



COMMON COUNCIL MEETING

Common Council Chambers

May 2, 2016

6:30 p.m.

*6:00 p.m. Public Hearing regarding the proposed
designation of the Glebe House, located at
635 Main Street as a local historic landmark*

**6:30 p.m. Presentation regarding the
Kaal Rock Connector Project**

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Minutes of April 18, 2016

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

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

V. MAYOR'S COMMENTS:

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VII. MOTIONS AND RESOLUTIONS:

- 1. FROM COMMISSIONER OF FINANCE BRADY,** Bond Resolution R16-44, approving the financing of the repair of the Financial Plaza Parking Deck.

2. **FROM COMMISSIONER OF FINANCE BRADY**, Bond Resolution R16-45, approving the financing of the reconstruction of Smith/Little George/Creek Road.
3. **FROM COMMISSIONER OF FINANCE BRADY**, Bond Resolution R16-46, approving the repair of a portion of the city hall roof.
4. **FROM COMMISSIONER OF FINANCE BRADY**, Bond Resolution R16-47, approving repair to the city hall air conditioning system.
5. **FROM CHAIRMAN PETSAS**, Resolution R16-48, approving an appointment to the Joint Water Board.
6. **FROM MAYOR ROLISON**, Resolution R16-49, approving the full term appointment of Paul Ackermann as Corporation Counsel.

VIII. ORDINANCES AND LOCAL LAWS:

1. **FROM CORPORATION COUNSEL ACKERMANN**, Ordinance O-16-3, amending parking regulations to eliminate two parking spaces on 29 North Hamilton Street.
2. **FROM ASSISTANT CORPORATION COUNSEL AQEEL**, Local Law LL-16-1, to "Prohibit Aggressive Panhandling".

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM JUSTIN EDWARDS**, a notice of property damage sustained on March 21, 2016.
2. **FROM REGINA M. TERRY**, a notice of claim.
3. **FROM OASIS RESTAURANT, INC.**, a notice of intent for Oasis Restaurant Corporation, d/b/a Union Square tavern to renew their Liquor License.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:



THE CITY OF POUGHKEEPSIE

NEW YORK

Item - VIII - 1
Resolution R16-44

May 2, 2016

To: Chairman Petsas and Common Council Members

From: William Brady, Acting Commissioner of Finance

WJB

Re: Bond Resolution - \$750,000 Financial Parking Deck

The referenced Bond Resolution would authorize the borrowing of \$750,000 for purposes of repairing and refurbishing the Financial Plaza Parking Deck. The deck has been in need of repairs for several years. The estimated cost of this total project is \$900,000 of which \$150,000 is available to us through Community Development Block Grant Funds. The amount the Common Council is being asked to authorize comes from an old estimate. The City is currently negotiating a contract with the DiSalvo Engineering Group to review that estimate at a cost of \$8,500.

EXTRACT OF MINUTES
[Financial Plaza Deck]

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 May 2, 2016 at 6:30 o'clock p.m., local time.

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

PRESENT:

Councilmember Natasha Cherry
Councilmember Lee David Klein
Councilmember Lorraine Johnson
Councilmember Randall A. Johnson II
Councilmember Matthew McNamara
Councilmember Ann Perry
Councilmember Christopher D. Petsas
Councilmember Mike Young

ABSENT:

The following persons were ALSO PRESENT:

Acting Commissioner of Finance William J. Brady

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

BOND RESOLUTION DATED MAY 2, 2016

A RESOLUTION AUTHORIZING IMPROVEMENT OF THE FINANCIAL PLAZA PARKING DECK LOCATED AT MARKET STREET WITH AN AGGREGATE ESTIMATED MAXIMUM COST OF \$900,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$750,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE A PORTION OF THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

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 Financial Plaza parking deck located at Market Street, is hereby authorized at an estimated maximum cost of \$900,000, and said amount is hereby
res FPD 5 2 16

appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 35 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is 15 years.

SECTION 2. It is hereby determined that the aforesaid purpose constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. The City plans to finance a portion of the total cost of said purpose by the issuance of serial bonds of the City in an amount not to exceed \$750,000, hereby authorized to be issued therefor pursuant to the Local Finance Law. The remaining cost of the project is expected to be financed from CDBG funds.

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 shall 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. 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 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 10. 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, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 11. 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 Natasha Cherry	VOTING ___
Councilmember Lee David Klein	VOTING ___
Councilmember Lorraine Johnson	VOTING ___
Councilmember Randall A. Johnson II	VOTING ___
Councilmember Matthew McNamara	VOTING ___
Councilmember Ann Perry	VOTING ___
Councilmember Christopher D. Petsas	VOTING ___
Councilmember Mike Young	VOTING ___

The foregoing resolution was thereupon declared duly adopted.

Approved: _____, 2016

Rob Rolison
Mayor

CERTIFICATE OF RECORDING OFFICER

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 2nd day of May, 2016 and entitled:

BOND RESOLUTION DATED MAY 2, 2016

A RESOLUTION AUTHORIZING IMPROVEMENT OF THE FINANCIAL PLAZA PARKING DECK LOCATED AT MARKET STREET WITH AN AGGREGATE ESTIMATED MAXIMUM COST OF \$900,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$750,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE A PORTION OF 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 May, 2016.

-SEAL-

Deanne Flynn
City Chamberlain



THE CITY OF POUGHKEEPSIE

NEW YORK

May 2, 2016

To: Chairman Petsas and Common Council Members

From: William Brady, Acting Commissioner of Finance

Re: Bond Resolution - \$1,980,000 for Creek Road Intersection Improvement Project

The referenced Bond Resolution would authorize the borrowing of \$1,980,000 for purposes of improving the intersection of Creek Road and Little George Street. The estimated cost of this total project is \$1,937,625. The New York State Dept. of Transportation will reimburse the city much of the cost of this project through the Federal Highway Administration. The city expects to issue Bond Anticipation Notes in the amount of \$700,000 to assist with cash flow during the course of the project. The City has also applied for Marchiselli Funds to New York State which would pay 15% of the total project cost if awarded. We will be notified next month if we will be receiving this. If we do receive it, our cost would be \$96,881.25, and if we do not, our cost of the project would be \$387,525.00.

EXTRACT OF MINUTES
[Creek Road Improvement]

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 May 2, 2016 at 6:30 o'clock p.m., local time.

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

PRESENT:

- Councilmember Natasha Cherry
- Councilmember Lee David Klein
- Councilmember Lorraine Johnson
- Councilmember Randall A. Johnson II
- Councilmember Matthew McNamara
- Councilmember Ann Perry
- Councilmember Christopher D. Petsas
- Councilmember Mike Young

ABSENT:

The following persons were ALSO PRESENT:

Acting Commissioner of Finance William J. Brady

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

BOND RESOLUTION DATED MAY 2, 2016

A RESOLUTION AUTHORIZING CREEK ROAD INTERSECTION IMPROVEMENT PROJECT AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,980,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

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 Creek Road intersection improvement project at Smith Street and Little George Street is hereby authorized at an estimated maximum cost of \$1,980,000, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 20 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is 15 years.

SECTION 2. It is hereby 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 SEQR not to have a significant impact on the environment.

SECTION 3. The City plans to finance the cost of said purpose by the issuance of serial bonds of the City in an amount not to exceed \$1,980,000, hereby authorized to be issued therefor pursuant to the Local Finance Law. The City expects to reimburse a portion of the cost of the project through a federal highway administration grant submitted by New York State Department of Transportation.

