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Environmental Conservation and/or the New York State Department of Health, and amendments thereto, and to take such actions and execute such documents as may be

Official Minutes of the Common Council Meeting of July 8, 2013

necessary to provide for the financing or refinancing of the specific object or purpose set forth herein, or a portion thereof, by one or more notes or bond issues of the City and the sale of such issues to the New York State Environmental Facilities Corporation or its designee pursuant to the New York State Revolving Fund Program.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

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

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

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

SECTION 11. The Chamberlain is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Poughkeepsie Journal, a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 12. This resolution shall take effect immediately.

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

Councilmember Thomas E. Parise	VOTING ___
Councilmember Joseph Rich	VOTING ___
Councilmember Robert L. Mallory, Jr.	VOTING ___
Councilmember Mary Solomon	VOTING ___
Councilmember Gwen C. Johnson	VOTING ___
Councilmember Paul T. Herman	VOTING ___

The foregoing resolution was thereupon declared duly adopted.

Approved: July 8, 2013

John C. Tkazyik
Mayor

CERTIFICATE OF RECORDING OFFICER

Official Minutes of the Common Council Meeting of July 8, 2013

The undersigned hereby certifies that:

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

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 8th of July, 2013 and entitled:

BOND RESOLUTION DATED JULY 8, 2013

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,062,945 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CITY'S SHARE OF THE COST OF THE POUGHKEEPSIES' WATER TREATMENT FACILITY CENTRIFUGE UPGRADE PROJECT AND AUTHORIZING THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE.

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

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

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of July, 2013.

-SEAL-

Deanne Flynn
City Chamberlain

R13-60						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Chairman Mallory: Before Council is a resolution to at least provide the Redeemed Christian Fellowship an opportunity to negotiate with the City for a parking lot at 88 Cannon Street. An opportunity to negotiate for a parking lot the church thought they would have a continuous use when they purchased what was then First Presbyterian Church. An opportunity to negotiate for a parking lot that the life of the church is dependent on. An opportunity to negotiate for a parking lot that is a vital link to the surrounding area, which the church has stated. If they come to neutral agreement with the City will be open to others to utilize.

Councilmember Johnson: Yes, thank you, Chairman Mallory. We've heard your pleas. It's unfortunate that, with every resolution you must have good planning. Tonight there isn't any good planning, because you need 5 votes to pass anything...oh, you need 6 for this? OK, well, as you see you have 4 probably "Yes" votes and 2 "No" votes, and I can tell you already...and we have 2 Common Councilmembers that are absent. I've tried to appeal to the opposition; I've tried to make a plea to the Mayor. They have certain people that are in "lock step" with the Mayor. I asked Mayor Tkazyik to at least give you the opportunity, as the Council wanted this 45-day window of opportunity...it can always be reversed. It's always been there for this long period of time so maybe you can come up with a resolution...you can come up with something. When you speak to children of God, they hear you; when you don't, they don't hear you. We're dealing with principalities here. The only other solution, because if there's a fear of it not being on the tax roll, etc., that can be worked out with some sort of arrangement for tax collection with a non-profit. The other thing is we have a wonderful person in the audience with us tonight, Mr. Mark Pasterich. He has a big heart. I tried to talk to Corporation Counsel to see if something could be worked out with Mr. Pasterich acquiring this property. He would give you access to the parking lot. You could work something out and negotiate with him with a partner. It seems like everything fell on deaf ears, because if this property is removed off the auction block, at least we'll have the opportunity to negotiate. It's solely the Mayor's choice tonight, because it's with his say. All he has to say is, "OK." It's as simple as that. We have other properties on here. You can work out something with Corporation Counsel, meet with the interested parties. If it doesn't meet with your satisfaction, then "throw" it back on the auction block. But, at least give them the opportunity – the other people, the other churches that want to park there. I'm sure they can be accommodated also. Mr. Pasterich has a kind heart. It's not about money. That's why he'll always be blessed. All I'm asking is to give them the opportunity to negotiate. If it doesn't work out, put it back on the "chopping block."

