



# THE CITY OF POUGHKEEPSIE NEW YORK

## COMMON COUNCIL MEETING MINUTES

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**Monday, June 21, 2010**

**6:30 pm**

**City Hall**

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### **I. PLEDGE OF ALLEGIANCE:**

#### **ROLL CALL**

**All present**

**Presentation: Mayor Tkazyik** Presented Captain George Fin of the Fire Department with a Certificate of Mayoral Recognition, proclaiming this Captain George Fin Day.

**Presentation by Walkway over the Hudson:** Walkway over the Hudson wants to establish a group of ambassadors to greet people at the bridge. The organization also commented on the Walkway's positive impact on local economic development. They want to emphasize the importance of partnership in this development and the future development of the Walkway. Walkway over the Hudson needs more partnership with municipal and community organizations. They are planning to create a new map to promote the economic development of the area. They also want to develop the Rail Trail connecting the towns. The stairs are going up on Washington Street and the outdoor elevator is still a work in progress. The group is working on the lighting for the bridge at night to extend the hours. Walkway over the Hudson wants to donate the bridge itself to the NY State Bridge Authority so that it can have consistent maintenance.

### **II. REVIEW OF MINUTES:**

**Councilmember Herman** made a motion to accept the minutes, **Councilmember Parise** seconded the motion.

Official Minutes of the Common Council Meeting of June 21, 2010

✓ Vote Record – CCM 2-1-10						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	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 Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**REMOVE:**

**VII:**

**2. FROM PROPERTY DEVELOPMENT DIRECTOR LEWIS, SEQRA Resolution R10-72 and Sale Resolution R10-73 for the sale of city-owned property 52 Noxon Street.**

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

**William Holman of 21 N Grand Ave-** Councilpeople, your Mayor, Mr. Long, etc. Good evening. Some of you may know I am the former plumber inspector for the City. I want to set to rest some of the rumors that are going around as to why I am not here anymore. Briefly I'll tell you that my resignation became effective on June 4 of this year, and it stated: "To whom it may concern, due to recent changes in the building department, I respectfully submit my resignation as plumbing inspector, since that position was eliminated." Basically that put me out of a job. Now they did make efforts to provide me something different, but I wanted to let you know that you have misinformation. They couldn't put me where they wanted to put me. And where they wanted to put me was, in my opinion, a slap in the face. But it is not about ego, it is just that you were given wrong information. I was a little upset about it to put it mildly. After a leave of absence, I came back and decided that I couldn't work with the policies that they wanted to do because I just didn't feel comfortable with the politics. I tried for the four years that I was here to stay out of politics, and I felt it was unfair of me to suddenly be thrust into it and go with the program, so I left. I have to apologize to you and the members of the City of Poughkeepsie, because what I should have done was stayed in a job, and done what I could to help my fellow citizens. Unfortunately I'll have to work outside on that. But needless to say, it left a bad taste in my mouth, and to let you know there are times that I didn't make retirement time, but I left 240 of sick day, unpaid for into the system. Just to let you know, it's not about power, it's not about money, but my health is

more important to me than doing something that I feel I can't live with. I let you guys know, this is where it stands. Thank you for your time.

**Constantine Kazolias 47 Noxon Street-** I just heard this just now, you're blowing a lot of years of experience, and I think something should be done so we don't blow that experience with the plumbing inspector. I came here, but I didn't know you pulled it, about 52 Noxon Street. Me, I believe all city-owned property should go on the tax rolls. There's too much tax exempt properties, you got the Eastern residences down there, you got the Harlow, you got Clearwater, you got Tubman Terrace with a pilot, then you got, the what do you call it, the \$800,000 Noxon Street Taj Mahal, tax exempting, you got Planned Parenthood, all like that. 52 Noxon Street is as far as my opinion is all city property should go back on tax rolls. Let's forget about, you know, the tax exempt properties, the mandatory and the discretionary. Another thing I want to talk about is I will say this, you know city school district is a 110 people making over \$100,000 a year, plus benefits. And the County, they just put a local law through so the elected officials coming in next time because you'll do not during the term but the subsequent term that they'll have to pay more to benefits. I will say something here. In two years you're going to have an election for mayor. And to me as far as I'm concerned, these teachers with a 50% flunk rate, doesn't speak too highly of what they're teaching up there. I think seriously you should bring the salary of the mayor, John hasn't spoken to me but, the mayor hasn't spoken to me about this because I see what he's doing. I didn't vote for him the last time in case you don't know. I think the salary should come up, I tell it the way it is, Paul, and you know that, but the meantime, so I think the Council, the reason it was done last time was a democratic Council, but I still think that you should decrease the salary to a minimum of \$100,000, and maybe some of you people may want to run for mayor, which makes it more inductive to have an executive that runs the city. We got 500 people, I don't know how many work for the City but I feel rather strongly about it. To me, it is an insult for the mayor, not this mayor, but the mayor making \$25,000, that's what he's known poverty level wages. Because I think being in this Council, is an upgrade, and I think you should seriously consider increasing the salary of the incoming mayor, whether he runs or doesn't and all like that. Meantime, this way, you'll have a professional person coming in with business expertise and all like that. So I think \$100,000-\$125,000 will be substantial instead of County Legislature makes more than he does. But anyway, that's my opinion, and once again, I think, I like to ask this question, how many properties in the City of Poughkeepsie with pilots, you know you don't have to pay a pilot, you can walk away from it. I'd like to know how many, if there are any properties in the City of Poughkeepsie, where the pilot are not being paid, and I'd like to know that question. If I have to file a FOIL I may have to do that also. But the thing is, these pilots are no good, they are the worst things that could happen to the city. In the meantime there is a pilot from what I gather in the Second Ward. So have a nice day.

**Susan Buck 78 Inis Ave-** I had a question about a non-agenda topic, but I might have some of the facts wrong, so I apologize. It pertains to where I work at Poughkeepsie Day Nursery on Clover Street and I know that our lease was up after 100 years of being in that building. I thought I realized that it wasn't renewed and I wondered if there was going to come a time when that building is in jeopardy. Because the railroad property as well as city park property, will it be open to the public. The concerns about whether that building is to remain a day nursery or will it change hands or be something else? Will there come a time when the public will be able to be aware of what may be happening?

**John Maloka 48 Noxon Street-** We have owned the building since April 2006, and we have some issues with the parking. I am told that the City put the two hour parking limit on our street to prevent other people from parking, but we as homeowners are really frustrated because every two hours we have to move our vehicles. Now there are occasions, she works nights, and to come home and you can't even sleep because every two hours the parking meter is out there and you are getting a ticket at \$25 a pop. So we are wondering if the City can help us, either come up with some system that protects the residents of the street.

**Mrs. Maloka 48 Noxon Street-** Like he said I have to get up every two hours to move my vehicle I have \$500 worth of tickets. It's absolutely absurd. I don't mind switching from one side to the other, I have no problem with that, but to get up every two hours, I had back surgery, and they gave me all these tickets. I called the mayor quite a few times, but I couldn't even move I had major surgery and I have tickets. Anybody that came to wash me or feed me got tickets, everybody got tickets if they were there for more than two hours. I was just hoping that somebody could fix it. Whether giving us parking tickets which we could pay for yearly, but I don't care. Getting up every two hours is just way too much.

**Ken Stickle Catharine Street-** Stated that yes, he kind of agrees with Gus on one thing. We should give the mayor a pay raise. But if we give him a pay raise, Mr. Long, you're good-bye. \$52,000, \$1,000 a week for the mayor. No city administrator. The mayor has to speak to every person in the city and answer to every person in the city. I'll agree with that. \$1,000 a week. I think that's fair. Mr. Long makes how much? \$100,000 plus a year? The mayor makes \$25,000. I've been arguing this point for many many years. Why do we have a city administrator and now since Colette Lefante was the Mayor, and she became a strong mayor in the city, why do we have a City Administrator? Our mayor should be running the city. That's up to you guys. Now, I like the Walkway proposal. I never thought the state should have took the Walkway over. I always thought that was a big mistake on the City of Poughkeepsie and Highland side. And unfortunately we're losing all kinds of money and we're

giving it away to the state. Oh well, that's done and over with. The state now is domain property of the state of New York who we know doesn't know how to run budget, doesn't know how to run anything. So again the tax payers in Poughkeepsie and Highland will be you know what. Ok, let's go onto a couple of other things. Crime on Main Street. Can we please get the police out on a Friday, Saturday night and clean up Main Street. It's not brain surgery, guys. I went out, I ran into the Assistant Corporate Council and I ran into our new Corporate Council. You know what? I'm happy to see these guys come out. I really am. But you know what I see these guys out, I don't see any of you guys out. We really need to see the public officials come out and embrace the businesses in this city. We need to see our elected officials come out and give us something.

**V. MAYOR'S COMMENTS:**

**Mayor Tkazyik-** First to the residents of Noxon Street, Councilmember Coates has already been discussing the issue of the residential parking situation on Noxon Street with the Administration and Captain Pape, and Corporation Council and City Administrator Long are working with them to see what options are available to residents to accommodate parking on Noxon Street.

This past weekend, we had a successful Father's Day parade, again thanks to John Flowers and all his elves, and all the sponsors for making it a great day in the City of Poughkeepsie. Thousands of people in the parade, and of course at Waryus Park. Everyone had a great time down in the park. Also, the Wilson Blvd block party was a huge success. They started a block party this year on the upper south. I was joined by Councilmember Herman there, and it was really a huge success. Kids had a great time, families had a great time. Great way to meet neighbors and friends, and bring people together and that's what we need to see more of in the City of Poughkeepsie.

Ice House renovations are underway. We plan to be open for July 4<sup>th</sup> weekend. The Longs are doing terrific job. Mike Long and I were down there this week and they really gutted the entire place, getting ready for a full season down there. As we mentioned about souvenirs before, we plan on the Icehouse being one destination to get those types of Walkway souvenirs down at the Icehouse facility. The City, we cannot sell them. There are certain rules through the State Controller's Office that apply. We can't make funds on that. Too bad, we did try. We were looking at binoculars at one point. So it was a good thought, but we do plan on making the Icehouse one of those available spots for souvenirs.

Also, you might have read in the paper about two weeks ago, Senator Gillibrand has advanced the Market Street Two-way Project for further consideration under the Federal Law Highway Appropriations Committee.

Again, that's for further consideration. It was advanced, but no final commitments. Again we will be continuing to work with Senator Gillibrand's office on that.

Also I believe that Chairman Klein is going to announce here tonight, but we will be releasing a new zoning code for the City of Poughkeepsie. We are going to set that workshop for Wednesday, July 28, I believe at 6 or 6:30 depending on how long the Dutton Public Hearing takes place, which we'll set tonight. We want to make sure that the public has every opportunity to speak on both projects. Now the first release of the zoning code will just be the overview and release to the City, the Councilmembers and to the public. Then there will be copies made available for everyone to review, and there will be thorough time so people can digest the new code, and have any questions or concerns that they may have. We're also going to have a question/answer box online for those who may want to drop something into City Hall, and we'll have staff answer that. Then I believe in September is when we will plan the Public Hearing on the zoning code itself to give people about a month and a half, every opportunity to look at it, then come back with any questions or concerns that they have. Our anticipation is to have the code adopted by the October/ November time frame. I'd say this is about a decade in the waiting, maybe longer. A lot of hard work gone into it by the Development Office and City staff, Corporation Council Office. We are proud to say that this is being accomplished, because as you know, the zoning code is from 1979 and we need to update it to be business-friendly, be pro-development and see smart growth happen here. That's about it, Mr. Chairman, thank you.

#### **VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

**Chairman Klein-** Thank you, Mr. Mayor. I attended the Father's Day parade on this past Saturday. Mr. Flowers, his elves and it was an honor to be a part of the parade, and very enjoyable, and the Mayor and members of the Council were present, and staff as well. It was a great occasion and the weather was perfect. Additionally attended on June 12, at Poughkeepsie Middle School, it was I believe the second Family Day sponsored by the Alpha Ki Alpha Service Sorority. The Chamber of Commerce held a ribbon cutting ceremony with Charlie North present and presiding. It was a wonderful event as well. Additionally, the Mayor is correct. We are scheduling a workshop for the zoning ordinance on July 28. We will have more specifics regarding that to the members of the Council. We are excited. That is a wonderful development, and much anticipated for the City.

**VII. MOTIONS AND RESOLUTIONS:**

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

**Commissioner of Finance Bunyi** informed the Council that said Resolution is accepting the revised regulations as it pertains to the reporting time for elected and appointed officials. The revised regulations have been adopted by the Office of the New York State Comptroller’s Office and are required for appropriate reporting to the New York State Retirement System.

**R10-71**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**STANDARD WORK DAY AND REPORTING RESOLUTION**

**BE IT RESOLVED**, that the City of Poughkeepsie hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Social Security Number (Last 4 digits)	Registration Number	Standard Work Day (hrs/day)	Term Begins/ Ends	Participates in Employer’s Time Keeping System (Y/N)	Days/ Month (based on Record of Activities)
<b>Elected Officials</b>							
Councilmember 1 <sup>st</sup> Ward	Thomas Parise	7817	41792011	7.0	1/1/10-12/31/11	N	7.60
Councilmember 2 <sup>nd</sup> Ward	Ralph Coates II	N/A	N/A	7.0	1/1/10-12/31/11	N	7.86
Councilmember 3 <sup>rd</sup> Ward	Robert Mallory, Jr.	9000	42734038	7.0	1/1/10-12/31/11	N	17.43
Council Chairman 4 <sup>th</sup> Ward	Lee David Klein	2270	38055711	7.0	1/1/10-12/31/11	N	5.86
Councilmember 5 <sup>th</sup> Ward	Yvonne Flowers	4213	36649622	7.0	1/1/10-12/31/11	N	11.11
Councilmember 6 <sup>th</sup> Ward	Mary Solomon	5491	06568679	7.0	1/1/10-12/31/11	N	7.72
Councilmember 7 <sup>th</sup> Ward	Gwen Johnson	6848	38644704	7.0	1/1/10-12/31/11	N	30.91
Councilmember 8 <sup>th</sup> Ward	Paul Herman	N/A	N/A	7.0	1/1/10-12/31/11	N	11.59
Mayor	John C. Tkazyik	1273	40288615	7.00	1/1/08-12/31/11	N	20.80

Official Minutes of the Common Council Meeting of June 21, 2010

On this 21<sup>st</sup> day of June, 2010

Date enacted: JUNE 21,

2010

(Signature of Clerk)

I, DEANNE FLYNN, clerk of the governing board of the City of Poughkeepsie of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 21st day of JUNE, 2010, on file as part of the minutes of such meetings, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of EIGHT (8) members, and that 8 of such members were present at such meeting and that 8 of such members voted in favor of the above resolution.

**IN WITNESS WHEREOF**, I have hereunto Set my hand and the seal of the

**CITY OF POUGHKEEPSIE**

**SECONDED BY COUNCILMEMBER PARISE**

✓ Vote Record – R10-71							
			Yes	Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	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"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Corporation Counsel Ackermann** informed the Council that this Resolution is to schedule a public hearing for proposed Local Law which to amends certain sections of the Administrative Code and the Code of Ordinances to add two alternates to the Planning and Zoning Board of Appeals. The reason for this amendment is to ensure that each Board has a quorum of members present to take action and vote on various projects and developments that come before the Board without undue delay. The alternates will be appointed by the Mayor and shall act only if regular members are absent from a meeting.

**RESOLUTION INTRODUCING LOCAL LAW  
AND PROVIDING FOR PUBLIC  
NOTICE AND HEARING  
(R-10-74)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**BE IT RESOLVED**, that an introductory Local Law, entitled “Local Law Amending Section 3.02(a) of the Administrative Code of the City of Poughkeepsie, New York; Section 2-17 of Chapter 2 of the Code of Ordinances, City of Poughkeepsie, New York, entitled ‘Administration;’ and Sections 19-8.1 (1) and 19-8.3 (a) of Chapter 19 of the Code of Ordinances, City of Poughkeepsie, New York” and “Local Law Enacting a New Section 2-24 to Chapter 2 of the Code of Ordinances, City of Poughkeepsie, New York entitled ‘Administration’ and Section 19-8.1(7) to Chapter 19 of the Code of Ordinances, City of Poughkeepsie, New York, entitled ‘Zoning and Land Use Regulations,’ “ be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

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

**BE IT FURTHER RESOLVED** that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o’clock P.M., on Tuesday, July 6, 2010; and

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

**SECONDED BY COUNCILMEMBER PARISE**

Official Minutes of the Common Council Meeting of June 21, 2010

✓ Vote Record – R10-74						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	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"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Chairman Klein** informed the Council that said Resolution is declaring the month of July as Watershed Awareness Month in the City of Poughkeepsie.

**RESOLUTION  
(R-10-75)**

**City of Poughkeepsie Proclamation of  
Dutchess Watershed Awareness Month**

**INTRODUCED BY COUNCILMEMBER KLEIN:**

**WHEREAS:** Water quantity and quality are basic ingredients to health and the quality of life in Dutchess County and the City of Poughkeepsie; and

**WHEREAS:** Water exists in watersheds that extend beyond municipal boundaries; and

**WHEREAS:** Climate change is causing change to precipitation levels which directly impacts the quantity of water in the watershed; and

**WHEREAS:** Groups are organizing throughout the County to maintain and improve water quantity and quality in specific watersheds; and

**WHEREAS:** There is a need to educate all members of the community about how watersheds contribute to the health and quality of life in Dutchess County and in the City of Poughkeepsie the recreational activities they provide, and how daily actions can affect the quantity and quality of water in the watershed; and

**WHEREAS:** The various watershed groups have collaborated to provide a set of activities to increase educational and recreational use of the watersheds; and

**WHEREAS:** Dutchess County is an innovator in organizing watershed groups; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the City of Poughkeepsie proudly proclaims the month of July 2010 as Watershed Awareness Month and encourages all municipal officials and citizens and visitors to participate in the scheduled activities to learn more about watersheds: how they contribute to health and the quality of life, the recreational activities they provide, and how daily actions can affect the quantity and quality of water in watersheds.

**SECONDED BY COUNCILMEMBER HERMAN**

✓ Vote Record – R10-75							
			Y	s/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	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"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Assistant Corporation Counsel Ackermann informed the Council of the Resolution R10-76, adopting revised Dutchess County Fire, Rescue and EMS Mutual Aid plan.

**RESOLUTION  
(R-10-76)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, the City of Poughkeepsie currently elects to participate in the Dutchess County Department of Emergency Response Mutual Aid Plan (“Mutual Aid Plan”) as established pursuant to Section 209 of the New York State General Municipal Law; and

**WHEREAS**, the purpose of such plan is to provide assistance and protection for all Dutchess County communities in the case of fire or other emergency; and

**WHEREAS**, pursuant to the Mutual Aid Plan, a five year review has been completed and the review committee has recommended certain changes to the Mutual Aid Plan last amended on or about January, 2004; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie hereby authorizes the participation of the City of Poughkeepsie in the Dutchess County Mutual

Aid Plan as amended on or about April of 2010 and certifies to the Dutchess County legislature through the Dutchess County Emergency Response Coordinator that no restriction exist against “outside service” by such participating agencies named herein within the meaning of Section 209 of the New York State General Municipal Law which would effect the power of said agency to participate; and

**BE IT FURTHER RESOLVED**, that the City of Poughkeepsie agrees to provide fire rescue services and emergency medical services pursuant to an agreement with Mobile Life Support Services, and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be filed with the Dutchess County Emergency Response Coordinator.

**SECONDED BY COUNCILMEMBER PARISE**

✓ Vote Record – R10-76						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	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"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Development Director Wojtowicz** informed the Council of the Resolution R10-77, which accepts the DEIS as complete for One Dutchess Avenue/Dutton Lumber.

**RESOLUTION  
(R-10-77)**

ACCEPTING THE DEIS FOR ZONING AMENDMENTS AND RELATED ACTIONS CONCERNING THE PARCEL OF LAND LOCATED AT ONE DUTCHESS AVENUE IN THE CITY AND TOWN OF POUGHKEEPSIE

**INTRODUCED BY COUNCILMEMBER HERMAN**

WHEREAS, The Common Council of the City of Poughkeepsie is the Lead Agency for the environmental review pursuant to the New York State Environmental Quality Review Act (“SEQRA”) relative to certain land use actions requested by the O’Neill Group – Dutton, LLC (APPLICANT) for land located both in the Town of Poughkeepsie and the

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City of Poughkeepsie at One Dutchess Avenue (tax lots 6062-59-766443-0000 and 6062-02-763508-0000)

WHEREAS, The Lead Agency adopted a Positive Declaration and issued a Scoping Document, and the Applicant has submitted a Draft Environmental Impact Statement to the Lead Agency, on February 23, 2010, including additional supplemental information submitted on May 14, 2010, to the City of Poughkeepsie Planning Department and Planning Consultant, and June 2, 2010 to the Common Council, pursuant to the Lead Agency’s request;

NOW, THEREFORE, BE IT RESOLVED, the Lead Agency determines that the submitted DEIS satisfies the following requirements subject to final review and revision by the Director of Development of the City of Poughkeepsie:

- 1) The DEIS adequately discusses the information required by the Scoping Document;
- 2) The DEIS satisfies the requirements of 6NYCRR §617.9 setting forth the required content of a DEIS; and
- 3) The DEIS satisfies the organizational requirements of 6NYCRR §617.9, and

BE IT FURTHER RESOLVED That the Lead Agency declares the DEIS to be accepted as to scope, content and adequacy, and orders that the accepted DEIS shall be circulated to involved agencies and interested parties with Notice of Acceptance as required by law, that the public comment period shall commence immediately; and further orders a Public Hearing on the DEIS to be duly noticed and published for July 28 at 4:30 pm in the Common Council Chamber at 62 Civic Center Plaza, and the public comment period will be held open until ten days after the public hearing is closed.

**SECONDED BY COUNCILMEMBER PARISE**

✓ Vote Record – R10-77						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	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"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VIII. ORDINANCES AND LOCAL LAWS:**

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

**Assistant Corporation Counsel Ackermann** informed the Council of the O-10-18 Ordinance amending the zoning classification of 7 Fairview Avenue from I-1 to R-4.

**ORDINANCE  
O-10-18**

**INTRODUCED BY COUNCILMEMBER HERMAN**

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

SECTION 1: The official Map of the City of Poughkeepsie as adopted by the Common Council on February 20, 1979, as amended, is further amended as follows:

Parcel # 6162-47-584507- 7 Fairview Avenue from I-1 (Light Industrial) to R-4 (Medium High Density Residence District)

SECTION 2: That the City Chamberlain be and she hereby is directed to amend the official Zoning Map in accordance with this Ordinance.

SECTION 3: That the Common Council of the City of Poughkeepsie, after a review of the proposed plan for development of 7 Fairview Avenue dated April 21, 2010 as submitted by Salvatore Vona recommends to the Zoning Board of Appeals that the following requirements be waived by grants of area variance:

<b>Description</b>	<b>Required</b>	<b>Provided</b>
Lot Area	7,800 s.f.	7,391 s.f
Side Yard Setback	15'	10'

SECTION 4: That the Common Council of the City of Poughkeepsie as lead agency has determined that there are no other involved agencies, that the action is an unlisted action and upon the short form Environmental Assessment Form and the examination of 6 N.Y.C.R.R §617.7 of the State Environmental Quality Review Act the attached Negative Declaration is adopted because no Negative impacts anticipated will occur by reason of this text amendment.

SECTION 5: This Ordinance shall take effect immediately.

**SECONDED BY COUNCILMEMBER PARISE**

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

- 1. FROM POLICE CHIEF KNAPP**, a communication regarding a joint application with the Town of East Fishkill for funding from the U.S.

Department of Justice under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, FY 2010 Local Solicitation.

2. **FROM FIRE CHIEF BOYD**, a communication regarding pumping policy.
3. **FROM FIRE CHIEF BOYD**, a communication regarding hydrant testing programming.
4. **FROM COMMISSIONER OF FINANCE BUNYI**, May 2010 financial report.
5. **FROM DANIEL J. DORN**, a notice of personal injury sustained on March 3, 2010. **Referred to Corporation Counsel.**
6. **FROM DANIEL J. DORN**, a notice of personal damages. **Referred to Corporation Counsel.**
7. **FROM CYNTHIA K. FICHERIA, ESQ**, a notice of personal injury sustained by **FLORENZA WALTON** on May 20, 2010. **Referred to Corporation Counsel.**
8. **FROM ROBERT J. DEMATTIO**, a notice of property damage sustained on April 29, 2010. **Referred to Corporation Counsel.**

**X. UNFINISHED BUSINESS:**

**Councilmember Mallory** had met with Tyrell Betterman who had not been notified yet that he was selected for the Youth Advisory Board, and wanted to know if the City was going to contact the three people chosen.

**Councilmember Johnson** noticed that there was work being done on the medians on South Grand, but wanted to know when they were going to do the medians on College Avenue. She also wanted to thank whoever fixed the light on Meyer and College.

**Councilmember Solomon** does not think Chief Boyd should not be written up for the muddy car. She thinks the Fire Department deserves more praise.

**Councilmember Coates** did not mention at any point the Fire Department, but was appalled that the Chief came to change the pumping policy but did not mention why the policy was being changed. Chief did not offer any apologies, and Councilmember Coates is still receiving phone calls about whether or not this issue has been resolved. Councilmember Coates still maintains that the Fire Department does an excellent job in terms of putting out fires, and other

courageous actions, but the Chief still came to present a change in policy about something that had happened in Councilmember Coates's ward and did not offer an explanation or apology for what happened.

**Councilmember Herman** agrees with Councilmember Coates regarding the issue with Chief Boyd for not acknowledging that the pumping policy caused damage and not issuing an apology.

**Councilmember Klein** and the Mayor had met with representatives of the Ethics Committee who are redrafting an ethics code. They conducted a meeting with the Senior Staff of City Hall who are affected by this code. The Committee will take into consideration the comments made by the City Staff and try to make it available for an agenda item on July 6.

**Councilmember Johnson** wanted the City Council to be informed of the retirees so that City Council can wish them well.

#### **XI. NEW BUSINESS:**

**Councilmember Flowers** stated that she had the honor of awarding 17 students at Warren School who showed the most improvement, and wanted to thank the Mayor for accompanying her to that ceremony. They also awarded Mr. Hartford, the principal, for his efforts at the school.

**Councilmember Coates** was the guest speaker at Clinton Elementary School's graduation on the previous Friday. He encouraged councilmembers to continue to stay involved with the youth.

**Councilmember Johnson** will be giving an award at Poughkeepsie Middle School. She also wanted to address Mr. Stickle regarding the Council's involvement with the local businesses and say that she is in fact a patron of the local businesses.

#### **XII. ADJOURNMENT:**

A motion was made by Chairman Klein and Councilmember Herman moved to adjourn meeting at 9:03 p.m.

Dated:

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, June 21, 2010 at 6:30 p.m.

Official Minutes of the Common Council Meeting of June 21, 2010

Respectfully submitted,

Deanne L. Flynn  
City Chamberlain



**COMMON COUNCIL MEETING**

Common Council Chambers

Monday, June 21, 2010

6:30 p.m.

*Presentation by Walkway over the Hudson*

**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL**

**III. REVIEW OF MINUTES: 7**

**Common Council Meeting of February 1, 2010**

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

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

**XII. MAYOR'S COMMENTS:**

**XIII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

**XIV. MOTIONS AND RESOLUTIONS:**

- 1. FROM COMMISSIONER OF FINANCE BUNYI, Resolution R10-71, accepting the elected official's time sheets.**
- 2. FROM PROPERTY DEVELOPMENT DIRECTOR LEWIS, SEQRA Resolution R10-72 and Sale Resolution R10-73 for the sale of city-owned property 52 Noxon Street.**
- 3. FROM CORPORATION COUNSEL MORGAN, Resolution R10-74, creating alternate members to the planning and zoning board.**

4. **FROM CHAIRMAN KLEIN**, Resolution R10-75, proclaiming the month of July as Watershed awareness month.
5. **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, Resolution R10-76, adopting revised Dutchess County Fire, Rescue and EMS Mutual Aid plan.
6. **FROM DEVELOPMENT DIRECTOR WOJTOWICZ**, Resolution R10-77, acceptance of the DEIS as complete for One Dutchess Avenue/Dutton Lumber.

**XV. ORDINANCES AND LOCAL LAWS:**

1. **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, Ordinance O-10-18, amending the zoning classification of 7 Fairview Avenue from I-1 to R-4.

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

9. **FROM POLICE CHIEF KNAPP**, a communication regarding a joint application with the Town of East Fishkill for funding from the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, FY 2010 Local Solicitation.
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**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT:**