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 shall 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. 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 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

4.27.16

(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 10. 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, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 11. 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 Natasha Cherry	VOTING	___
Councilmember Lee David Klein	VOTING	___
Councilmember Lorraine Johnson	VOTING	___
Councilmember Randall A. Johnson II	VOTING	___
Councilmember Matthew McNamara	VOTING	___
Councilmember Ann Perry	VOTING	___
Councilmember Christopher D. Petsas	VOTING	___
Councilmember Mike Young	VOTING	___

The foregoing resolution was thereupon declared duly adopted.

Approved: _____, 2016

Rob Rolison
Mayor

CERTIFICATE OF RECORDING OFFICER

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 2nd day of May, 2016 and entitled:

BOND RESOLUTION DATED MAY 2, 2016

A RESOLUTION AUTHORIZING CREEK ROAD INTERSECTION IMPROVEMENT PROJECT AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,980,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE 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 May, 2016.

-SEAL-

Deanne Flynn
City Chamberlain

This New Resolution for **\$1,980,000 Creek Road Intersection Improvement Project** includes:

<u>Purpose</u>	<u>Capital Budget Items</u>	<u>PPU (Max. Period for Financing)</u>	<u>Total Cost</u>	<u>Other Funds</u>	<u>Bonds Authorized</u>
Section 1:	Creek Road intersection improvement project @ Smith St. and Little George St. *	15 years	\$1,980,000	\$0	\$1,980,000
Grand Total				\$0	<u>\$1,980,000</u>

*FHWA Project PIN 8757.82



THE CITY OF POUGHKEEPSIE

NEW YORK

Item VII-3
Resolution R16-46

May 2, 2016

To: Chairman Petsas and Common Council Members

From: William Brady, Acting Commissioner of Finance

WJB

Re: Bond Resolution - \$590,000 – City Hall Roof Replacement

The referenced Bond Resolution would authorize the borrowing of \$590,000 for purposes replacing a portion of the city hall roof. The roof has been in need of replacement for a period of time. The estimated cost of this total project is \$590,000 based on the low bid submitted. The issue amount also includes a 5% contingency and a 2% cost of issuance.

City of Poughkeepsie
RFB-COP-02-16-03
City Hall Roof Replacement -Phase II

Bidders Name:	Thomas Gleason	Barrett Inc.	Mid State Industries	Titan Roofing
Schedule of Items				
Total Bid Price	\$ 549,000.00	\$ 629,727.00	\$ 660,811.00	\$ 702,000.00
UNIT Pricing				
Deck Repair (Per square foot)	\$ 17.20	\$ 8.50	\$ 27.00	\$ 20.00
Drain Replacement (Per Drain)	\$ 1,000.00	\$ 2,200.00	\$ 4,000.00	\$ 3,000.00
Drain Clamping Ring (Per Drain)	\$ 187.50	\$ 385.00	\$ 575.00	\$ 350.00
Grand Total	\$ 549,000.00	\$ 629,727.00	\$ 660,811.00	\$ 702,000.00
Apprentiship	*Skilled Construction Craft Labor NY State Labor Dept	Roofers Local 8	Roofers Local 241	Roofer Local 8

*Approved by Corporation Council

EXTRACT OF MINUTES
[City Hall Roof]

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 May 2, 2016 at 6:30 o'clock p.m., local time.

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

PRESENT:

Councilmember Natasha Cherry
Councilmember Lee David Klein
Councilmember Lorraine Johnson
Councilmember Randall A. Johnson II
Councilmember Matthew McNamara
Councilmember Ann Perry
Councilmember Christopher D. Petsas
Councilmember Mike Young

ABSENT:

The following persons were ALSO PRESENT:

Acting Commissioner of Finance William J. Brady

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

BOND RESOLUTION DATED MAY 2, 2016

A RESOLUTION AUTHORIZING THE REPLACEMENT OF THE CITY HALL ROOF AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$590,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

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 replacement of the City Hall roof is hereby authorized at an estimated maximum cost of \$590,000, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 12 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen years.

SECTION 2. It is hereby determined that the aforesaid purpose constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. The City plans to finance the total cost of said purpose by the issuance of serial bonds of the City in an amount not to exceed \$590,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

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 shall 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. 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 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 10. 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, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 11. 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 Natasha Cherry	VOTING	___
Councilmember Lee David Klein	VOTING	___
Councilmember Lorraine Johnson	VOTING	___
Councilmember Randall A. Johnson II	VOTING	___
Councilmember Matthew McNamara	VOTING	___
Councilmember Ann Perry	VOTING	___
Councilmember Christopher D. Petsas	VOTING	___
Councilmember Mike Young	VOTING	___

The foregoing resolution was thereupon declared duly adopted.

Approved: _____, 2016

Rob Rolison
Mayor

CERTIFICATE OF RECORDING OFFICER

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 2nd day of May, 2016 and entitled:

BOND RESOLUTION DATED MAY 2, 2016

A RESOLUTION AUTHORIZING THE REPLACEMENT OF THE CITY HALL ROOF AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$590,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE 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 May, 2016.

-SEAL-

Deanne Flynn
City Chamberlain



THE CITY OF POUGHKEEPSIE

NEW YORK

Item VII-4
Resolution R16-47

May 2, 2016

To: Chairman Petsas and Common Council Members

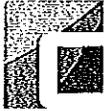
From: William Brady, Acting Commissioner of Finance

WJB

Re: Bond Resolution - \$800,000 for Reconstruction or Replacement of HVAC components at City Hall

The referenced Bond Resolution would authorize the borrowing of \$800,000 for purposes replacing or repairing the Heating, Ventilating and Air Conditions System at City Hall. The City is seeking to immediately replace the cooling tower at a cost of \$75,000 by emergency declaration. The funds for this repair may be available to us through a SAM grant. The remainder of the cost would cover replacement of the basement level air handling units, the chilled water and hot water distribution system, and various engineering and design costs, cleaning and asbestos abatement costs, and contingency.

Please see attached cost estimate.



February 19, 2016

Mr. Ronald Knapp, City Administrator
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

**Re: City of Poughkeepsie City Hall
HVAC Recommendations**

Dear Ron:

Clark Patterson Lee (CPL) has reviewed the physical conditions of the major components of the City's HVAC system at City Hall and discussed the history of operations with the City's maintenance staff. Based on our observations and the reported history of observations, we offer the following recommendations along with budgetary cost estimates for design and replacement.

Summary of HVAC Recommendations

1. Replace the cooling tower. *Budgetary cost: \$75,000*
2. Replace the basement level air handling units. The units are original to the building construction and at the end of their useful service life. *Budgetary cost: \$315,000*
 - a. (2) units are variable air volume -- interior zones
 - b. (1) unit is constant volume -- perimeter zone
 - c. Provide units with separate chilled water and hot water coils. (The existing chilled water and hot water system is a 2-pipe system, with a single coil in each unit.)
 - d. Provide control devices and variable frequency drives (some additional controls work will likely be required in addition to the TBS controls upgrade project)
3. Convert chilled water and hot water distribution system to a 4-pipe system. *Budgetary cost: \$150,000*
 - a. Scope includes replacing:
 - i. Pumps (and providing new pumps with variable frequency drives)
 - ii. Piping
 - iii. Controls (some additional controls work is required in addition to the TBS controls upgrade project)
 - iv. Valves
 - v. Insulation
 - b. The air handling unit coil replacement cost is included in item 2. above.
 - c. Existing boilers and chiller shall remain.

- d. The benefit of a 4-pipe system is that both the heating and cooling systems can remain active in the "shoulder months" when seasonal variations in temperature create both heating and cooling needs. The current system only allows for one operational system, and no opportunity for a "quick changeover" between heating and cooling.
4. Complete Test, Adjust, and Balance of HVAC Systems. *Budgetary cost: \$30,000*
5. Duct cleaning. *Budgetary cost: \$20,000*
6. Asbestos identification and abatement. *Budgetary cost: \$30,000*
7. All floor level air distribution systems shall remain.

Budget Summary

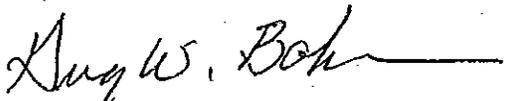
Clark Patterson Lee will perform the above Scope of Work in accordance with the following fixed fee schedule.

<u>Task</u>	<u>Budget</u>
Replace Cooling Tower	\$75,000
Replace Basement Level Air Handling Units	\$315,000
Convert Chilled/Hot Water Distribution System	\$150,000
Test/Adjust/Balance System	\$30,000
Duct Cleaning	\$20,000
Asbestos Abatement	\$30,000
Subtotal:	\$620,000
Contingency	\$90,000
<u>Engineering Design, Bidding, Construction Support</u>	<u>\$90,000</u>
Grand Total Budgetary Estimate of Cost	\$800,000

Should you have any questions, please do not hesitate to contact us.

Sincerely,

Clark Patterson Lee



Greg W. Bolner, P.E.
Principal Associate

cc: Mayor Rob Rolison

EXTRACT OF MINUTES
[City Hall HVAC]

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 May 2, 2016 at 6:30 o'clock p.m., local time.

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

PRESENT:

Councilmember Natasha Cherry
Councilmember Lee David Klein
Councilmember Lorraine Johnson
Councilmember Randall A. Johnson II
Councilmember Matthew McNamara
Councilmember Ann Perry
Councilmember Christopher D. Petsas
Councilmember Mike Young

ABSENT:

The following persons were ALSO PRESENT:

Acting Commissioner of Finance William J. Brady

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

BOND RESOLUTION DATED MAY 2, 2016

A RESOLUTION AUTHORIZING THE RECONSTRUCTION OR REPLACEMENT OF THE CITY HALL HVAC SYSTEM COMPONENTS AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$800,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

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 reconstruction or replacement of the City Hall HVAC system components is hereby authorized at an estimated maximum cost of \$800,000, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 13 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is ten years.

SECTION 2. It is hereby determined that the aforesaid purpose constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. The City plans to finance the total cost of said purpose by the issuance of serial bonds of the City in an amount not to exceed \$800,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

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 shall 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. 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 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 10. 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, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 11. 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 Natasha Cherry	VOTING	___
Councilmember Lee David Klein	VOTING	___
Councilmember Lorraine Johnson	VOTING	___
Councilmember Randall A. Johnson II	VOTING	___
Councilmember Matthew McNamara	VOTING	___
Councilmember Ann Perry	VOTING	___
Councilmember Christopher D. Petsas	VOTING	___
Councilmember Mike Young	VOTING	___

The foregoing resolution was thereupon declared duly adopted.

Approved: _____, 2016

Rob Rolison
Mayor

CERTIFICATE OF RECORDING OFFICER

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 2nd day of May, 2016 and entitled:

BOND RESOLUTION DATED MAY 2, 2016

A RESOLUTION AUTHORIZING THE RECONSTRUCTION OR REPLACEMENT OF THE CITY HALL HVAC SYSTEM COMPONENTS AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$800,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE 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 May, 2016.

-SEAL-

Deanne Flynn
City Chamberlain

RESOLUTION
(R16-49)

INTRODUCED BY _____ :

WHEREAS, the office of corporation counsel is appointed by the mayor pursuant to the City Charter §3.02(b); and

WHEREAS, the appointment of a corporation counsel by the Mayor is subject to confirmation by the Common Council; and

WHEREAS, the Mayor has appointed Paul Ackermann to the office of corporation counsel and has previously submitted such appointment to the Council for confirmation; and

WHEREAS, the Common Council confirmed the appointment of Paul Ackermann to the Office of Corporation Counsel for the 2016 calendar year, and

WHEREAS, the Common Council finds that it is in the best interest of the City of Poughkeepsie for the Mayor's appointment to be confirmed for the full term pursuant to City Charter §3.02(b); and

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor's appointment of Paul Ackermann to the office of corporation counsel be, and the same hereby is confirmed for the remainder of the term pursuant to City Charter §3.02(b).

SECONDED BY _____.

The City of Poughkeepsie

New York

PAUL ACKERMANN
Corporation Counsel
packermann@cityofpoughkeepsie.com



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

CC MEETING 5/2/16
ITEM # VIII-1

April 13, 2016

COMMON COUNCIL
CITY OF POUGHKEEPSIE

Re: Amendment to Chapter 13-180 (Motor Vehicle & Traffic) as it pertains to North
Hamilton Street between Mill Street and Thompson Street

Dear Chairman Petsas and Councilmembers:

The City has received a request from Brian Doyle of the Family Partnership Center to increase the No Parking Zone across the street from the Family Partnership. The change will effectively remove two on-street parking spaces and will increase the site-line distance for vehicles exiting the City owned parking-lot on North Hamilton Street.

The request was reviewed by Acting Chief Pape and Councilwoman Johnson who concur with the request. DPW has measured and recommends the distance contained in the Ordinance.

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

Very truly yours,

CITY OF POUGHKEEPSIE

Paul Ackermann, Esq.
Corporation Counsel

PA:nlbg
Enclosures

**ORDINANCE AMENDING §13-180
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-16-03)

INTRODUCED BY COUNCILMEMBER _____:

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

SECTION 1: §13-180 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 13-180 Parking prohibited at all times.

When appropriate signs giving notice thereof are erected, parking upon the following streets or parts of streets shall be prohibited at all times:

North Hamilton Street, west side, beginning at a point [~~50~~] 162 feet north of the Fallkill Bridge and continuing southerly therefrom to a point 50 feet south of the Fallkill Bridge

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by **Bold** and Underlining

DELETIONS denoted by Brackets [] and ~~Strikethrough~~

The City of Poughkeepsie
New York



Victor Aqeel
Assistant Corporation Counsel
vaqeel@cityofpoughkeepsie.com

62 Civic Center Plaza
Poughkeepsie, New York 12602
TEL: (845) 451-4065
FAX: (845) 451-4070

April 27, 2016

COMMON COUNCIL
City of Poughkeepsie

Re: Proposed LOCAL LAW LL-16-01 – Aggressive Panhandling

Dear Chairman Petsas and Council Members:

In response to public outcry regarding acts of aggressive panhandling, the instant proposed local law will address those acts of panhandling and/or solicitation which are done in an aggressive manner. The definition of aggressive manner is defined in the proposed local law, so that it is narrowly tailored to achieve its legislative intent.

By targeting only aggressive panhandling and not panhandling in general, the proposed local law will not infringe upon the constitutional rights to freedom of speech and expression.

The instant ordinance, if approved, will aid in protecting persons from intimidating or harassing behavior and maintaining peace in public places and help ensure the free flow of pedestrian and vehicular traffic and promote tourism and the quality of life for residents and visitors alike.

Please let me know if you have any questions or concerns.

Respectfully submitted,

Victor Aqeel, Esq.
Assistant Corporation Counsel

LOCAL LAW NO. 1 OF 2016

A LOCAL LAW TO PROHIBIT AGGRESSIVE PANHANDLING

INTRODUCED BY COUNCILMEMBER _____ :

BE IT ENACTED, by the Common Council of the City of Poughkeepsie of the County of Dutchess as follows:

- (a) *Legislative intent.* This legislation is adopted in order to protect persons from threatening, intimidating or harassing behavior, to keep public places safe for use by the general public. This legislation is also intended to provide for the free flow of pedestrian and vehicular traffic on streets and sidewalks in the City, to promote tourism and business and preserve the quality of urban life. The Council finds that aggressive acts associated with solicitation interfere with the free flow of pedestrian and vehicular traffic and intimidate persons in public places, and can lead to disruption and disorder in public places. Aggressive acts can also cause persons to avoid public places and lead to declining patronage of commercial establishments and tourism. The Council further finds that solicitation in certain public places is inconsistent with the use of those places, is inherently intimidating, targets persons who are captive audiences or constitutes an invasion of privacy as persons are not able to simply move on if they do not wish to speak to the person soliciting. Solicitation in proximity to bank entrances or check-cashing businesses or automated teller machines is inherently intimidating and should be restricted. By this legislation, the Council intends to promote the health, safety and welfare of the citizens and visitors to the City.
- (b) *Definitions.* Wherever used in this section, the following terms shall have the meanings indicated:

AGGRESSIVE MANNER

- (1) Intentionally or recklessly making any physical contact with or touching another person in the course of the solicitation, or approaching within an arm's length of the person, except with the person's consent;
- (2) Following the person being solicited, if that conduct is:
- (a) Intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
- (b) Is intended to or is reasonably likely to intimidate the person being solicited into responding affirmatively to the solicitation;

- (3) Continuing to solicit within five feet of the person being solicited after the person has made a negative response, if continuing the solicitation is:
- (a) Intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
 - (b) Is intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation;
- (4) Intentionally or recklessly blocking the safe or free passage of the person being solicited or requiring the person, or the driver of a vehicle, to take evasive action to avoid physical contact with the person making the solicitation;
- (5) Intentionally or recklessly using words:
- (a) Intended to or likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
 - (b) Intended or likely to intimidate the person into responding affirmatively to the solicitation; or
- (6) Approaching the person being solicited in a manner that is:
- (a) Intended to or is likely to cause a reasonable person to fear imminent bodily harm or the commission of a criminal act upon property in the person's possession; or
 - (b) Intended to or is likely to intimidate the person being solicited into responding affirmatively to the solicitation.

AUTOMATED TELLER MACHINE

A device, linked to a financial institution's account records, which is able to carry out transactions, including but not limited to account transfers, deposits, cash withdrawals, balance inquiries, and mortgage and loan payments.

AUTOMATED TELLER MACHINE FACILITY

The area comprised of one or more automated teller machines, and any adjacent space which is made available to banking customers after regular banking hours.

BANKING ORGANIZATION

All banks, trust companies, private bankers, savings banks, industrial banks, safe deposit companies, savings and loan associations, credit unions and investment companies as defined in § 2 of the New York State Banking Law.

LICENSED CASHER OF CHECKS

Any individual, partnership, unincorporated association or corporation duly licensed by the New York State Superintendent of Banks to engage in business pursuant to the provisions of Article IX-A of the New York State Banking Law.

PARKING LOT

Any public parking garage, parking deck and parking lot, including, but not limited to those public parking garages and public parking spaces included in §13-317 of the Municipal Code.

PUBLIC PLACE

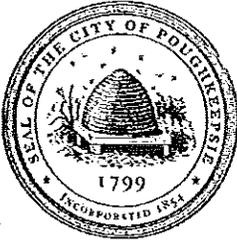
Any area or building owned, leased, operated or controlled by or on behalf of any government, municipality, public authority or public corporation in the City which is generally accessible by the public, including but not limited to any street, including the sidewalk portion thereof, bridge, park, playground, recreation area, cemetery, school or school grounds, building, facility, driveway, parking lot or parking garage, and the doorways and entrances to buildings and dwellings.

SOLICIT

Shall include, without limitation, the spoken, written, or printed word or such other acts or bodily gestures as are conducted in furtherance of the purposes of immediately obtaining money or any other thing of value.

- (c) No person shall solicit in an aggressive manner in a public place.
- (d) No person shall solicit within 20 feet of an automated teller machine or an entrance or exit of an automated teller machine facility; or within 20 feet of an entrance or exit to a banking organization or a licensed casher of checks during its business hours.
- (e) No person shall solicit when either the person soliciting or the person being solicited is in a bus shelter or at a bus stop.
- (f) No person shall solicit in a parking lot as defined in this section.
- (g) No person on a sidewalk or alongside a roadway shall solicit from any occupant of a motor vehicle that is on a street or other public place.
- (h) *Penalties.* A person convicted of violating this section shall be fined in an amount up to \$250 or by imprisonment of up to 15 days, or both. In lieu of a fine, the court may impose an appropriate alternative sentence.

SECONDED BY COUNCILMEMBER _____.



THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, April 18, 2016 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

II. REVIEW OF MINUTES:

Common Council Minutes of April 4, 2016

Common Council Meeting Minutes						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Accepted as Amended <input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

REMOVE:

VIII. ORDINANCES AND LOCAL LAWS:

1. FROM CORPORATION COUNSEL ACKERMANN, Ordinance O-16-3, amending parking regulations to eliminate two parking spaces 29 North Hamilton Street.

ADD:

VII. MOTIONS AND RESOLUTIONS:

7. FROM COUNCILMEMBER YOUNG, Resolution R16-43, waiving the thirty day notice for a Liquor License Application for Pickled & Smoked Inc. d/b/a Morty's Delicatessen (located at 296 Main Street).

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

**George Bridle-8 Mansion Street
Constantine Kazolias-47 Noxon Street
William Dykus- 96 South Hamilton Street
Arnie Serotsky 188 South Grand Avenue
Laurie Sandow- 201 South Grand Avenue**

V. MAYOR'S COMMENTS:

Mayor Rolison informed the council that tomorrow he , along with three other members of the Fiscal Team are traveling to Albany for their first meeting with the Financial Restructuring Board, and will report back to the council with the information received. Thanked Assemblyman Skartados' Office for securing \$300,000.00 in the state budget for the stump program. All of our street equipment is out, and as always hats off to DPW for all they are doing. Saturday was a citywide cleanup, in the various wards, and you can see the results, and hats off to the councilmembers involved in that too. Good thing is that we have all of our street cleaning equipment up and running, including the Green Machine, and they were out on Saturday and Sunday. The State just released the information on the Downtown Revitalization Initiative through the Governor's Office, which is \$100 Million Dollars, and was included in the State Budget. Ten cities in the ten economic regional councils will be picked by their local councils to receive \$10 Million Dollars. There was a preliminary meeting last week, there is a team in place, and it will be growing larger because we are still receiving some of the details, but the city will be actively pursuing the \$10 Million Dollars for the Downtown Revitalization. You can go on the state website and you can see some of the parameters and qualifications released, be he will be sure to keep everyone informed as that progresses. That will be very aggressive and very competitive, but the city is going to do everything to try to win that award.

As far as the Trump event is concerned, this was really sprung on the city very quickly. A phone call was received late in the afternoon, Donald Trump was coming on a certain date, that being Sunday. Immediately conversations were had with the acting Police Chief, Tom Pape, who was the commander of that entire event, from beginning to end. This was a City of Poughkeepsie event, and we were assisted by the outside agencies, but wanted to give his hats off to Tom Pape, and all of the members of the Police Department. They started at 5:00 a.m., on Sunday, he was present in the base, on the police apron as the Sergeant and the Command Staff addressed a contingent of officers that only grew as the day went on. As far as the city is concerned, and he does not have the DPW numbers, because they were out there in force as well at 6:00 a.m. getting barricades up, along with other things throughout the day. This event went from 5:00 a.m. until 6:00 p.m. The City of Poughkeepsie had 37 officers, and one extra police dispatcher out on the command post that were deployed for the event. They were also assisted by the State Police, the Dutchess County Sheriff's Office, the Town of Poughkeepsie PD, and the TSA was involved in screening people as they came through the doors. Law Enforcement Personnel in the City that day was over 120, and happy to report, there were no arrests, there were no serious incidents of any kind. And there were

5000-6000 plus people in the city, and it was handled very well. People came in, and they went home, but he assumes and hopes that our restaurants were busy. But it does show you what this city can do literally in a moment's notice. On the payment part of this, there is no responsibility for anyone to reimburse the city, or any other agencies for the police overtime. Because we had to do it on overtime, during that shift there were 47 other calls going on in the City of Poughkeepsie, 8 fire, 9 EMS, so the city continues to have its own activity in addition to what was going on at Civic Center Plaza. They will tally all of the costs, talk to the county as far as what their costs were, and will make the appropriate outreach to people to see if some financial assistance can be made.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Petsas thanked everyone who attended the Kaal Rock Connector Project at River Station this past Wednesday. There was a very good turnout, and is an exciting proposal, there will be more information and a presentation as it becomes available. Tonight there are some appointments to the IDA, Joint Water Board, and the Waterfront Advisory Committee, I encourage my colleagues to support the appointments of these individuals, should note that these individuals submitted applications and resumes and were interviewed by most of us on this council, and the selections are good selections for us as a city. Thanked Laurie Sandow and her volunteers, and all of the volunteers, including council people who were out there on Earth Day, cleaning up the city. This Saturday there is a community service award, luncheon at the Grand Hotel, it is being hosted by the Black Heritage Committee of the Exempt Fireman's Association. They are honoring several outstanding individuals, there are some tickets still available, it is from noon until 4:00 at the Poughkeepsie Grand Hotel. There are some distinguished honorees, including Mr. Bullock, or Social Development Director and Brian Doyle from the family Partnership Center.

Two presentations:

April Business of the Month from Councilmember Lee Klein, honoring Tom Walsh, and Son Andy Walsh owners of Poughkeepsie Imported Car Parts, located at 250 South Avenue.

April Citizen of the Month from Chairman Petsas, honoring George Brindle

VII. MOTIONS AND RESOLUTIONS:

1. **A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.**

**RESOLUTION
(R-16-30)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, in accordance with New York General Municipal Law, the Common Council of the City of Poughkeepsie is authorized to make appointments of City residents to serve on the board of the City of Poughkeepsie Industrial Development Agency ("CPIDA"); and

WHEREAS, the members of the CPIDA serve at the pleasure of the Common Council and concurrent to the terms of the Common Council; and

WHEREAS, it is in the best interest of the City of Poughkeepsie and its citizens that the CPIDA Board have a full complement of members in order to properly conduct the business required of the CPIDA; and

WHEREAS, all of the current IDA members term's have expired; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints the following individual to the Board of the City of Poughkeepsie Industrial Development Agency, to serve at the pleasure of the Common Council for a term ending December 31, 2017:

**Robert G. Rolison
Lee Klein
Felicia Watson**

SECONDED BY COUNCILMEMBER JOHNSON

R16-30			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.

**RESOLUTION
(R-16-38)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, there currently exists a vacancy on the Waterfront Advisory Committee which the Common Council is desirous of filling; and

WHEREAS, the Common Council has solicited members of the community who are interested in serving on such board, and has interviewed those who have submitted their names; and

WHEREAS, it is in the best interest of the City of Poughkeepsie and its citizens that the Waterfront Advisory Board should have a full complement of members in order to properly conduct the business required of the Board;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints the following individual to the Waterfront Advisory Committee for a two (2) year term:

Harvey Flad (Exp.: March 5, 2017)

SECONDED BY COUNCILMEMBER JOHNSON

R16-38			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Accepted as Amended					
<input checked="" type="checkbox"/>	Accepted					
<input type="checkbox"/>	Tabled					
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.



Thomas M. Pape
Chief of Police

POLICE DEPARTMENT
CITY OF POUGHKEEPSIE
NEW YORK



April 14, 2016

COMMON COUNCIL
CITY OF POUGHKEEPSIE

Re: Replacing a part time parking dept. position with a part time animal control position

Dear Chairman Petsas and Councilmembers:

The City of Poughkeepsie Police department requests your consideration with Resolution R16-39 regarding an amendment approving a part time animal control officer be provided to our department.

We currently have a vacancy for a part time position in the parking department and will swap that position for the part time animal control officer position. The salary is the same so the proposed change will have no fiscal impact on the budget.

Therefore before you is a resolution swapping a part time parking position for a part time animal control officer position.

Respectfully submitted,

Thomas M. Pape
Acting Police Chief

Municipal Building 62 Civic Center Plaza Poughkeepsie New York 12602 Tel: (845)-451-4000 Fax: (845) 451-4156

**RESOLUTION
(R-16-39)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the 2016 adopted budget provided for one (1) part-time Parking Control Officer (“PCO”); and

WHEREAS, the currently is a vacancy in the part-time PCO position and police department does not intend to fill the position within the 2016 fiscal year; and

WHEREAS, the police department has requested an amendment to the budget to provide for a part-time Animal Control Officer (“ACO”); and

WHEREAS, the amendment of the budget eliminating the part-time PCO and the addition of a part-time ACO will not have a financial impact on the 2016 adopted budget; and

NOW, THEREFORE,

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

From: 01.09.3120.7180 Part-Time Parking Control Officer \$18,034
To: 01.09.3510.7180 Part-Time Animal Control Officer \$18,034

SECONDED BY COUNCILMEMBER JOHNSON

R16-39			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Accepted as Amended <input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.

**RESOLUTION
(R-16-40)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the City of Poughkeepsie and the Town of Poughkeepsie are parties to an Inter-Municipal Agreement dated August 3, 1995 concerning the ownership and operation of the Joint Water Project; and

WHEREAS, said Agreement provides for the administration of the Joint Water Project by a Joint Board which is known as the Poughkeepsie Joint Water Project Board (the "Joint Board"); and

WHEREAS, the Agreement provides for the Joint Board to consist of six (6) members, three (3) selected by the City of Poughkeepsie, and three (3) selected by the Town of Poughkeepsie; and

WHEREAS, the Common Council adopted a resolution on November 4, 1991 providing for the selection of the three members of the Joint Board which was further modified on March 21, 1996 and May 2, 1996; and

WHEREAS, currently one member of the Joint Board is selected by the Mayor and two members are selected by the Common Council of which one selection by the Common Council must be a member of the Common Council; and

WHEREAS, the Common Council is desirous of further modifying said Resolution for the selection of the three (3) members of the Joint Board by removing the requirement that one selection be a Common Council member; and

NOW, THEREFORE,

BE IT RESOLVED, by the Common Council of the City of Poughkeepsie that the selection of the members of the Joint Board shall be as follows:

1. One (1) member of the Joint Board to be selected by the City of Poughkeepsie shall be selected by the Mayor.
2. Two (2) members of the Joint Board shall be selected by the Common Council to be determined by a majority vote of the Common Council. ~~One of the members of the Joint Board selected by the Common Council shall be a member of the Legislative Branch.~~
3. The three (3) members of the Joint Board selected by the City of Poughkeepsie shall serve for three (3) year terms and until their successors are appointed and qualified.
4. Notwithstanding the three year terms, and for the purpose of providing for staggered selections, the first three persons selected as members of the Joint Board shall be selected as follows:
 - a. The member selected by the Common Council, who is a member of the Legislative Branch, shall be selected for a two (2) year terms;
 - b. The second member selected by the Common Council shall be selected for a one (1) year term; and

- c. The member selected by the Mayor shall be selected for a three (3) year term.
5. The members of the Joint Board selected by the City of Poughkeepsie, notwithstanding their fixed terms, may be removed by this Common Council, with or without cause, provided that any such removal shall require a two-thirds (2/3) vote of this Common Council.

SECONDED BY COUNCILMEMBER JOHNSON

R16-40						
			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Accepted as Amended <input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.

R16-41						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Defeated <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.

Corporation Counsel Ackermann informed the Council that on March 24, 2016, the Historic District and Landmarks Preservation Commission (HDLPC) held a public hearing regarding the proposed nomination of the Glebe House located at 635 Main Street as a local historic landmark. The Glebe House is owned by the City of Poughkeepsie and has been used as a museum most recently which was operated by the Dutchess County Historical Society.

Holly Wahlberg, an expert in design history prepared and submitted the application, which is attached to this letter for your review.

The Commission voted in favor of the proposed designation.

Pursuant to Section 19-4.5(4)(f) of the Code of Ordinances, I am forwarding the approved application proposing the designation as a local historic landmark to the Common Council for your consideration.

The Common Council must hold a public hearing prior to the designation of any landmark. The public hearing must occur within sixty (60) days from the date the approved application is received by the Common Council which was April 5, 2016. The Council must approve or disapprove the designation within seventy-five (75) days from receipt of the approved application.

Please also find a proposed Resolution setting the public hearing concerning this proposed designation for May 2, 2016 at 6:00 p.m.

A RESOLUTION OF THE CITY OF POUGHKEEPSIE, SETTING A PUBLIC HEARING REGARDING THE PROPOSED NOMINATION OF 635 MAIN STREET (the GLEBE HOUSE) AS A LOCAL HISTORIC LANDMARK

(R-16-42)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, 635 Main Street in the City of Poughkeepsie is owned by the City of Poughkeepsie which has consented to the application for designation as a historic building; and

WHEREAS, the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter "HDLPC") held a public hearing on March 24, 2016 regarding the nomination of 635 Main Street as a local historic landmark; and

WHEREAS, the HDLPC voted in favor of the proposed nomination and approved the application on March 24, 2016; and

WHEREAS, pursuant to Section 19-4.5(4)(f) of the Code of Ordinances of the City of Poughkeepsie, the HDLPC's approved application was forwarded to the Common Council for consideration on April 5, 2015; and

WHEREAS, the Common Council is required to hold a public hearing prior to the designation of any historic landmark within sixty (60) days from receipt of the approved application from the HDLPC; and

NOW THEREFORE,

BE IT RESOLVED, that the City Chamberlain be, and she hereby is authorized and directed to publish a Notice of Public Hearing to be held May 2, 2016 at 6:00 p.m. concerning the designation of 635 Main Street as a local historic landmark.

SECONDED BY COUNCILMEMBER JOHNSON

R16-42			Yes/Aye	No/Nay	Abstain	Absent
<input type="checkbox"/> Accepted as Amended <input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

7. A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to receive and print.

**R-E-S-O-L-U-T-I-O-N
(R-16-43)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, PICKLED & SMOKED INC. d/b/a MORTY'S DELICATESSEN has notified the City of Poughkeepsie of its intent to file an application for an on-premise liquor license for the premises known located at 296 Main Street, Poughkeepsie, New York; and

WHEREAS, New York State Alcoholic Beverage Control Law Section 64 requires every applicant, whether new or existing, to notify the municipality of their intent to file an application or renewal with the State or obtain a waiver from the municipality; and

WHEREAS, the request been reviewed by the administration and has no objection to the application of PICKLED & SMOKED INC. d/b/a MORTY'S DELICATESSEN and has had sufficient time to investigate the proposed application; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie by copy of this resolution to the New York State Liquor Authority hereby waives the notice requirement pursuant to NYS ABC § 64 for PICKLED & SMOKED INC. d/b/a MORTY'S DELICATESSEN and acknowledges its intent to renew its liquor license.

SECONDED BY COUNCILMEMBER YOUNG

R16-44			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted <input type="checkbox"/> Tabled	Councilmember Young	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chairman Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

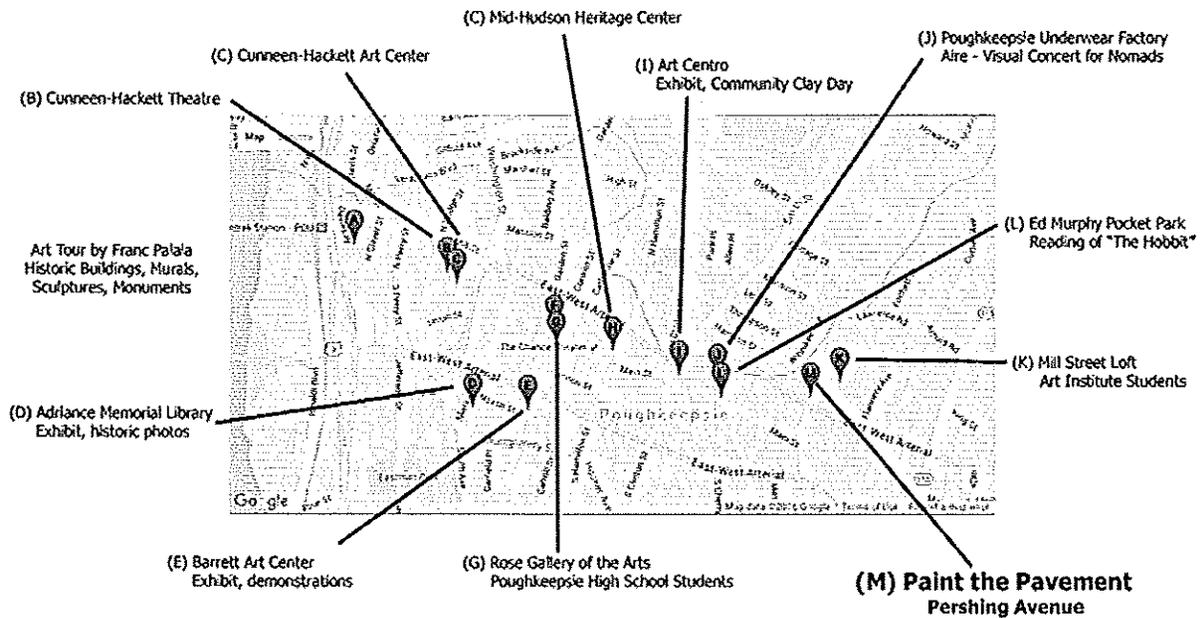
VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. FROM MILL STREET LOFT,** a presentation on a planned street mural on Pershing Avenue.

Poughkeepsie Open Studios - June 18, 2016
www.poughkeepsieopenstudios.org

20-30 (or more) Artist Studios
oil, acrylics, glass, video,
ceramics, textile, etc.









THEY'RE NOT LISTENING TO HALL STREET AND THE TOLL STREET OF THE 1870-1880







2. **FROM DOUG NOBELITTI**, a presentation regarding the newly formed, "Downtown Poughkeepsie Alliance".
3. **FROM MICHELLE ALMEIDA**, a notice of intent for Pickled & Smoked Inc, d/b/a Morty's Delicatessen, located at 296 Main Street to obtain a liquor license.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

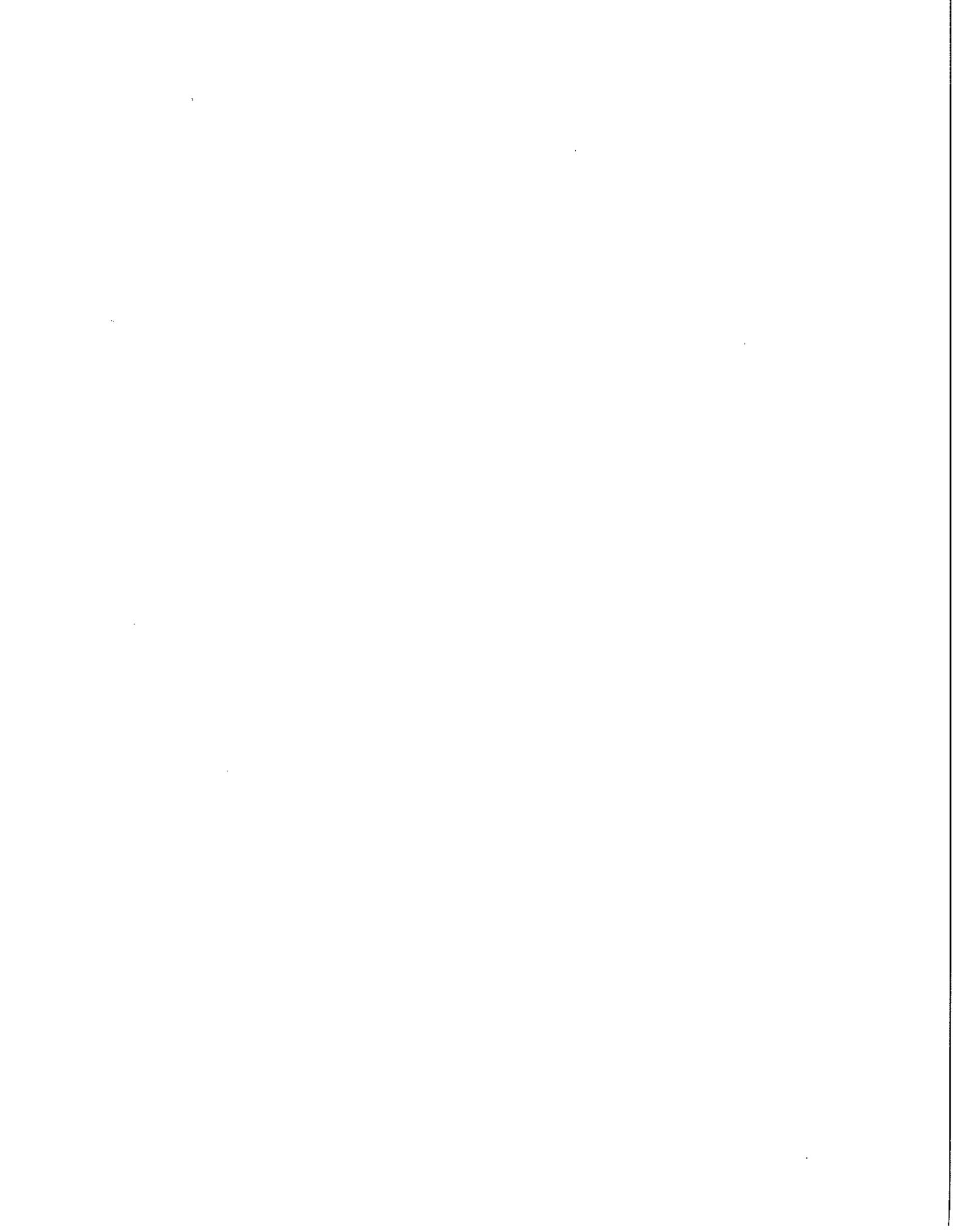
A motion was made by Councilmember Cherry and Councilmember Johnson to adjourn the meeting at 9:00p.m.

Dated: April 27, 2016

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, April 18, 2016

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**



PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2016 APR 11 PM 12:59

TODAY'S DATE: April 01st, 2016

NAME AND ADDRESS OF EACH CLAIMANT:

Justin Edwards
79 Garden Street, Poughkeepsie NY, 12601

TELEPHONE NUMBER: (646) 438-0813

NAME AND ADDRESS OF ATTORNEY (IF ANY):

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

At approximately 2:00pm at 55 Mansion St. Poughkeepsie NY, 12601, my Honda CR-V was hit while parked.

ITEMS DAMAGED OR INJURIES SUSTAINED:

Damages were done to the roof of my vehicle which has a dent from the hit on the driver's side all the way to the rear.

J. Edwards
Signature of Claimant

Signature of Claimant

STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

JUSTIN EDWARDS being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof, that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

J. Edwards
Signature of Claimant

Signature of Claimant

Sworn to before me this 11 day of April, 2016

J. M. [Signature]
Notary Public

JENNIFER GONZALEZ
Notary Public, State of New York
No. 6107833
Qualified In Dutchess County
Commission Expires April 05, 2020

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

POLICE ACCIDENT REPORT

MV-104A (8/04)

Local Codes
2016-7981
Q3RG215GF28Q

AMENDED REPORT

Accident Date: Month 3, Day 21, Year 2016. Day of Week: Monday. Military Time: 13:45. No. of Vehicles: 2. No. Injured: 0. No. Killed: 0. Not Investigated at Scene: [] Left Scene: [] Police Photos: [] Yes [X] No. Accident Reconstructed: []

VEHICLE 1: Driver License ID Number 267931091, Driver Name SHAW, MICHAEL G, Address 26 BAIN AVE, City or Town Poughkeepsie, State NY, Zip Code 12601. VEHICLE 2: Driver License ID Number, Driver Name, Address, City or Town, State NY, Zip Code.

Date of Birth, Sex, Unlicensed, No. of Occupants, Public Property Damaged for both vehicles. VEHICLE 1: Date of Birth 4/1/1988, Sex M, Unlicensed [], No. of Occupants 01, Public Property Damaged []. VEHICLE 2: Date of Birth 6/11/1965, Sex M, Unlicensed [], No. of Occupants 00, Public Property Damaged [].

Name - exactly as printed on registration, Sex, Date of Birth, Address (Include Number and Street), City or Town, State, Zip Code. VEHICLE 1: Name SHAW, MICHAEL G, Sex M, Date of Birth 4/1/1988, Address 26 HOWARD ST, City Poughkeepsie, State NY, Zip Code 12601. VEHICLE 2: Name EDWARDS, JUSTIN E, Sex M, Date of Birth 6/11/1965, Address 246 MANSION ST 3, City Poughkeepsie, State NY, Zip Code 12601.

State of Reg, Vehicle Year & Make, Vehicle Type, Ins. Code. VEHICLE 1: State of Reg NY, Vehicle Year & Make 2009 FRHT, Vehicle Type DUMP, Ins. Code 997. VEHICLE 2: State of Reg NY, Vehicle Year & Make 2008 HOND, Vehicle Type SUBN, Ins. Code 626.

Ticket/Arrest Number(s), Violation Section(s).

Check if involved vehicle is: more than 96 inches wide; more than 34 feet long; operated with an overweight permit; operated with an overdimension permit. VEHICLE 1 DAMAGE CODES: Box 1 - Point of Impact 6 1 18, Box 2 - Most Damage 3 4 5. VEHICLE 2 DAMAGE CODES: Box 1 - Point of Impact 10 1 10, Box 2 - Most Damage 10 3 4 5.

VEHICLE DAMAGE CODING: 1-13 SEE DIAGRAM ON RIGHT. 14. UNDERCARRIAGE, 17. DEMOLISHED, 15. TRAILER, 18. NO DAMAGE, 16. OVERTURNED, 19. OTHER. ACCIDENT DIAGRAM showing vehicle positions and impact points.

Reference Marker, Coordinates (if available), Latitude/Northing, Longitude/Easting, Place Where Accident Occurred: County DUTCHESS, City [X] Village [] Town [] of POUGHKEEPSIE, Road on which accident occurred MANSION ST, at 1) intersecting street MANSION ST / CIVIC CENTER PLAZ.

Accident Description/Officer's notes: Vehicle 1 a City of Poughkeepsie dump truck with a leaf sucker had its attachment come loose and scrape the top of Vehicle 2 which caused damage to the same. Vehicle 2 was parked and unoccupied. DPW took photos of the vehicle. DPW supervisor on scene.

ALL INVOLVED: A 1 1 4 1 27 M - - - 17 BY TO 18 Names of all Involved SHAW, MICHAEL G. Officer's Rank and Signature POLICE OF Poughkeepsie, Badge/ID No. 35, NCIG No. 01302, Precinct/Post Troop/Zone, Station/Beat Sector, Reviewing Officer KING, TODD, Date/Time Reviewed 3/25/2016 09:08.

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 4-15-16

NAME AND ADDRESS OF EACH CLAIMANT:

Regina M. Terry
13 Mack Rd NY 12601
Poughkeepsie
TELEPHONE NUMBER: (914) 475-3277

NAME AND ADDRESS OF ATTORNEY (IF ANY): N/A

Spoke to Victor Ageelin City Hall
Legal Dept

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

I have been paying sewer bills for my property at 13 Mack Rd Poughkeepsie NY since Jan 2003 when I moved there & all along there was not sewer hook up. I am currently still there. This would be a total of ITEMS DAMAGED OR INJURIES SUSTAINED:

sewer (septic) was there & there was never a hook up to city sewers since I've lived there. 13+ yrs.

Ant of claim TBD

Regina M. Terry
Signature of Claimant

Signature of Claimant

STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

Regina M Terry being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

Signature of Claimant

Signature of Claimant

Sworn to before me this 15th day of April, 2016

Bonnie Brocco
Notary Public

BONNIE BROCCO
Notary Public in the State of New York
Resident in and for Ulster County
Commission Expires December 22, 2018
#4881280

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____



State Liquor Authority

Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board

(Page 1 of 2)

1. Date Notice Was Sent: 4/6/16 1a. Delivered by: Certified Mail

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License

- New Application Renewal Alteration Corporate Change Removal Class Change

For **New** applicants, answer each question below using all information known to date.
 For **Renewal** applicants, set forth your approved Method of Operation only.
 For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s).
 For **Corporate Change** applicants, attach a list of the current and proposed corporate principals.
 For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation.
 For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type.

This 30-Day Advance Notice is Being Provided to the Clerk of the following Local Municipality or Community Board

3. Name of Municipality or Community Board: City of Poughkeepsie

Applicant/Licensee Information

4. License Serial Number, if Applicable: 2109158/2104866 Expiration Date, if Applicable: 7/1/16

5. Applicant or Licensee Name: Oasis Restaurant Corporation

6. Trade Name (if any): Union Square Tavern

7. Street Address of Establishment: 49-51 Market St

8. City, Town or Village: Poughkeepsie, NY Zip Code: 12601

9. Business Telephone Number of Applicant/Licensee: 845-232-5674

10. Business Fax Number of Applicant/Licensee: 845-229-6522

11. Business E-mail of Applicant/Licensee: cgioia33@hotmail.com

12. Type(s) of Alcohol sold or to be sold: Beer & Cider Wine, Beer & Cider Liquor, Wine, Beer & Cider

13. Extent of Food Service: Full food menu; Full Kitchen run by a chef or cook Menu meets legal minimum food availability requirements; Food prep area at minimum

14. Type of Establishment: Restaurant / Tavern

15. Method of Operation: (Check all that apply)
 Seasonal Establishment Juke Box Disc Jockey Recorded Music Karaoke
 Live Music (Give details: i.e. rock bands, acoustic, jazz, etc.): _____
 Patron Dancing Employee Dancing Exotic Dancing Topless Entertainment
 Video/Arcade Games Third Party Promoters Security Personnel
 Other (specify): _____

16. Licensed Outdoor Area: (Check all that apply)
 None Patio or Deck Rooftop Garden/Grounds Freestanding Covered Structure
 Sidewalk Cafe Other (specify): _____

2016 APR 12 AM 11:51
CITY OF Poughkeepsie
CITY CLERK

2016 APR 12 AM 11:51
CITY OF Poughkeepsie
CITY CLERK

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____



State Liquor Authority

Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a Local Municipality or Community Board

(Page 2 of 2)

17. List the floor(s) of the building that the establishment is located on: First Floor
18. List the room number(s) the establishment is located in within the building, if appropriate: NA
19. Is the premises located within 500 feet of three or more on-premises liquor establishments? Yes No
20. Will the license holder or a manager be physically present within the establishment during all hours of operation? Yes No
21. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee.
22. Does the applicant or licensee own the building in which the establishment is located? Yes (If Yes SKIP 23-26) No

Owner of the Building in Which the Licensed Establishment is Located

23. Building Owner's Full Name: 49 Market Street Corp
24. Building Owner's Street Address: PO Box 538
25. City, Town or Village: Hyde Park State: NY Zip Code: 12538
26. Business Telephone Number of Building Owner: 914-475-3529

Representative or Attorney representing the Applicant in Connection with the application for a license to traffic in alcohol at the establishment identified in this notice

27. Representative/Attorney's Full Name: Alan B Rappleye A
28. Street Address: 35 Market St
29. City, Town or Village: Poughkeepsie State: NY Zip Code: 12601
30. Business Telephone Number of Representative/Attorney: 845-454-1110
31. Business Email Address: abr@cgrlaw.com

I am the applicant or hold the license or am a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

32. Printed Name: Craig Bioia Title: President

Signature: X

2016 APR 12 AM 11:51
 CITY OF Poughkeepsie
 CITY CHAMBER OF COMMERCE

Print Form

The City of Poughkeepsie

New York

PAUL ACKERMANN
Corporation Counsel
packermann@cityofpoughkeepsie.com



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

CC MEETING 5/2/16
ITEM # VIII-1

April 13, 2016

COMMON COUNCIL
CITY OF POUGHKEEPSIE

Re: Amendment to Chapter 13-180 (Motor Vehicle & Traffic) as it pertains to North Hamilton Street between Mill Street and Thompson Street

Dear Chairman Petsas and Councilmembers:

The City has received a request from Brian Doyle of the Family Partnership Center to increase the No Parking Zone across the street from the Family Partnership. The change will effectively remove two on-street parking spaces and will increase the site-line distance for vehicles exiting the City owned parking-lot on North Hamilton Street.

The request was reviewed by Acting Chief Pape and Councilwoman Johnson who concur with the request. DPW has measured and recommends the distance contained in the Ordinance.

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

Very truly yours,

CITY OF POUGHKEEPSIE

Paul Ackermann, Esq.
Corporation Counsel

PA:nlg
Enclosures

**ORDINANCE AMENDING §13-180
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-16-03)

INTRODUCED BY COUNCILMEMBER _____ :

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

SECTION 1: §13-180 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 13-180 Parking prohibited at all times.

When appropriate signs giving notice thereof are erected, parking upon the following streets or parts of streets shall be prohibited at all times:

North Hamilton Street, west side, beginning at a point [~~50~~] 162 feet north of the Fallkill Bridge and continuing southerly therefrom to a point 50 feet south of the Fallkill Bridge

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____ :

ADDITIONS denoted by **Bold** and Underlining

DELETIONS denoted by Brackets [] and ~~Strikethrough~~