Councilmember Rich: Mr. Chairman, I'm going to vote for this resolution and I'm thinking of my best friend of 43 years, who is a retired teacher like me, and volunteers with Meals on Wheels which is part of the program that you are involved in. It seems to me that we should give the church an opportunity to do this. I had no idea that this would cause a problem for your church, otherwise I would not have voted on it. Last time you came in droves and I thought there was maybe some kind of violence I hadn't heard of, or

something had gone wrong someplace. I was lead to believe (through my own fault) that this parking lot was not being utilized in any great degree. I thought maybe we needed the money and could get it “for profit” and onto the tax rolls. It sounded like a pretty good deal to me if we didn’t need it. Sell it, get the money...it’s a whole different ballgame now and I want to give you folks a chance to negotiate this. If you can’t, it goes on the auction block, but I think you deserve the chance to figure out how you can do this, and if Mr. Pastreich can help you do it, God Bless him. Thank you.

Mayor Tkazyik: Mr. Chairman, I just wanted to state as I did earlier, that the City has received at least three other inquiries of interest, just as the church has made the request to negotiate with them outside of the auction. We have received the same interest of inquiry the same way. And the fair and equitable way to dispose of this is through the auction process and let those interested parties come forth and bid fairly on it.

R E S O L U T I O N
(R 13-61)

INTRODUCED BY CHAIRMAN MALLORY

WHEREAS, by Resolution R-13-56, the Common Council approved the sale of certain city owned properties by auction including 88 Cannon Street; and

WHEREAS, after the adoption of the resolution authorizing the auction, members of the community expressed concerns with the sale of the Cannon Street parking deck mostly in relation to the use of the parking lot by the Redeemed Church of God of Prophecy; and

WHEREAS, based on the public comments the Common Council is desirous of giving the Church an opportunity to negotiate a purchase of the facility prior to the scheduled auction; and

WHEREAS, if a contract to purchase cannot be reached, the property shall go to auction as originally scheduled; and

NOW, THEREFORE,

BE IT RESOLVED, Resolution R-13-56 shall be amended to provide that as a condition of the property located at 88 Cannon Street being auctioned, the City shall allow for a negotiated sale of the property to the Redeemed Church of God of Prophecy; and

BE IT FURTHER RESOLVED, that if an agreement for sale is not reached within forty-five (45) days of the date of this resolution, the property shall proceed to auction; and

BE IT FURTHER RESOLVED, the agreement of sale shall come before the Common Council for final approval.

SECONDED BY COUNCILMEMBER SOLOMON

R13-61						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> DEFEATED <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Commissioner Brady: Thank you, Mr. Chairman. This resolution is necessitated by a change in New York General Municipal Law that allows notices of claim against a municipality to be served on the New York State Secretary of State. As a result of that, local municipalities are required to designate an individual to whom the Secretary of State will mail notices of those claims. We are asking that the Common Council tonight appoint the City Chamberlain as the person designated to receive notices of those claims on behalf of the City.

**RESOLUTION
(R 13-62)**

INTRODUCED BY COUNCILMEMBER SOLOMON

WHEREAS, on June 15, 2013 the Uniform Notice of Claim Act became effective which Act amends the New York General Municipal Law to allow notices of claim against a municipality to be served on the New York Secretary of State as agent for New York public corporations; and

WHEREAS, prior to July 15, 2013 local municipalities are required to designate and appoint an individual whom the Secretary of State must mail notices of claim received for service to on behalf of the municipality; and

WHEREAS, the Common Council is desirous of appointing the City Chamberlain as the person designated to receive notice of claim on behalf of the City of Poughkeepsie; and

NOW, THEREFOR,

BE IT RESOLVED, that pursuant to the Uniform Notice of Claim Act and the General Municipal Law, the Common Council hereby designates and appoints the City

Chamberlain as the person who notice of claim shall be mailed to which are served upon the New York State Secretary of State; and

BE IT FURTHER RESOLVED, that the Corporation Counsel is hereby directed to notify the Secretary State and file a Certificate of Designation of Notice of Claim therewith.

SECONDED BY COUNCILMEMBER PARISE

R13-62			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> DEFEATED <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

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

Corporation Counsel Ackermann: Thank you, Mr. Chairman. Before you is a proposed Ordinance that would add a penalty for anyone failing to allow access to a meter that has been determined to be non-conforming. This is a result of the adoption by this Council and the approval for the funding of a citywide water meter replacement program. It is the intention that the City will place all meters within the City, both residential and commercial. If the actual meter does not need to be replaced, at minimum, the reading device and the head of the meter will need to be changed. In order to do that, we need to get access to the meters that are currently in the basement. We've reached out to other municipalities that have gone through a similar program. Some municipalities charge a flat fee, or some do a surcharge. It was decided that the City would be a 100% surcharge on the water bills, so we're proposing that for non-compliance in gaining access to the water meters, that those who deny that access will be charged 100% surcharge on their water bill for those quarters in which they deny access to allow the meters to be switched out.

Councilmember Johnson: After having a 16% increase in the water bill already and people are already struggling to pay the sanitation user fee, which, thanks to the County taking away our \$2 Million putting us in the sanitation business, because that's where the problem originated from. Now, with the new contract, what is it - \$10 Million over 20 years? Alright, \$9.5 Million over 10 years – we have a 10 year contract now. How much is this company making to put the water meters in these 7,000 homes? How much is this guy, this company getting paid?

Corporation Counsel Ackermann: I don't know those figures. The fact of the matter is the Council already approved the funding of the program. The only thing we're doing now is we're amending the Ordinance to provide for non-compliance with access for the program the Council already approved.

Councilmember Johnson: OK, so we don't want to answer any questions related...

Corporation Counsel Ackermann: I just said, those questions were asked and answered at the point...

Councilmember Johnson: That one question wasn't asked. How much he was going to get paid.

Corporation Counsel Ackermann: I'm sure...we weren't prepared to do that tonight. I'm sure that we can get you an answer to that.

Councilmember Johnson: If someone was replacing 7,000 water meters in the City, I would definitely know how much I was paying them, since it's a \$4.1 Million bond.

Corporation Counsel Ackermann: That information was provided in the packets when we approved...

Councilmember Johnson: Not what he was getting paid.

Corporation Counsel Ackermann: It's all in the performance schedule that's in the exhibit to that contract.

Councilmember Johnson: We have a Finance Commissioner here and he should be able to "rattle it off his tongue," OK? And, I don't see anybody answering any questions.

Chairman Mallory: Are we able to provide this information?

Corporation Counsel Ackermann: We will provide the information.

Chairman Mallory: Are we able to provide this information for the Council tomorrow morning?

Corporation Counsel Ackermann: That's fine.

Councilmember Johnson: This is creating additional hardship on homeowners. These water meters will be put in. There's a 100% surcharge...I don't know what that means. How much...if people don't let them in their homes...I don't know how many tries they get to have these meters installed. One of the reasons we're doing this is to generate income because we want to make sure people pay a higher fee for water and a higher fee on their sewer bill. So, even with this new water treatment that we're getting, we may not even be able to afford to drink the water. When someone is not in compliance with

allowing someone to come into the home to allow the installation, what is the cost of the new water meter?

Corporation Counsel Ackermann: There's no cost to the homeowner.

Councilmember Johnson: It says that if they interfere with the new installation of the new meters, they shall pay a 100% surcharge to all water billings until such time as the non-conforming water meter has been replaced, plus the cost of the installation of the new meter.

Corporation Counsel Ackermann: They won't have to pay for the meter, it's just the installation of the meter.

Councilmember Johnson: Well, how much will they pay for the installation if they're non-conforming?

Corporation Counsel Ackermann: I don't know the amount...it's going to vary.

Councilmember Johnson: How much is the surcharge going to be?

Corporation Counsel Ackermann: It depends on the customer's water bill.

Mayor Tkazyik: Usage.

Corporation Counsel Ackermann: If it's a commercial property and they use a significant amount of water...I can't tell you. It's going to be double the amount of what their bill is.

Councilmember Johnson: So everything is like, \$500, \$1,000...we don't know.

Corporation Counsel Ackermann: What's your monthly or quarterly water bill?

Councilmember Johnson: Uh, I don't pay the bills. I'm like Mary. We have husbands with good jobs. You should know. You have a house.

Corporation Counsel Ackermann: My water bill would be roughly \$76.

Councilmember Johnson: Well, you're just one person. What about people with families that have washers and dryers?

Corporation Counsel Ackermann: The objective is to get compliance to allow switch out of the water meter. There will be no surcharge to those people that comply and allow the contractors and City agents to come in and change their meter out. There will be no surcharge

Councilmember Johnson: I understand that, but we're talking about non-conforming tonight, so how many chances are given to do the installation before we do the surcharge?

Chairman Mallory: Are you asking how many notifications?

Councilmember Johnson: Yes.

Chairman Mallory: How are the residents being notified?

Corporation Counsel Ackermann: There's going to be a campaign by the company who is switching them out. They will 1) Notify the entire City. They've offered to do smaller meetings in the wards or in the City. They will then give notices prior to being within the area and there will be scheduled times with households for them to be, so they will schedule a time to be there to swap out the meter.

Chairman Mallory: Can I just follow up in what you were sharing before? So, I get a notification that someone's going to be in my neighborhood next week, and I'm not there for whatever reason. Is there going to be a mechanism in place to notify someone? That way I'm not ...that's what you were leading into, right Councilwoman Johnson?

Councilmember Johnson: Yes, people that work 2 and 3 jobs.

Corporation Counsel Ackermann: You will call and schedule a time with them. If you're not available, they'll make arrangements to do it at a later date.

Councilmember Johnson: How many chances do they get before...non-conforming?

Corporation Counsel Ackermann: It depends on what contact the company has with the homeowner. If they call and request different times, they'll accommodate the different times.

Councilmember Johnson: So, we don't have anything set in stone?

Corporation Counsel Ackermann: If they just ignore it, it's going to be considered non-compliance.

Mayor Tkazyik: I would say that the timeline would be in relation to the overall construction and installation of the meters. If the completion date is to be ready and going by the end of the year, that window of opportunity of 5 months or 6 months, is that window of opportunity. During the overall design and construction and installation of this process by the time that that's complete, which the anticipation, I believe is the end of the year. Worst case is into January of next year. It would be at the timeline of the project. We will work with the homeowner or business owner to the best of our ability, to make sure they have every opportunity to be in compliance with the meter switch out and, obviously if someone has a schedule where they're working evenings, I'm sure working with the company and the Building Department and Water/Sewer downstairs,

that will be accommodated. But the overall, project completion will be the overall timeline, which I believe is adequate.

Councilmember Johnson: What is the completion date?

Mayor Tkazyik: I believe the anticipation is for the end of the year.

Councilmember Johnson: So, December?

Mayor Tkazyik: So, within that timeframe is the completion. I believe that's adequate time for property owners to arrange schedules with the contractor to complete the work.

Councilmember Johnson: So you're saying that they won't suffer a penalty, a surcharge for the cost of installation as long as they have the work done before December? It doesn't say that in the resolution.

Mayor Tkazyik: That portion of it would be an administrative function in relation to the timeline. If the Council so chooses to add, if not done within the completion of the construction and installation, that wouldn't be a bad thing to amend if Corporation Counsel agrees, because I believe that would be an adequate window of opportunity for people to comply.

Corporation Counsel Ackermann: Let me just clarify one thing, also. With these new water meters, they're going to be GPS radio waves system. We'll know either instantaneously or very shortly whether or not a meter is malfunctioning. I think it's important that we leave some mechanism in place, post the project in case we get a reading that we know there's a defective meter. Then we can go in there and swap out that meter. There needs to be some mechanism in place to continuously guard against non-compliance from gaining access. You have to remember, this is our equipment. The City maintains ownership of this equipment even though it's in other residential commercial properties. The reason I wasn't specific in that section is that this should be something that's ongoing, even after the closure of this project. Now we'll have an ability to keep up and maintain these meters when we get a signal that it's a malfunctioning meter, a signal that there's a water leak or some other signal. Currently, in the Ordinance, it provides for the shut-off of the water to the homeowner who either tampers or does not allow access to the meter.

Councilmember Johnson: So it's an automatic shut-off?

Corporation Counsel Ackermann: It provides for the shut-off of the water.

Councilmember Rich: He recently had a water meter issue with the old water meters and the constituent called him. He stated that a plumber was called in to assess the problem and said that there was a leak in the meter which raised the cost of the water bill in excess of \$700.00. The water meters are old and need to be replaced. Some of the water meters are not functioning that well. They are 30 years old. Some people are

getting free water while others are paying far too much. Feels that if there's a problem with getting the meters installed, the Councilmembers will help out if the homeowner cannot be there.

Councilmember Johnson: Has been on the Common Council for 8 consecutive years and no one's ever called about a water meter problem. Tree roots cause a lot of problems for homeowners. It's not always the meter itself. Tree roots can damage pipes, etc. We're looking for a new revenue stream and that's why this company is guaranteeing \$4.1 Million. This new revenue stream is to put these water meters in so that we can increase water and sewer fees. Is not looking to increase any more fees to homeowners at this point in time. We're already bonding for the Water Treatment Plant, we have the Library Bond. There's a lot of things going on. Things are tough. We have 300-400 abandoned properties. How many expenses can the homeowner take? Is concerned about costs to the homeowner. If it was just the meters, there would be no problem but combined with all the other expenses and no one can answer what the cost of installation of the meters is, how much the surcharge is going to be...we're not given examples, we don't know how much this company is getting paid to install these 7,000 water meters. There are a lot of unanswered questions. The old meters are working fine. It's just too much for the taxpayer.

Councilmember Rich: The question was brought up about the possibility of tree roots as the cause at the meeting with the homeowner. That's not the question before us, we've already voted for the new meters. This is about people who do not comply with allowing the installation. Why wouldn't they want a new meter? These are quality meters that will give an accurate reading to get an accurate bill which is to the benefit of the homeowner.

Councilmember Johnson: Vacant and abandoned properties...we barely can get into them now.

Corporation Counsel Ackermann: They won't get new meters until they're occupied.

Councilmember Johnson: 300-400 vacant and abandoned properties will be sitting there without new meters in them.

Corporation Counsel Ackermann: Yes, because theoretically, they don't draw water because they're unoccupied at this time, and already pulled the meters from most of them. It doesn't make sense to put the meters in until they're reoccupied.

Councilmember Johnson: So, to pay for the bond, that he is going to guarantee us that we're going to have enough money, or generate enough income from putting these meters in to pay for the bonding. So, you're saying that the 300-400 vacant and abandoned properties were never included in the cost factor?

Corporation Counsel Ackermann: Well, that's part of the next phase, but their numbers they're guaranteeing are really conservative numbers on that 10%. That's what they're guaranteeing to the City; it may be higher...

Councilmember Johnson: And, for the record, I did not vote for the first resolution concerning the water meters.

Councilmember Solomon: Just a quickie – about “Snowbirds,” who are gone for six months?

Corporation Counsel Ackermann: Well, I would hope that their mail gets forwarded or they have somebody that checks their mail and if they're away, they just make sure they schedule a time that they can be there. That has come up in the past.

**ORDINANCE ADDING SECTION 6-157.1 TO
CHAPTER 6 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES, ENTITLED “REPLACEMENT OF
WATER METERS, ACCESS TO CITY; PENALTIES FOR
OFFENSES”
(O-13-6)**

INTRODUCED BY COUNCILMEMBER SOLOMON

WHEREAS, the Common Council on June 17, 2013 by Resolution 13-52, approved the financing of a citywide replacement of the existing water meters in an effort to more efficiently measure water consumption; and

WHEREAS, in order to replace the meters, it is imperative that the City, its employees, agents, representatives and contractors have access to the existing meters and nonconforming meters located in private property; and

WHEREAS, not having access and the inability to replace the existing meter and nonconforming water meters will have a detrimental effect on the operation of the City's water system and as such the Common Council of the City of Poughkeepsie finds it necessary to implement a fee for those who refuse access to a city owned water meter in private property by the City, its employees, agents, representative and contractors; and

NOW, THEREFORE,

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

SECTION 1:

Section 6-157.1 Replacement of water meters, access to City; penalties for offenses

Effective from the date of passage of this section, the City, or agents of the City,

shall replace all nonconforming water meters at its own expense. The City, or any agent of the City, shall be granted access to any building, dwelling or structure to replace all nonconforming water meters. Any property owner, or any employee or agent of any property owner, who fails to provide access to their property or otherwise interferes with the installation of new meters shall pay a 100% surcharge on all water billings until such time as the nonconforming water meter has been replaced, plus the cost of installation of the new meter.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER PARISE

ADDITIONS denoted by Bold and Underlining

O-13-6			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

X. UNFINISHED BUSINESS:

Councilmember Solomon: I had a phone call about grass clippings. Apparently, the grass in Bartlett Park has gotten very tall. Today it was cut, but the grass clippings are on the grass, killing it. Do we have lawn mowers that collect grass clippings?

Mayor Tkazyik: I will confirm with the Commissioner of Public Works. I don't know if we have the ones that collect the clippings or not, but I will have to check with Mr. DuPilka and make him aware of the grass clippings in Bartlett and see if we can get that addressed tomorrow.

Councilmember Solomon: I have also noticed it where the sign that says, "Welcome to Poughkeepsie," is at the Academy Street exit. They let the grass there grow very, very tall. It would be neater if we had the proper equipment to collect the clippings.

Councilmember Johnson: Last year, I guess because of the water main break at City Hall, I didn't get any work done in my ward, especially with the trip hazards...the sidewalk trip hazards and I would like to know because I have Golden Krust. Since last year, this business has had a big trip hazard on Main Street and I would like to know

when am I going to get some work done in my ward for trip hazards and projects that need to be completed and when will I get the asphalt street paving on Worrall, which is a disaster? In fact, I don't know who the Acting City Administrator is, while Mr. Bunyi...

Mayor Tkazyik: Mr. Ackermann.

Councilmember Johnson: OK, the asphalt street paving should start at Main Street and go all the way over to...it should really go over to College, but no less than Fulton/Forbus, because that is a bumpy, well-traveled road and it is a disaster. Also, I had a constituent here, my two Block Captains (one came here to speak)...I was out 'til 1:00 a.m. because my constituents can call me anytime and I will run to their rescue...47 Fountain [St.], a disaster. Also, 3 Hoffman – I got a call from one of the Block Captains over there. The Neshiewat property, again, the couches, chairs and items...I called the Sanitation Department to go over and cite them at 47 Fountain. However, I'm asking Corporation Counsel to declare them a nuisance. I mean, they had machetes, fighting, broken glass. This is a quiet neighborhood. homeowners – I have an absentee landlord that has a disregard for the quality of life. Let's move fast, move rapid. Oh, do we have an Animal Warden?

Corporation Counsel Ackermann: Yes.

Councilmember Johnson: OK, because I have a Pitbull on Forbus that his owner doesn't seem to like to put the leash on him in front of the door. So I would like to Dog Warden to pay him a little visit over there and remind him of the rules of the City.

Corporation Counsel Ackermann: Outside the meeting, if you give me the address on that.

Councilmember Johnson: Oh yes, I'll text it to you later.

Mayor Tkazyik: The City has received the chips funding for paving from the State, with its reimbursement program. So, we can get with Mr. DuPilka regarding the list for that. You can request the list for that.

Councilmember Johnson: I've given him the list quite a few times.

Mayor Tkazyik: However, it is July the 8th, and the City has not received the 2013 CDBG funds as of yet. So that is what's stalling the curbside walk start. You do see curbside walk starting at Upper Landing, but that is separate dollars being used for that project. As soon as I receive those funds, they will begin.

Councilmember Johnson: The thing that really bothers me, to be honest with you is that we have 8 Wards. If they start off with the 1st Ward and the 2nd Ward, and the 3rd Ward and never get to the rest of the Wards, then the next year they start off with the 2nd and 3rd Ward again. They don't start off with the first Wards they didn't get to.

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Mayor Tkazyik: I know that they don't start in Ward order, and we will confirm with Mr. DuPilka where he plans to have them start and we'll let them know the 7th Ward is requesting to start first.

Councilmember Rich: I can tell you in the 2nd Ward, I get lots of complaints about sidewalks, etc. So, they don't start in the 2nd Ward first.

Mayor Tkazyik: Well, this is why Mr. Parise said he represents the 1st Ward, that's why he's first.

Councilmember Johnson: Yeah, but he's always first.

Mayor Tkazyik: I was only kidding

XI. NEW BUSINESS:

XII. ADJOURNMENT:

A motion was made by Chairman Mallory and Vice Chair Solomon to adjourn the meeting at 8:45 p.m.

Dated: August 28, 2013

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, July 8, 2013 at 6:30 p.m.

Respectfully submitted,

City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers

Monday, July 8, 2013

6:30 p.m.

*5:30 Committee of the Whole
regarding 2013 budget revenues*

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

III. REVIEW OF MINUTES:

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

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

VI. MAYOR'S COMMENTS:

VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VIII. MOTIONS AND RESOLUTIONS:

1. **FROM COMMISSIONER OF ASSESSMENT DEMARCO**, Resolution R13-59, adopting the 2013 Adjusted Base Proportions.
2. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-60, approving the bonding upgrades at the Joint Water Plant.
3. **FROM CHAIRMAN MALLORY**, Resolution R13-61, withdrawing 88 Cannon Street from the public auction.

IX. ORDINANCES AND LOCAL LAWS:

1. **FROM CORPORATION COUNSEL ACKERMANN**, Ordinance O-13-6, amending Chapter 6 of the Code of Ordinances to provide for a penalty for failure to provide access for the installation of new water meter.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM THE POLICE DEPARTMENT**, a demonstration regarding the parking meter project.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: