



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, May 21, 2012 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

7 present, 1 absent (Councilmember Herman)

II. REVIEW OF MINUTES:

Common Council Meeting of March 19, 2012

CCM Mins 4-2-12			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Paris	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

REMOVE

II. MOTIONS AND RESOLUTIONS:

- 2. FROM CORPORATION COUNSEL ACKERMANN, Resolution R12-38, amending a license agreement for the Ice House.**

ADD

II. MOTIONS AND RESOLUTIONS:

- 7. FROM COMMUNITY DEVELOPMENT DIRECTOR MACISAAC,**
Resolution R12-43, amending the 2009 Community Development Block Grant
Action Plans.

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

Frank Clark-50 Rinaldi Blvd within a few blocks of Waryas we have Shadows, Amicis, the Derby, River Station, Karma Lounge, The Out Bar, Milanese, Noah's Andy's, all serving alcohol, thinks we have enough, as an alternative, just wanted to throw one idea out. What we are lacking is a place to go, have a nice breakfast, maybe after church on a Sunday morning, and have some pancakes, sit by the river, and enjoy it and don't worry about parking too early in the morning because the park people that use that lot don't come until later in the day.

Another thought wishes the city would do the route of the Main Street bus. Right now the bus comes down Main Street and takes a left on Rinaldi Blvd, asking that they go one more block and go right down to Waryas Park where the circle is and go back up the hill one more block and turn right on Rinaldi. The reason for this is, there is a tremendous amount of seniors or disabled people who would probably like to go down to Waryas Park but you all know how steep that hill is and they cannot get back up it. So if the bus just went down one more block, thinks a lot more people throughout the city would be able to enjoy the park.

Arnold Serotsky 188 South Grand Avenue recently attended a Mid-Hudson regional information meeting for non-profits and municipalities interested in grants from New York State through a consolidated funding application process. At the meeting he was informed of a number of funding programs that were of interest to him for churches, historic preservation efforts. There are also a number of programs that might support a number of efforts for the City of Poughkeepsie. Community Development, there are programs that municipalities qualify for such as the public infrastructure program, the New York Main Street program, the urban initiative program. Asked about funding for a community recreation center and was given positive feedback by the representative there. He also learned of community development grant programs that would fund parkland improvement and increased access to parkland and especially those within a greenway community and waterfront revitalization that would improve downtown waterfront by funding planning and implementation of waterfront projects.

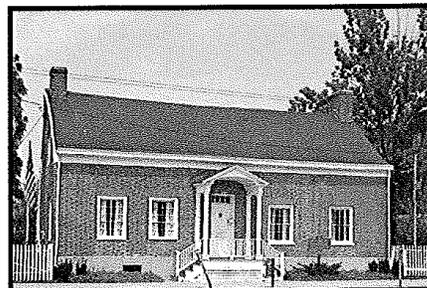
Candance Lewis 2 Loockerman Avenue (President of Dutchess County Historical Society)

Dutchess County Historical Society
P.O. Box 88
Poughkeepsie, NY 12602
dchistorical@verizon.net
845-471-1630

May 21, 2012

Via Hand Delivery to City Hall
Mr. Michael H. Long, City Administrator
Municipal Building
62 Civic Center Plaza
Poughkeepsie, NY 12601
Tel: 845.451.4072

Mr. John Tkazyik, Mayor
Members of the Common Council



The Glebe House, 635 Main Street, as it has looked in the past and should look again.

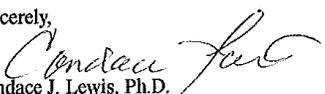
Dear Mr. Long, Mayor Tkazyik, and Members of the Common Council,

We at the Dutchess County Historical Society wholeheartedly endorse the effort to allocate \$50,000 towards improvements at the Glebe House, 635 Main Street, for rebuilding the roof and the front portico. This historic house, originally built in 1767 as a home for the minister of the Christ Church is presently owned by the City of Poughkeepsie and operated as a small museum by the Historical Society.

As you can see from the photos on this page, both the front porch and the interior have sustained serious damage from age and water incursion. The result is that the front entrance barely usable. In the interior, the kitchen has water damage and the second floor has leaks in six places.

We agree with you that a new portico and new roof would both be great for the Glebe House and Poughkeepsie. Considering the downpour we are having today, perhaps an ark would be a better solution than a roof, but long-term we concur with the City Administrator, the Mayor, and the Common Council that this is a good plan.

Sincerely,


Candace J. Lewis, Ph.D.
President of the Board
With Betsy Kopstein-Stuts, Executive Director
And the Board of Trustees



The Glebe House, Kitchen ceiling and back wall, water damage. Spring 2012.



The Glebe House, front portico, view of front steps in poor repair, July 2011. By May 2012 banister still wobbly and steps rotting.

Betsy Kopstein Stuts 100 Frost Hill Road (Executive Director Dutchess County Historical Society) stated that this is a site that has historic meaning and as a city am

very proud to have this site in our city and to make sure that this site is available for people to come. Have had to curtail their programs, have schools and could not have the schools come in because it would have been a problem insurance wise and in damage. The programs are all curtailed this year. Would like to have this open, had many programs last year, even or eight lectures, school trips come in.

Kevin Kihlmire (River Station Restaurant) neighbors at Mahoney's was denied about two months ago by the planning board, access for another room of 2500 square feet that would hold about 150-250 people. They were denied citing parking and previous police trouble. Over the last two months they have completely ignored that ruling by the planning board and have used that room excessively on a lot of occasions. This past Friday night there was at least 300-400 kids in there. Both of his parking lots were littered with red solo cups, garbage, food wrappers and they are left to clean it up. This is all due to a lack of parking. If they can put 800 people in there with 16 spots on that property, it's a serious issue. More business is good for everybody, but it has to be done the right way. This past weekend there was a party, the overflow pushed into his lots which he was required to have with every expansion he has done. Is an undue burden on them, gets along great with Joel from Amicis, get along great with Akari, they all work together, if they need parking, they have a party, and I can give it to them, then I do it. Had a lease with Mahoney's and shared parking, didn't get paid for 3-4 months and now denies them use of the lot. The parking lot in the back of Mahoney's by the back door, they now put another 200 people into. This issue should be addressed at some point.

Paul Conrad 199 Union Street concern of overbearing noise at Karma Lounge, located at 202 Main Street in the 2nd ward. Previously brought concerns to the Common Council on November 9th, recently on May 6th, called the City Police to complain about the volume, intruding upon his structure and vibrating his dishes, with all of his windows closed. When he called the police he was told by the dispatcher that he should not have moved in over a bar and found that to be a callous disregard for a concern of a citizen whether his concerns were ligament or otherwise. He wanted to elaborate that he does not live over a bar and that he owns his own home which is separate and distinct from the operation of this restaurant. He was also told by the City of Police dispatcher and later by the Sergeant of the watch that somewhere along the line that they have been directed to enforce Section 13-11 of the City Noise Ordinance only. Had previously written to the City Administrator and pointed out that there are other elements of the code that he believes are being violated by the operation of this business and that he also believes that the operation of this business goes beyond the scope of its original permit which is for a restaurant and a mixed use residence, which is actually an apartment building. Ask that you revisit this circumstance and to properly consider how we wish to have viable business operate in our community, which he welcomes, but also to allow for quality of life for those of us who are long standing residents as well. Thank you.

Michael Thompson 49 Fountain Place recently starting working from home, not happy about the changes that are happening in the neighborhood. Some examples are, middle school and high school kids using Fountain Place as a stage to curse and to

fight with each other as they walk home from school. He calls the police when it gets out of hand, but maybe there needs to be more of a police presence when the students are released out of school. A few neighbors allow their dogs to continue to bark all hours of the day and night, called the police when the barking has gone on for hours and has been told that there has not been a public outcry in there is not a warden, so he will continue to call the police, if needed. Lately there are neighbors who feel entitled to play their music very loud during the afternoon and into the late evenings. What is the procedure for declaring a house a nuisance, has called the police a couple of times already and the police are getting sick of him. The city isn't mowing the lawn at the end of Fountain Place, it doesn't look good at all, and how often is the city supposed to mow? His street used to feel like he was living in a little paradise, with quiet respectful neighbors he would enjoy sitting on the porch. He is beginning to think that those days are a thing of the past.

Constantine Kazolias 47 Noxon Street believes that the item on the agenda for the Ice House should be tabled. They want a Liquor License, it's in the lease agreement, you have to go to the State Liquor Authority, pull it, and go for an RFP, a fair playing ground, and there isn't one here in the City of Poughkeepsie. You are going to have 400 square feet on the south side and another 600 square feet on the other, that's going to expand into the park, so now you are taking away from the park. Go back to the planning board and table this. There is no parking down there. What are you going to do about parking?

Richard Birch 6 Pinewood Road (Vice President of the Board of Directors of Dutchess County Historical Society) came to support the improvements to the Glebe House. The Glebe House tells the story of Poughkeepsie's turmoil during the American Revolution and it also tells the story of evolving Poughkeepsie in the creation of a new nation in the 1800s, these are important stories which link Poughkeepsie to a nation as a whole and the movements that are happening in the nation. These are important stories and this is an important building. Thank you.

IV. MAYOR'S COMMENTS

Mayor Tkazyik stated the administration's support of the fifty thousand dollars to be allocated for the repairs of the historic Glebe House, with the front portico being replaced as well as the rear roof which requires expansion to eliminate the water that has been seeping into the kitchen area and knows that Social Development Director MacIsaac is here to present that to you with the amendments with the CDBG Action Plan and it's a project that we've been working on and thanks the members of the Historical Society for being here and for their patience in working with us to make this happen and thanked Betsy for keeping us posted and all of the wonderful tours that are coming to the Glebe House.

Also tonight would like to mention on May 13th, approximately 30 officers and Police Chief Knapp and the Falcone Family traveled to Washington DC for services during national Police Week. On Sunday there was a candlelight vigil in which Detective Falcone was added to the Police Memorial Wall and then on Tuesday the wreath

memorial service was held at the U.S. Capital Building, both events were attended by members in Full Class A Dress uniform. He attended the Albany service with Mr. Falcone and Police Chief Knapp in which Lieutenant Governor Duffy presided over the ceremony and the name was added as well to the Albany Memorial. On Tuesday's memorial in Washington, the President was the key note speaker and during his speech he mentioned 3 of the 162 officers that died in 2011, and John Falcone was the first one that he talked about. Madam Chair if you would allow me to play that clip of the Presidents speech in which he mentioned our beloved Detective Falcone.

V. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Johnson tonight I would like to comment on two items that have come before the Common Council.

First, the O'Neil/Dutton Project, better known as One Dutchess Avenue, and second, the Ice House Lease Agreement.

The O'Neil/Dutton project which is a \$100,000,000 million dollar project which will create over 500 local jobs, generate tax revenue, and give us a new public waterfront park, is the largest project in the history of Poughkeepsie.

This wonderful project was recently criticized in the news...it is unfortunate that despite the countless meetings, spanning years of negotiations and hard work by the Developer, Mr. Messinger, The Mayor's Office, the Common Council, and including the new planning Chair, Mr. O'Neill.

That one person decided to make malicious comments against the developer that attacked their credibility. And I quote "What the developer has proposed to build on our waterfront is an ill-conceived monstrosity of mediocrity".

Now I present to you exhibit "A" on the display board, renderings of the Condos and Townhouses for your review. This project has more detail and extravagance in its first initial phase than "Hudson Pointe", where their units go for \$400,000-\$700,000 and their condos are just plain light gray with stone accents, and they are fully occupied...a success story.

Now the Dutton project still has to go in front of the planning board for even more scrutiny. Hence there was no need for the grand stand media insults.

My dear people...Developers and businesses who want to invest in our city should not have to be belittled in the press before they go in front of our planning board for their final review.

This type of reckless behavior sends a bad signal, loud and clear that Poughkeepsie is not friendly, that we are dream killers, and may destroy your credibility in the media just for notoriety.

It is unfair, reckless, and insensitive, and I do not think that this is the image that we would like our planning board chair to exhibit now and in the future.

Second, the Ice House, this current lease agreement started with the old council in 2012. The agreement that is already signed, states that the Ice House can sell beer and wine with operating hours of 6:00 a.m. to 9:00 p.m.

Whatever personal problems that the past and present partners have, by laws has no bearing on the current lease agreement.

What is before us tonight is whether or not to grant them a full liquor license with extended park hours to 11:00 p.m.

I personally noticed the new liquor application with the full liquor box checked off and brought it to the attention of my colleagues. Immediately we put restrictions on this, along with reviewing all other matters of concern. And that is why tonight you have been given the opportunity of a public hearing to voice your concerns and to hear and meet the current owners.

Please keep in mind that other vendors have come and gone in regards to leasing the Ice House with failed missions. Now we are presented with an opportunity to review and improve our Ice House to reflect the future as another intricate piece of the re-development of our precious waterfront, for all our residents to enjoy.

This item was removed from the agenda tonight to provide more input and opportunity for the public as well as the full council to review and represent their constituents and provide a voice, and to vote at our next scheduled meeting.

Tonight, I would also like to congratulate, our two school board members, Randall Johnson with 1018 votes, and Raymond Duncan with 925 votes for being re-elected to the Poughkeepsie School Board. And to thank all the wonderful people in our city who voted in the school board election. Remembering that our kids are the future of this city and that education is the key to their success in becoming a productive part of our society.

Now for some good news, tonight we are proud to present our May Volunteer of the Month, Isabella Sciacca.

Isabella is a quiet spirit, volunteering at the Italian Center and Mount Carmel Church.

Isabella is always helping others and making the lives of others happy, for years. She is well respected in "Little Italy" and loved by all who know her. And we are blessed to have such a wonderful lady in our community, who is so loving and caring. So join me in welcoming our May Volunteer, Isabella Sciacca.

And this concludes Chairwoman's comments.

VII. MOTIONS AND RESOLUTIONS:

- 1. A motion was made by Councilmember Rich and seconded by Councilmember Boyd to receive and print.**

Social Development Director MacIsaac informed the council that federal regulations mandate the City prepare a year-end report identifying all activities funded through the Community Development Block Grant (CDBG) and Housing Opportunities for Persons with AIDS Grant (HOPWA) for the period of March 1, 2011 through February 28, 2012.

Since the entire CAPER consists of nearly 200 pages, the majority of which are the IDIS disbursement reports. I have simply attached narratives of the CDBG and HOPWA activities for your review but would be happy to supply you with the complete CAPER upon request.

As per CFR 24 Part 91, the Consolidation Annual Performance & Evaluation Report must be received by the U.S. Department of Housing and Urban Development (HUD) no later than May 31, 2012. The required fifteen days for public review and comment occurred between April 27, 2012 and May 14, 2012.

**RESOLUTION
(R-12-40)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, in accordance with 24 CFR Part 91, Consolidated Submission for Community Planning and Development Programs, the City of Poughkeepsie is required to submit a Consolidated Annual Performance & Evaluation Report (CAPER) on the utilization of Community Development Block Grant (CDBG) and Housing Opportunities for Persons With AIDS Grant (HOPWA) funds for 2011; and

WHEREAS, the City prepared a Draft CAPER which was made available for public review and comment on April 27, 2012; and

WHEREAS, the Draft CAPER was available for public review and comment through May 14, 2012,

NOW, THEREFORE, BE IT

RESOVLED, that the Common Council of the City of Poughkeepsie hereby approves the 2011 Consolidated Annual Performance & Evaluation Report (CAPER); and be it further

RESOLVED, that the City of Poughkeepsie's Consolidated Annual Performance & Evaluation Report shall be submitted to the Department of Housing and Urban Development.

SECONDED BY COUNCILMEMBER BOYD

R12-40						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Paris	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. A motion was made by Councilmember Rich and seconded by Councilmember Boyd to receive and print.

Corporation Counsel Ackermann informed the Council that they had previously authorized the sale of Upper Landing, 83 North Water Street to a limited liability company wholly owned by the Dyson Foundation. The title company has raised an exception to the title that could potentially render the title to the property as unmarketable. While it is the opinion of counsels for both the City and the Dyson Foundation that there is a likelihood that there would be no issue, the Dyson foundation has requested that the City apply to the state legislature through a home rule request to seek authorization for the sale which would eliminate any defect.

The Dyson Foundation has enlisted the help and support of Senator Saland and Assemblyman Skartados. The bill would be introduced today or tomorrow in both houses. Once the bill is introduced, the City would vote at its May 21, 2012 meeting requesting the support of the state legislature. It is anticipated that the legislature wouldl act on the bill by the end of their session.

**RESOLUTION
(R-12-39)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the Common Council has previously authorized the sale of certain city owned real property located at 83 North Water Street to 1687 Properties LLC (the, “Purchaser”) which is entity owned by the Dyson Foundation; and

WHEREAS, the Purchaser, in order to satisfy a potential exception to the title and after consultation of the City has determined that they wish to seek state legislative approval of the conveyance pursuant to Section 20 of the General City Law ; and

WHEREAS, the City of Poughkeepsie supports the Purchaser’s desire to obtain state legislature approval and is desirous of seeking a municipal home run request for such approval; and

WHEREAS, the Common Council of the City of Poughkeepsie deems it to be in the best interest of the citizens of the City that the request for authorization to sell certain city owned property at 83 North Water Street in the City of Poughkeepsie to 1687 Properties LLC be granted;

NOW, THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie hereby approves the content of the proposed legislation authorizing the sale of 83 North Water Street, a copy of which is annexed to this resolution; and be it further

RESOLVED, that the Common Council of the City of Poughkeepsie hereby requests that the Legislature of the State of New York enact legislation to authorize the sale of 83 North water Street in accordance with the terms of the annexed proposal; and be it further

RESOLVED, that the Mayor, the City Administrator and the Corporation Counsel be and they hereby are authorized and directed to take all steps necessary to give full effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER BOYD

R12-39			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	Councilmember Paris	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. A motion was made by Councilmember Rich and seconded by Councilmember Boyd to receive and print.

Corporation Counsel Ackermann informed the council that said resolution is declaring the Common Council’s intent to be lead agency for the proposed transit hub. This essentially begins the SEQRA process. This is a Type 1 Action under SEQRA because the proposed development is adjacent to a historically significant structure. The resolution also directs the circulation of the Council’s intent to be lead agency to any other involved agency which, at this time there does not appear to be any.

Lastly, the resolution sets a public hearing at the July 2nd meeting for the purpose of receiving comments on any potential negative impact that would ultimately impact the Council’s decision with respect to SEQRA.

**RESOLUTION
(R-12-41)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the City of Poughkeepsie is proposing to construct a transit hub at a city owned lot on Civic Center Plaza between One Civic Center Plaza and the First Baptist Church (the, “project”); and

WHEREAS, the City of Poughkeepsie as the Project sponsor has determined that the Project is a type 1 action under SEQRA and now wish to undertake the necessary review of the Project; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council intends to seek “lead agency” status in the SEQRA review of the Project at the appropriate time prior to the commencement of the Project; and be it further

RESOLVED, that the Environmental Easement Form (the, “EAF”) attached hereto is accepted by the Common Council and shall, along with a copy of this resolution be circulated to any other involved agencies or interested parties; and

RESOLVED, and the Common Council of the City of Poughkeepsie shall hold a public hearing for the purpose of receiving comment on the proposed EAF on July 2, 2012 at 6:00 p.m. in the Council Chambers, 62 Civic Center Plaza, Poughkeepsie, New York 12601 and does hereby direct the City Chamberlain to publish notice of such hearing.

SECONDED BY COUNCILMEMBER BOYD

R12-41			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Pery	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Paris	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. A motion was made by Councilmember Rich and seconded by Councilmember Boyd to receive and print.

Corporation Counsel Ackermann informed the Council that said Resolution and draft Agreement is between the City of Poughkeepsie and Dutchess County Office for the Aging, for Dial-A-Ride services, for the City of Poughkeepsie. This was put over from your meeting of

February 6, 2012 for additional information. It has been reviewed and found satisfactory by Corporation Counsel's office and the Transit Division. I am informed that provision has been made in the 2012 Budget for the funding required by this Agreement.

Dial-A-Ride is a joint service transportation system for Senior Citizens and Handicapped individuals residing in the City of Poughkeepsie, Hyde Park, Fishkill, East Fishkill, Wappinger Falls, Town of Poughkeepsie, and the Town of Northeast. Currently, Dial-A-Ride takes elderly and disabled residents to any medical facility in the City and Town of Poughkeepsie, South Road shopping areas, Route 44 plazas and Adam's Fairacre Farms, Walmart in Fishkill, and two medical facilities in Lagrange and East Fishkill. Attached hereto is information regarding usage.

**RESOLUTION
(R-12-19)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, Article 5G of the General Municipal Law encourages cooperation between municipalities and allows for contributory funding; and

WHEREAS, the Dutchess County Department of Office for the Aging has run a joint service transportation system for various municipalities which service provides free door to door transportation for Senior Citizens and Handicapped individuals to a number of locations through Dutchess County; and

WHEREAS, the City of Poughkeepsie is desirous of entering into an agreement in order to continue the transportation service to those eligible in the City; and

NOW, THEREFORE,

BE IT RESOLVED, that the terms of the Intermunicipal Agreement providing for the delivery of Dial-A-Ride services attached hereto are hereby approved; and be it further

RESOLVED, that the Mayor and the City Administrator are hereby authorized to execute this Agreement and to do all things necessary and convenient to give full effect to this Resolution.

SECONDED BY COUNCILMEMBER BOYD

R12-19						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Paris	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. A motion was made by Councilmember Rich and seconded by Councilmember Boyd to receive and print.

Corporation Counsel Ackermann informed the Council that said resolution is accepting the 2012 Youth Development Delinquency Prevention Grants for Police and Recreation. These are grants from the NYS Office of Children and Family Services and are administered locally by the Dutchess County Youth Board. The grants are awarded annually.

in case you didn't receive this...

*H. Lombardi
Police*

**DUTCH
COUNTY
POLICE**

December 20, 2011

RECEIVED

DEC 13 11

Mayor's Office

Mayor John Thazyik
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

Re: 2012 NYS Office of Children and Family Services (OCFS) Funding
YDDP Municipalities
Program Name: Police Juvenile Division
Recreation Program

Dear Mayor Thazyik:

Dutchess County
Department of
Services for Aging,
Veterans & Youth

William R. Steinhilber
County Executive

Betsy Brockway
Commissioner

June Ellen Notaro
Director
Division of Youth Services

27 High Street
Poughkeepsie
New York
12601
(845) 486-3660
Fax: (845) 486-3697

The 2012 NYS OCFS funding directions and county allocations have not been issued yet. The Dutchess County Youth Board has recommended to the County Executive the following 2012 allocation for Youth Development, Delinquency Prevention (YDDP) funding up to the amount of \$3,883 for the City of Poughkeepsie Recreation Program and \$3,471 for the Police Juvenile Division. Please note that YDDP funding is contingent upon Office of Children and Family Services' final approval of the County's Resource Allocation Plan and State budget funding. Your projected allocation is based on a 25% reduction of 2011 funding. If the state reduction ends up being higher, your allocation amount will be reduced.

Dutchess County government enjoys partnerships with many entities including New York State and our own local municipalities to assist youth programs. This has been a challenging time for all of us; if for any reason you need to make program changes or your municipality no longer has the matching funding, please call me or Mary Fields as soon as possible.

Enclosed is the 2012 Municipal Checklist Sheet outlining the required documents and due dates in order to process this grant. All paperwork should be returned as soon as possible or no later than January 13, 2012 at 3:00 p.m.



New York State reduced state aid to counties by 50% across the board for the 2011-2012 state fiscal year. It is possible additional state aid reductions and other economic impacts will further strain county government's fiscal position during 2012. In the event the funds required to effect payment of this award are reduced or become unavailable during the 2012 fiscal year for whatever reason, it may be necessary to adjust funding levels.

<http://www.dutchessny.gov>

2012 MUNICIPAL CHECKLIST

Please provide, complete and update the following documents and return to the Division of Youth Services as soon as possible but no later than Friday, January 13, 2012 at 3:00 p.m. for the revised grant paperwork and March 1, 2012 for the resolution form:

- o OCFS Forms 5001, 5002, 5003, 5005 & Attachments I, II, III, IV: Please review the grant application you submitted and if there are any program or budget changes, please submit the appropriate revised form/forms. If you DO NOT have any changes to your grant application, you do not have to fill out these forms again.
- o Resolution Form to Accept NYS OCFS Funding: Please put a resolution to accept NYS OCFS funding on the agenda for the next board meeting and mail the certified resolution to us no later than March 1, 2012. Enclosed please find a sample resolution form.

If you have any questions, please call the Division of Youth Services at 845-486-3660.

**RESOLUTION
(R-12-42)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the City of Poughkeepsie has received notification that its applications for 2012 youth recreation (YDDP) funds, respectively for its recreation program, in the amount of \$3,883 and its police juvenile division program in the amount of \$3,471 have been approved by the Dutchess County Youth Board, subject to final approval of Dutchess County's Resource Allocation Plan (RAP) by the New York State Office of Children & Family Services (OCFS); and

WHEREAS, it is the intent of the Common Council to accept these funds on behalf of the City; and

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

NOW, THEREFORE, BE IT

RESOLVED, that the grants of 2012 YDDP funds for its recreation program, in the amount of \$3,883, and its police juvenile division program, in the amount of \$3,471, described more fully above and in the attached notices, are hereby accepted; and be it further

RESOLVED, that the Mayor is authorized to take all steps necessary to process and receive such grants.

SECONDED BY COUNCILMEMBER BOYD

R12-42			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Paris	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. A motion was made by Councilmember Rich and seconded by Councilmember Boyd to receive and print.

Social Development Director MacIsaac informed the Council that in the 2009 Community Development Block Grant Action Plan, \$50,000 was allocated for the Hoffman House to conduct a structure report and adaptive use study. With the recent events relative to the sale of the Hoffman House, the need for this type report/study no longer exists. The front portico at the Glebe House must be replaced as well as the rear roof requires expansion to eliminate water seeping into the kitchen area. By reallocating these funds, the Glebe House Project will have sufficient funding to conduct both of these necessary repairs to this historic structure.

In accordance with the City of Poughkeepsie’s Citizen Participation Plan as mandated by the U.S. Department of Housing and Urban Development 24 CFR part 91.105, a public notice will be published in the Poughkeepsie Journal outlining the amendment as reflected here.

**RESOLUTION
(R-12-43)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, in accordance with CFR 24 Part 91, Consolidated Submission for Community Planning and Development Programs, the City of Poughkeepsie submitted a one year Action Plan in 2009 which outlined the proposed uses of Community Development Block Grant (CDBG) funds for this year; and

WHEREAS, the Social Development Director has identified one project in the 2009 Action Plan that has not commenced; and

WHEREAS, the Social Development Director has recommended the reallocation of \$50,000 from the Hoffman House Project to the Glebe House Project; and

WHEREAS, the Common Council of the City of Poughkeepsie desires to amend the 2009 Community Development Block Grant action Plan as approved by the U.S. Department of Housing and Urban Development and in accordance with the Social Development Director’s recommendation; and

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves the amendment of the 2009 Consolidated Action Plan to reallocate \$50,000 from 07.11.8668.7480 CC09 078 (Hoffman House Project) to 07.11.8662.7250 CD05 0048 (Glebe House Project); and be it further

RESOLVED, that the Common Council of the City of Poughkeepsie hereby authorizes the submission of the amendment to the U. S. Department of Housing and Urban Development.

SECONDED BY COUNCILMEMBER BOYD

R12-46						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Paris	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

- 1. A motion was made by Councilmember Rich and seconded by Councilmember Boyd to receive and print.**

Assistant Corporation Counsel Brady informed the Council that proposed ordinance amends Section 18-32 of Chapter 18 of the City of Poughkeepsie Code of Ordinances, entitled “Taxicabs.”

Section 18-32 pertains to potential penalties an individual could face if charged and/or convicted of a violation of the City of Poughkeepsie Taxicab Ordinance. In its current form, Section 18-32 references Section 1-2 of the City Code, which is the incorrect section because it pertains to “rules of construction” and not penalties. The correct section that this ordinance should reference is Section 1-8 entitled “General penalty; continuing violations.”

Ordinance 12-5 corrects the penalty provision of the taxicab ordinance to reference the appropriate section of the Code of Ordinances.

**ORDINANCE AMENDING § 18-32
OF CHAPTER 18 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED “TAXICABS”**

(O-12-5)

INTRODUCED BY COUNCILMEMBER RICH

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

SECTION 1: §18-32 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-32 Penalties for offenses.

Any person violating any of the provisions of this chapter shall, upon conviction, be punished as provided in [~~§1-2~~] **§1-8** for violations of the Code of the City of Poughkeepsie; and in addition thereto, if a licensee, or the owner, operator or driver of a licensed vehicle, his license or licenses or those issued to or for such vehicle may be suspended or revoked. The Chief of Police may, in his discretion, temporarily suspend a license pending the outcome of the prosecution of the licensee under this chapter or under any other provision of any applicable law, code, rule or regulation. The penalties set forth herein and in the City Charter and Code shall be in addition to an not instead of any other penalties imposed by any other applicable law, code, rule or regulation of any other governmental or regulatory agency or entity.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER BOYD

ADDITIONS denoted by **Bold** and **Underlining**
DELETIONS denoted by Brackets [] and ~~Strikethrough~~

O-12-5						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	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 Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Paris	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

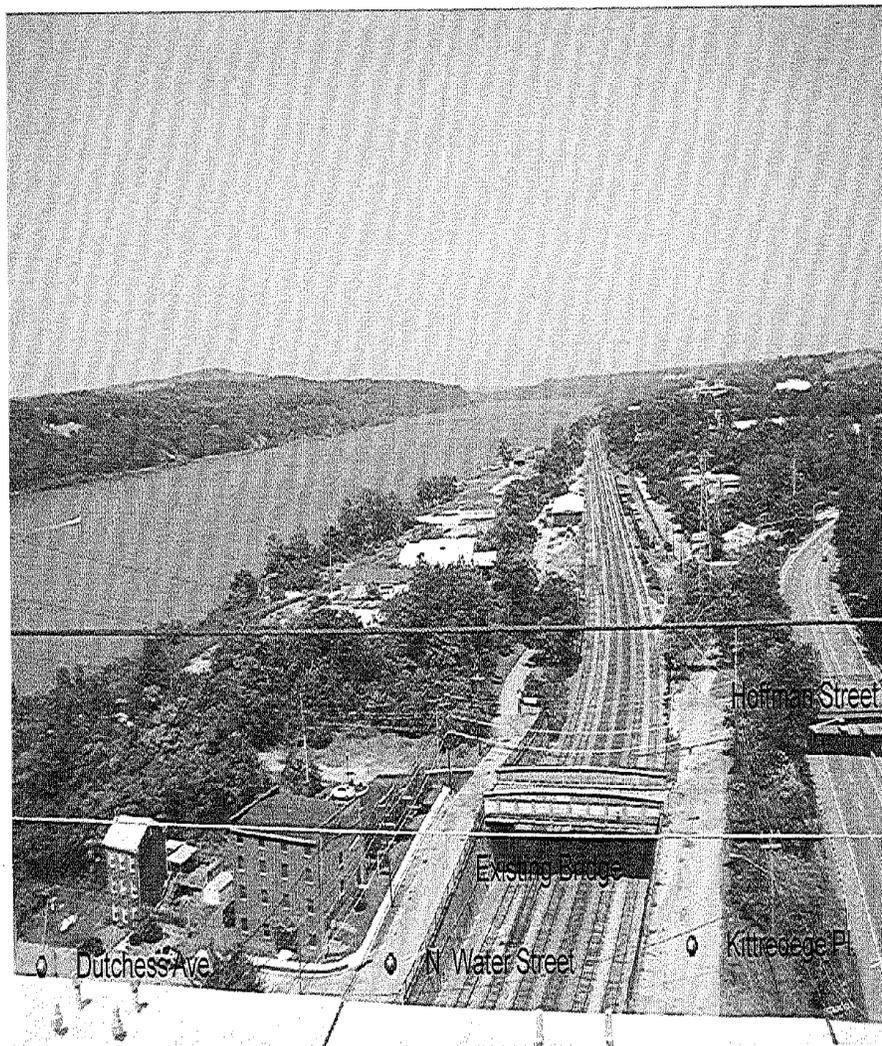
- 1. FROM COMMISSIONER OF PUBLIC WORKS DUPILKA,** an update on the Hoffman Street Bridge.

Hoffman Street Bridge Reconstruction Project

Update to Common Council
May 21, 2012

By: Richard L. DuPilka, P.E.
City Engineer

Aerial View of Existing Bridge



Note offset alignment with Hoffman Street and truss and parapets that hinder vehicular sight distance.

Aerial View of Existing Bridge and New Bridge (5/15/2012)

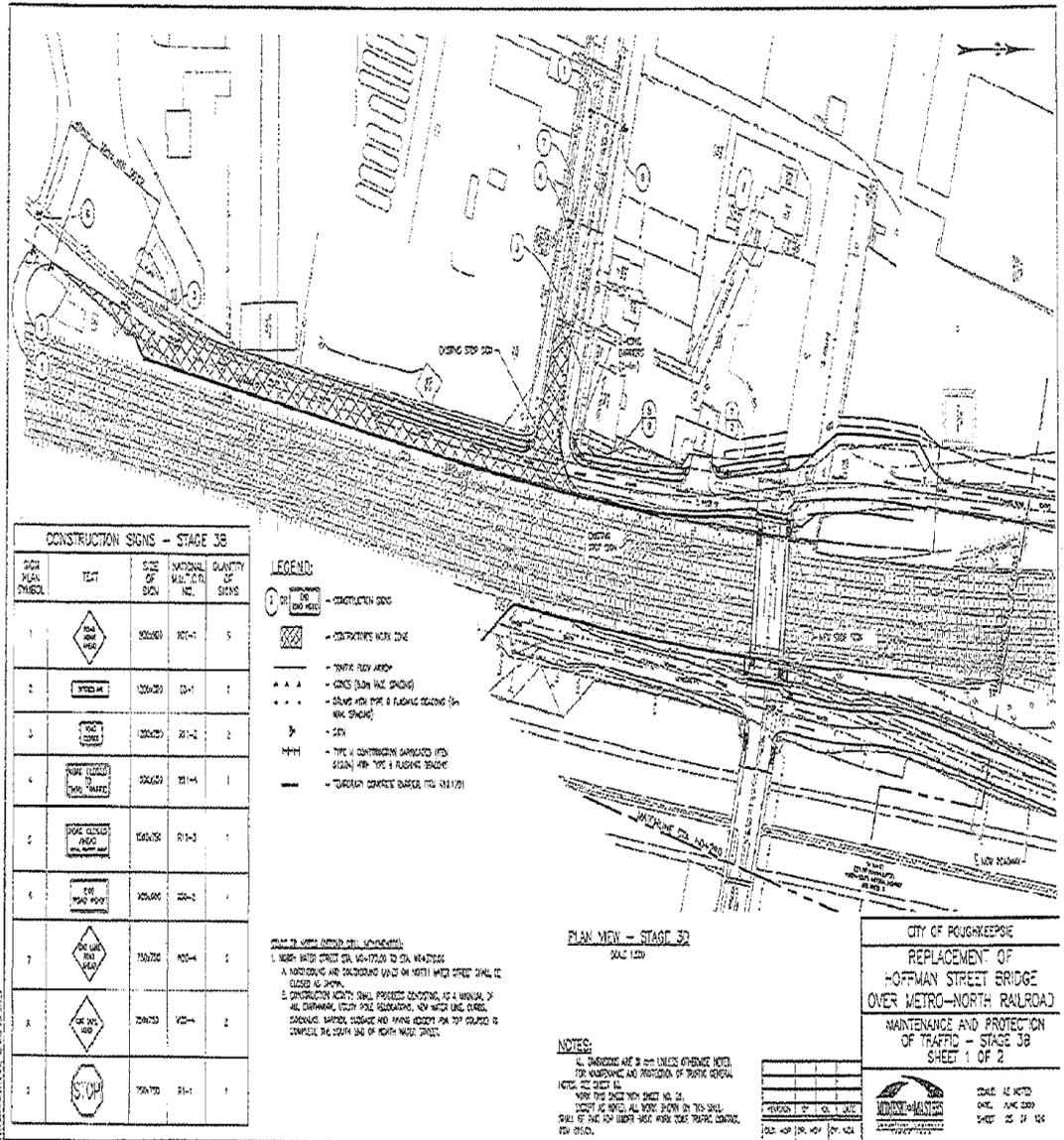


●Note: New bridge is aligned with Hoffman Street to enhance site distance and traffic flow.

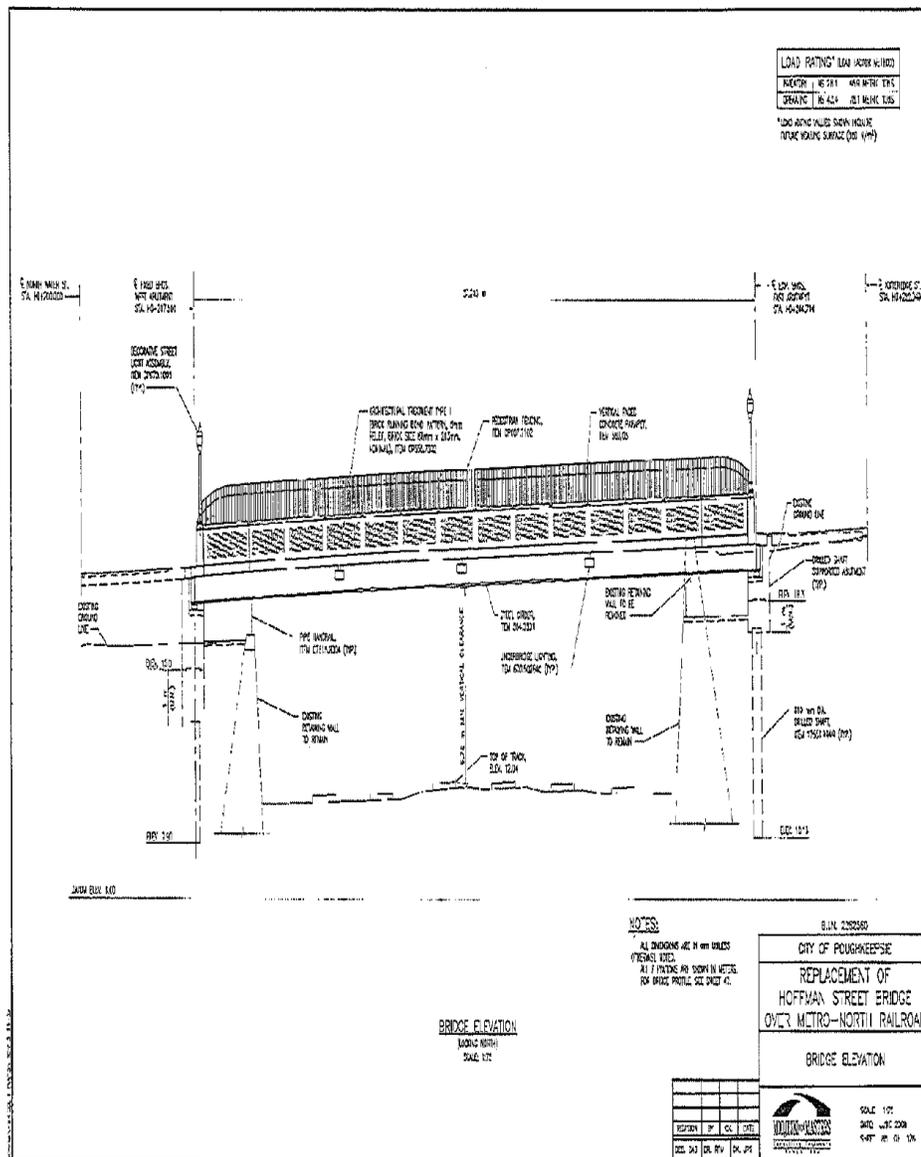
Maintenance and Protection of Traffic

- A multi-phased Maintenance and Protection of Traffic Plan (Detour Plan) will be utilized so that traffic can access North Water Street and Dutchess Ave. Locations throughout the duration of the project.
- When work is being done on North Water Street between Dutchess Avenue and the new bridge destinations north of Dutchess Avenue on North Water Street will be accessed from the new bridge under Stage 3A (next slide).
- When work is being done on North Water Street south of Dutchess Avenue Dutchess Avenue and destinations north of Dutchess Avenue on North Water Street will be accessed from the new bridge under Stage 3B (2 slides forward).

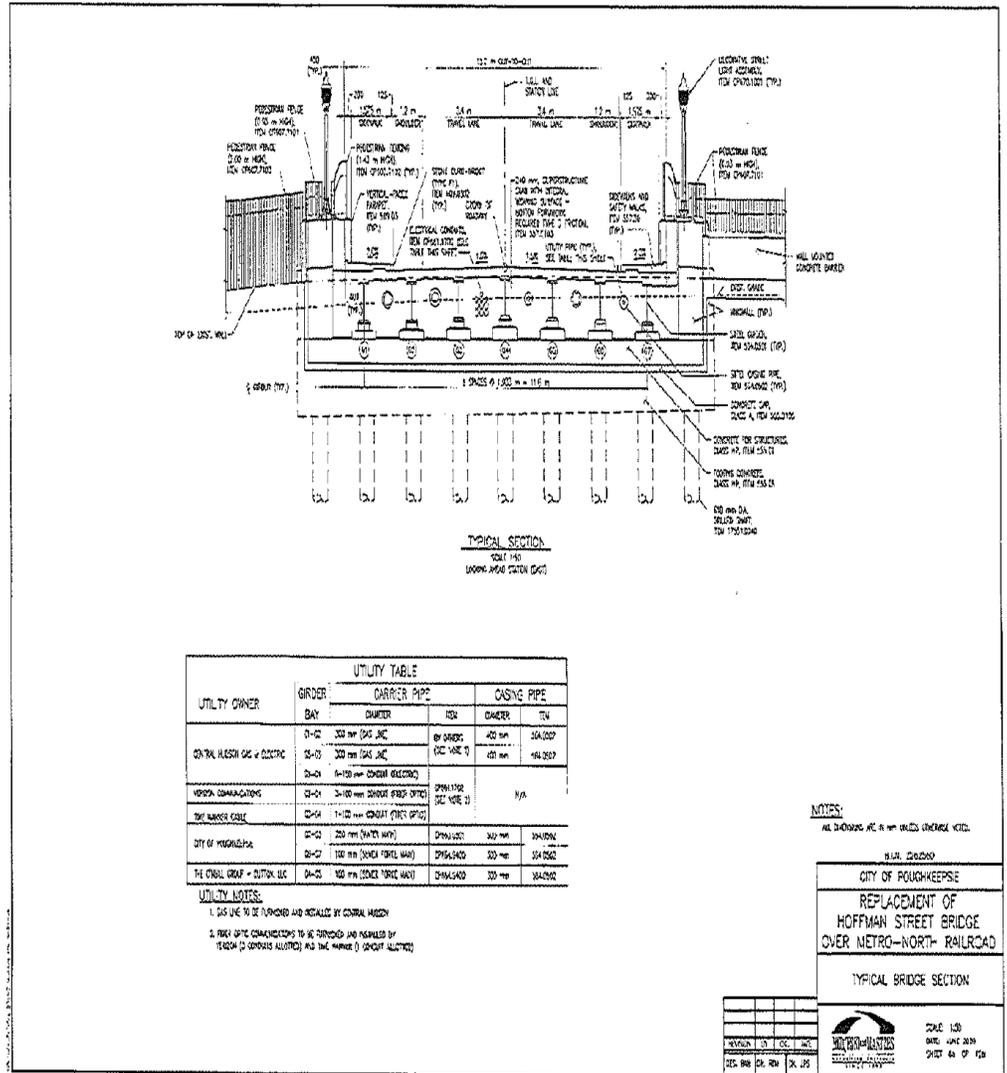
Construction Stage 3B



New Bridge-Elevation



New Bridge-Typical Section



Current Project Expenditures & Reimbursements

<u>Expenses</u>			
		Contract value	Spent to Date
Engineering-All Phases M&M		\$2,924,403.28	\$2,130,880.26
Right of Way Acquisition		\$114,755.88	\$114,755.88
Total Engineering & ROW Cost as of 5/21/2012		\$3,039,159.16	\$2,245,636.14
Construction		\$8,229,744.47	\$3,906,019.78
<u>Revenues</u>			
			Received to date
Less: Reimbursements			<u>\$3,360,600.40</u>
Net City Expense as of 5/21/2012			\$260,570

NYS DOT Supplemental Agreement Calculation of Local Share for Project

- The costs to complete the project are identified in the Local Agreement with NYS DOT. This agreement must be executed to secure federal and state funding for the project. Federal and State shares are \$12,143,800 and \$ 64,000 respectively.
- The local share is expected to be split equally between MNRR and the City. The total amount of the local share in the agreement is identified at \$701,200.
- Thus, the City cost can be derived as follows:

Local Share: City	\$ 350,600.00	MNRR	\$ 350,600.00
Add: Betterments*:	<u>\$ 417,934.30</u>		<u>8,632.99</u>
Total City Cost:	\$ 768,534.43	MNRR Cost:	\$ 359,232.99

*For paving, sidewalks, watermain and drainage improvements

NYS DOT/Local Agreement Structure

State Funding (Marchiselli)	\$ 64,000
Federal Funding (HBRR, etc.)	\$ 3,060,800
ARRA Stimulus	\$ 9,083,000
Local Share	\$ 701,200
Agreement Total	\$12,909,000

Project Milestones

- Foundations

 - Drilled Shafts

 - Completed West Side – May 2011

 - Completed East Side – July 2011

- Bridge Abutments

 - West Abutment – All pours completed by July 2011

 - East Abutment – All pours completed by January 2012

- Bridge Approach Slabs

 - Completed West – April 11, 2012

 - Completed East – April 13, 2012

- East and West T-Walls

 - Completed West – December 2011

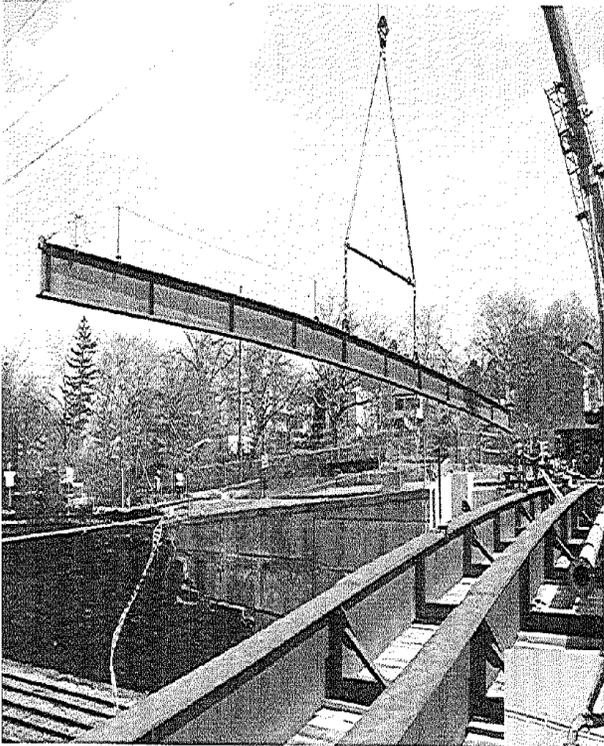
 - Completed East – June 2011

- Hoffman Street Bridge over Route 9 – Overlay

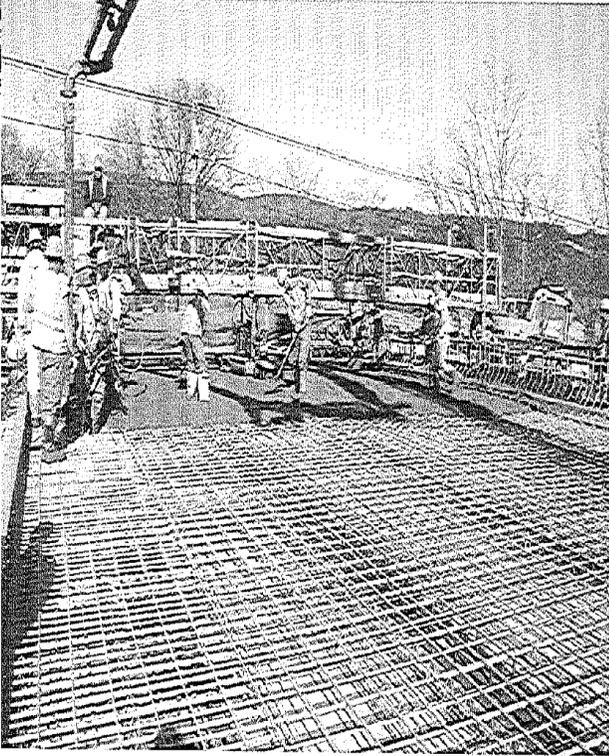
 - Completed May 11, 2012

Completed Work to date

- Bridge Deck/Superstructure
 - Structural Steel-March 6-9,2012
 - Concrete Deck-April 4, 2012
 - Approach Slabs-April 11 & 13 (West & East)
 - East & West retaining walls-June-Dec. 2011
 - Hoffman Street Rte. 9 overpass-overlay May 11, 2012



Setting Structural Steel



Concrete Pour of Bridge Deck

Projected Finish Dates for Additional Work

(Project is currently on schedule and within
budget)

- Bridge Lighting-End of June 2012
- Demolition of Existing Bridge-End of July 2012
- Drainage and Utility Work-End of August 2012
- Sidewalks-End of September 2012
- Landscaping-September/October 2012
- Top Course Paving-End of October 2012
- Punch List-End of November 2012

17

-
2. **FROM ALAN B. RAPPLEYEA**, a notice of intent for Union Square to renew its Liquor License. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

Councilmember Rich Make Poughkeepsie Shine, June 2nd, 9:30 a.m. will be the meet time, 2 locations, one location on the Southside, one location on the North side. The one on the south side has already been picked out; it will be at Soldiers Fountain, the one on the north side has not been determined yet. River keeper has agreed to come in and take care of Waryas and Kaal Rock Park. We just got some money today, so it looks like the t-shirts are on and we are going to have to buy some refreshments for everyone as they start out. At 10:00 a.m. they will be on their way from the 2 gathering places and then no later than 1:00 p.m. they will be back there with their bags. We have received one donation and are expecting to receive two more, we are sending out letters and emails along with flyers. Some of the wards don't have the litter problems that the 2nd ward does, the 2nd ward includes a lot of Main Street, Academy Street, and a lot of the parks, and the parks would be priority number one and the second priority to him is the Main Street corridor and after that, if we got more, we will do more. The other priority would be on the north side, especially in the areas that Anne Perry has identified in the 5th ward. He also gave everyone another flyer for an event that he is involved in, which is called the Tubman Shootout at Tubman Park on June 9th for raising money for the summer program. They do not have a lot of funding for the summer program, they have adequate funding for the school year program but the summer program, like a lot of summer programs, is looking for money.

Councilmember Solomon raised a the problem of pit bulls, there was a lady walking two small dogs and two pit bulls came out of 2 Hamersley and terrorized her and the dogs and when she called the police, they told her that there is nothing that they can do. She hopes that someone will tell the Police Department not to say that, try to get them to say anything else except there is nothing that they can do. They can't enforce ordinances? This is very upsetting to hear them say that. They can go down to house, they can knock on the door, and they can see if the dogs are licensed, they can tell them to leash the dogs, there are things that they can do, but to say that to a constituent and a tax payer is an uphill battle.

Councilmember Johnson stated that she wanted Councilmember Solomon to provide Corporation Counsel with this ladies address and would like to see a Police Officer tomorrow go over there and file a report and then she wants the dogs that were lose, the situation needs to be followed up on. We are lucky that no one died, this is a serious incident.

Councilmember Parise stated that Assistant Corporation Counsel Brady and he have been dealing with this pit-bull problem for about three weeks now. Asked for Assistant Corporation Counsel Brady to give a run down on how difficult it is for court to handle this.

Assistant Corporation Counsel Brady stated that he is dealing with a similar case to this in court right now. Unfortunately, when the dog died, Councilmember Parise got a call from a neighbor, he came into the office. What happened in this case is the person that was walking two pit bulls, both dogs were licensed and leashed. He met with the

women of the dog that eventually died, three times in the office, he took statements from her, spoke to the officer that went out the next day and spoke to three independent witnesses, two neighbors and also a women across the street. What happened was, the women whose dog died, was so different from the police officers and each witness, one of the things that we have to prove is that the dog was not provoked, and that needs to be proven beyond a reasonable doubt. In this case, everyone said that the dog was unleashed, unlicensed, and the police verified that and it came charging out of her backyard, barking at these two pit-bulls. The information that was provided to him from the three witnesses and the police was that this man tried to restrain his dogs, actually kicked the Chihuahua out of the way and tried to protect it. The neighbors came out and tried to protect it, unfortunately the pit bull grabbed a hold of it and it eventually died. It a horrible situation and we have put in countless hours trying to make this a case that we can prosecute. The owner is charged in City Court, charge pending, but whether or not they can do anything.

Chairwoman Johnson stated that she would like to be proactive in the community, maybe hold a Committee of the Whole Meeting to discuss pit bulls and see if there is some sort of legislation. Something we can do, something maybe we can lobby for with the state. What is it that we can do to minimize this problem? She also wanted to discuss Sculpture Park; she saw an article about Sculpture Park, what's going on with Sculpture Park?

Mayor Tkazyik responded that the city is negotiating an agreement with some artists to remove the sculptures. This has been a process the city has been working on since he has become Mayor in 2008. That is PURA parkland and there are not currently plans for the property but will discuss that property moving forward, once the sculptures are removed.

Chairwoman Johnson asked about the new parking ticket machine at the municipal lot across from the Agean club, the back of the Luckey Platt and normally park there when she conducts city business, so what is she supposed to do? How are council people supposed to park there?

Corporation Counsel Ackermann suggested that if she received a ticket when conducting city business to present it to their office.

Chairwoman Johnson responded, that she does not want to get a ticket. Asked if they can have something to display in their window with an expiration date?

Commissioner of Finance Bunyi responded that the reason that we changed that was the old manual machines had become an issue and actually when we responded to it, it was a request from Ellen and the Union to try to see if we can do something to replace them. And that was something that was discussed and approved by the Common Council three years ago.

Councilmember Mallory as Co-Sponsors of the Farmers Market, how are we advancing with the signage change on Washington Street and taking care of the drainage.

XI. NEW BUSINESS:

Councilmember Mallory asked that when the city wasn't able to budget for portable toilets, if we sent out letters in the community informing the public to not expect to have them.

Councilmember Perry noticed that the inconsistent closing times in the parks.

Mayor Tkazyik responded, depending on the nature of the park and the activity, the time is set by the common council.

XII. ADJOURNMENT:

A motion was made by **Chairwoman Johnson** and **Councilmember Rich** seconded the motion to adjourn the meeting at 10:25 p.m.

Dated: November 14, 2012

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, May 21, 2012 at 6:30 p.m.

Respectfully submitted,

City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers

Monday, May 21, 2012

6:30 p.m.

*6:00 p.m. Public Hearing regarding amendments to the
License Agreement with the Ice House*

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

III. REVIEW OF MINUTES:

Common Council Meeting of April 2, 2012

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

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

VI. MAYOR'S COMMENTS:

VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VIII. MOTIONS AND RESOLUTIONS:

- 1) FROM COMMUNITY DEVELOPMENT DIRECTOR MACISAAC, Resolution R12-40, approving the 2011 Consolidated Annual Performance and Evaluation Report (CAPER).**

- 2) **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R12-38, amending a license agreement for the Ice House.
- 3) **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R12-39, supporting a municipal home rule request for 83 North Water Street.
- 4) **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R12-41, declaring the Council's intent to be lead agency for the transit hub project.
- 5) **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R12-19, extending the contract with Dutchess County Loop for Dial-a-Ride Service.
- 6) **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R12-42, supporting application of the New York State Office of Children and Family Services for approval of funding under the Youth Development Delinquency Prevention Program.

IX. ORDINANCES AND LOCAL LAWS:

- 1) **FROM ASSISTANT CORPORATION COUNSEL BRADY**, Ordinance O-12-5 amending the taxi cab ordinance.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

3. **FROM COMMISSIONER OF PUBLIC WORKS DUPILKA**, an update on the Hoffman Street Bridge.
4. **FROM ALAN B. RAPPLEYEA**, a notice of intent for Union Square to renew its Liquor License.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: