



**THE CITY OF POUGHKEEPSIE  
NEW YORK**

**COMMON COUNCIL MEETING  
MINUTES**

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**Monday, November 1, 2010 6:30 pm City Hall**

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**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL**

**All present**

**II. REVIEW OF MINUTES:**

Committee of the Whole Minutes of April 5, 2010						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Special Meeting Minutes of April 23, 2010						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**ADD:**

**VII: MOTIONS AND RESOLUTIONS:**

**6. FROM CITY ADMINISTRATOR LONG, Resolution R11-1147,**  
supporting the Walkway over the Hudson's application for Recreational Trails.

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

**Constantine Kazolias, 47 Noxon Street-** I did not realize the previous thing was about the budget but in public participation you can talk about anything. I want to say something to the people here. I know how to cut money. You get health benefits, that's \$5400 a year to eight, that's \$45,000, cut them out. Then you got your youth programs for \$70,000-\$80,000, plus you got your park parties for \$5000 per—that's another 40. You are looking at \$150,000. You can cut all that. I still want to know what the facts are if you are still not going to go with this 4-11, which surprised me. The guy is talking about New Rochelle—I know down in New York they got big rats coming out of the bags and all like that. I am talking about the 4-11's up here. Kingston, Beacon, Newburgh, etc. The point is, I want to know, and I'll ask the Finance Commissioner because he's got the numbers. Let's assume you don't take the garbage, for the \$400,000, the 4-11's—how much is that going to increase the tax, because single families pay 65% of that weight of the freight too. But anyway, I just want to say one thing. There are a lot of things on my mind tonight—too many. But I want to say one thing. Reading in the paper about police work—a lot of people talk about police work, but I'm glad to see down at the railroad station, things being done down there, because these commuters come in and out. I used to come in at 11-11:30 at night. It wasn't nice walking up Main Street. They got to go to the cars and all like that. I'm glad the police is doing the work. I got to give credit to the administration, including the mayor because I know he is the Chief Executive Officer. These streets have got to be safe especially for these commuters and everybody else too. You got to stop the drugs and until you stop the drugs nothing is going to really happen. You know that as well as I do. They police came down fast and they should get a kudo for that.

**Elvina Tomlinson, 14 Fox Terrace-** I am not a stranger to here and I have the same problem all the time. Right now I come tonight because I need the right department, I do not know the right department, for the house that is 12 Fox Terrace. There is a lot of garbage on it and I do not want to see Christmas with the garbage on the porch and stuff like that. The place needs cleanup. I had a

suggestion where you can get money from. All of these landlords that you have around the city, you can start cleanup on their property and put tax on their thing. If they do not pay it you can auction off the house to somebody who needs it. Our street on Fox Terrace, is all landlords on it. There are two residents houses on it and is abandoned by the city. The drugs people—they take over the street. Everyday—I have lived there for 14 years, and every day in the past two years, three years, it goes worse and worse. The police had to come there in the afternoon when the school let out because all the action is right at the corner of Fox and White. There is no garbage—I walk the street, and there is no garbage pan on Fox Terrace. You go on Amber's, you go everywhere. You go on Forbus, there is a trashcan, but on Fox Terrace you have none. You have a store there that help invested the thing. Nobody, and that tree—god help me, I talk about that tree all the time. But the good lord help me, that lightning strike that tree, and it is dead. Nobody from this office came to look and said let me see this tree. All the big limbs, they come down, nobody picks them up. And nobody comes to cut the tree down. They wait until it falls down on somebody's car or my house. Then I had to find a lawyer, where I do not have money. That is an abandoned street and we do not see anybody. I was told that the residential area sweeps once a month. That street has not been swept. Neither once a month, twice a month nor nothing. We have all of these landlords, if we did not have these landlords. I sweep up the leaves. Only three people sweep up the leaves. But guess what? Nobody else sweeps it so the wind blows it right back. I am doing all the stuff to get rid of the garbage on my property. I had to fence, I had to put things on the bottom of the gate, I had to do everything to try to stop it because I had no help. We have one house that is 10, 8 Fox Terrace—that is the drug house. Now they put a board on it and boarded it up—come on. This is a place that you revive in the city and just one block over is the dumpster. I do not have money to move. If I had money to move, then I would. But I don't, so I would like it to be cleaned up and have a better way of going after these landlords. They need to clean their properties and you can collect money from that to help with the budget. I just got a shortfall on my thing because the school tax was just raised so I had a shortfall on my which I had to pay. The library needs more money. They are getting \$15 and they need \$15 more. I still have a job that does not give me a raise, they take away more benefits. Try to do something about my street please.

**Ken Stickle, Catharine Street-** Two weeks ago I asked why the councilmembers were not notified by the police department when there are crimes happening in their wards. Also why the public is not actually being notified. I admit when we have a shooting, it takes a day to two days and we finally find out about it even though it is usually on the street and everybody knows. Somebody got, somebody got killed, so on and so forth. For the size of the City of Poughkeepsie, we have had 15 shootings. Our police department is sorely lacking in doing something right. Yes, they did get a 12-year old that was mugging the commuters down by the train station. But we have got people shooting at each other during broad daylight. We have got people's homes being

broken in broad daylight. Manitou Avenue had an incident a couple of weeks ago—1:30 in the afternoon, the lady was in her apartment. I am sure she is all ready to say, “I’m out of Poughkeepsie” very quickly. We need to do something and I do fault—I do not know if the police department is not notifying the Poughkeepsie Journal, but if they are, I believe we need to fault the Poughkeepsie Journal for not putting stuff into the paper. Not everybody has a computer. We do not have the Watchdog thing any longer anyway so it does not matter. How much problems would it be for the police department to let people know by telling the Poughkeepsie Journal, getting the Poughkeepsie Journal, which is supposed to be our official newspaper, to print one page in the local area news to let us know, “gee, it’s not safe to be on Winneky Avenue.” Or this street, or Mansion Street, where all the shootings are happening. We have people coming into the city—we keep saying we want to keep the city up. Let’s get the information out so that people know that there is a crime in this area and maybe there will be more out to watch. Also, the other thing. We have a little thing called the “nuisance law” on property. You can fine the property owner up to \$1 million for being a nuisance property. It does not matter if it is a homestead tax or a 20-unit building. If the cops are constantly called there because of fights, drugs, so on and so forth, the city can go after the property owner and make them pay up to \$1 million to get their property back.

**Myrtle Shell, 166 North Clinton Street-** I too have complained for numerous years about how unkempt North Clinton Street is, and College Hill, especially in the front. But my concern tonight is, the gas line that they put in—we were up there the whole summer. We got a letter from Central Hudson that they would be doing this, and once it got done the street would be done to where it is. Well, it has not been. It is absolutely dangerous. The city speed limit is 30 mph—come up and goes through the street at 30 mph. Your engine might fall out. Now, the people came up and they got all these markings on the street, but nothing has been done. At night sometimes, I do not know if it is trucks or what, but if it is something heavy and they are going across—boom. It is like there is something falling through the ground. The street needs to be restored. It is dangerous, people drive extremely fast through there. Last Sunday when I came home, and I am standing looking down the street and whatever it was, came up off of Oakley Street area, by the river. The person was going so fast, their car jumped the lane. He had no control over it and not only because he was going fast, but because the street is so grossly uneven. During the summer, on Fairview Avenue, they were also doing the street work. I thought, that street is done. From roads, all the way out, absolutely beautiful. I had to go that way today—they got the yellow streaks on the road. What is wrong with our area? Something needs to be done on North Clinton Street, and get that street in order because people drive very fast through there. God forbid, if this person like the other day coming up that hill like a bat out of you know where, and it was not heaven, should hit somebody’s child or maybe run into somebody’s house because they have no control over what they were doing. He had no control until he got almost to where I was standing, and by then I had gone to the back

of my car. But that street needs—it was all summer that we went through that. It was horrible. The one week—I guess they hit a gas line or something, our street lights were out for a week. Dirt all over, you would have to get a vacuum to clean out your car. All that is in the past, but what I am talking about is the street itself. It needs to be restored. It needs to be repaved. They have got all of those markings, but I could have marked a street. They really need to come and take care of it.

**Roberta Roy, 160 Academy Street-** I am not talking about where I live, I am talking about this odd picture. We have across the board, if I understand it, 2.9% decrease and a 16.3 increase on non-homestead properties. I am from Poughkeepsie, I was born here. I have not always lived here but I always come back here. I remember what made Poughkeepsie most vital before IBM. It was the small business, it was the diversity, it was the energy of the individual. It was small people just doing small things, but they were always there. You raise the taxes on these small businesses 16.3% and then you cry to build a stronger county that produces more goods and more money and more jobs and more whatever. It is counterproductive. I would be embarrassed to say I lowered the tax rate by 2.9% across the board and raise the taxes 16.3% on non-homestead properties.

**Dough Nobelletti, 145 Academy Street-** I am a small business owner on Main Street as well. I own two properties there. As I see it, I have followed trends in real estate and I have studied what was going on with the market in the City of Poughkeepsie. During the hay day it seemed almost as if we were untouchable. As the county began to slow down, surrounding areas began to see slower property increases. The City of Poughkeepsie saw steady increases. It traveled and rocketed right through that as if it had momentum that we did not know where it was coming from. I do happen to know where a lot of it was coming from. It was coming from the idea that there was a lot of promise. A lot of people were moving up to the city, people were moving in, investing. They thought the city was on a very progressive track, and they were willing to take those risks regardless of what the economic indicators were. Then as the backslide began, interesting note—if you look at the charts, Poughkeepsie began to backslide first and fastest. It has actually lowered its values by a greater ratio than the surrounding areas. I think there was a chart published in the Journal that will help support that. What I am saying is that the city has to reinvest in its core. I know there is a lot of focus on the waterfront—I know it is important, I know the bridge is important, I know that the historic streets that I represented at various times are important. But I know that the north side is also very important. There are a lot of people who struggle to make ends meet. They are basically the city that everyone sees when they travel from the bridge to the core of downtown, where they expect to find businesses. Small businesses are going to be driven out, costs will be driven up, success rates will be driven down due to the garbage issues and other issues, the taxation in general. What I am saying is that there are a couple of things that the city can do to correct this.

You can find other resources that can be adjusted. There are other means of income. A fulltime grant writer, which I have pitched before—someone who can go after this so-called stimulus money out there for roads. We are not there—we just heard a need for a road. There are many other roads and streets in the City of Poughkeepsie that could benefit from those kind of upgrades. But if we increase the value, our self-worth, what we thought the City of Poughkeepsie was, what it looked like, our property values would be up enough so that Mr. DiMarco would not necessarily be lowering them to a degree where it was hurting the budget. Maybe it would narrow the gap some. One of the issues that the City of Poughkeepsie can take, one of the steps the City of Poughkeepsie could take is to take a look at the application for porches. It is going to sound odd but if you take a good look, all along the Arterial you will see beautiful historic porches. Things that are 150 years old that have a little rot at the bottom from poor maintenance, are being ripped off at prodigious rates and being replaced with pressure-treated lumber that looked just like your typical barbeque deck because that is the application's example of what to build in place. We are taking down wood that survived 150 years but needed some paint in the most recent time and replacing it with garbage from Home Depot that will only last 15 years before it turns black and splits and needs to be replaced in its entirety. Alongside those kinds of porches you can easily see pails overflowing with garbage. But you take a beautiful house that is restored and somebody has pride in that house, and you look at that and they are embarrassed to put garbage like that, where it makes people look twice about doing it. I highly recommend that you look at investing in the core of downtown, look at the north side as a place where people need help and help guide them in proper directions, giving good examples of how the city raises their fortunes rather than finding ways of undermining it by cutting it. Sorry, but I think that is the effect that it will have. Thank you.

**Deborah Stevenson, 122 Academy Street-** I have come here from Cleveland Ohio. If anyone has been able to read the news, Cleveland was a thriving state at one time and situations happened. Obama has visited Cleveland—I think he is on his fifteenth visit this year. I want to speak truthfully, if your mind is already made up and this is just a session for us to express what we need to express, that is one thing. But I think that we as citizens, and we as our history of the United States has always been that we never look at what we did before. We never take a good look at it, see our mistakes and go forward. We repeat our mistakes. I would never want Poughkeepsie to ever be like Cleveland. I do not know if anybody has ever been in Cleveland but my husband and I are from Cleveland. Cleveland was a thriving city, but when you go to Cleveland now, you wonder why LeBron went to Miami. You can go for miles and it is empty buildings. You can see houses, foreclosure, one after another, after another. I fear that those who may sit here may say, “Oh, Poughkeepsie will never be like that.” Well I think that at one time we said that Cleveland would never be like that. I am sure Denver said that they would never be like that. I think that it takes a humbling to really listen to people, the everyday people. It takes a humbling. I

do not know if anybody is jotting down notes, I do not know if this is even being recorded, or if this is just a futile exercise. But it is going to affect everybody if Poughkeepsie winds up being like Cleveland. Wisdom dictates that we should really listen and maybe seriously think about it. I know when I work in corporate America and we have a budget and there are certain things that maybe even are outlined before we even think about it. This has got to go. It is just how it is. If this really is a place where we as people can speak, and you will listen and take note, then I think it has been a good exercise. But if it is a futile exercise, we never thought Cleveland would look the way it is. 4,000 people left Cleveland last year including me and my husband this year. Jobs are nil. If you are not in the medical business, you have no job there. I just humbly put this before you and say maybe a word to the wise. You have the power to be able to change things, to do something. To even look not in hindsight, but in foresight and stop things, and maybe do something good for the people. We here, as people, are always looking to government to help us, to truly help us. We wonder why people are going over to Saudi Arabia, United States citizens that are becoming anti-terrorists. It sounds ludicrous, but what happened to that person's life to make them do that. Thank you very much.

**V. MAYOR'S COMMENTS:**

**Mayor Tkazyik-** Good evening to all, councilmembers. I would like to thank all members of the public for participating this evening and speaking out on the 2011 proposed preliminary budget, for you input, concerns and for your comments. They mean a great deal to all of us and we take your remarks seriously. The times that are in front of us at this present time are not easy, as I mentioned to you two weeks ago. Our state faces a historic financial crisis. The county faces its own challenges. And the city, yes we are trying to close a gap as well. I talked to the Dutchess County Economic Development Council this past week, and I told them about all the great developments and projects that are coming into the City of Poughkeepsie. And you know what? We have more development and more projects going on and are going to be going on in this small four and a half square miles than anywhere throughout this county, and in fact, anywhere throughout the region. When I go to the mayors' and supervisors' meeting, and we talk about grant writers and grant opportunities for the city, and I go out and say all the millions of dollars that we brought in through president's stimulus funds and other opportunities, the other towns and cities get mad. Why? Because they do not have the resources and they do not have the staff to compete like we can here in the City of Poughkeepsie with a team to go after the skilled grants in order for us to bring back to our local community. That makes a difference. We need to be proud of the opportunities that are coming before us here and we are going after them at our full potential. The budget proposals that are before us are not easy. The Common Council has a very difficult task, and I appreciate them working with us and working with staff. I appreciate the union support who we work with each and every day and who we work with throughout the last three budgets that I have been involved

in, to cut costs and bring in more work in house. You know what, I can stand here and say for the last three years, that this plan has not involved any layoffs. There have been job reductions from fulltime to part-time, but there has been no layoffs. That is not an easy thing to say in this environment. We are looking at the garbage very closely. I know the Common Council has to weigh it out from all ends. None of us want to see double-digit tax increases. None of us wants to see businesses leave the city. We are doing everything we can to promote the city, and build it up and make it stronger and better so that we can enjoy the quality of life. And yes, the public safety that we need and deserve, and to support our police and our efforts in combating the crime that is plaguing and eroding our streets and neighborhoods. We are not sweeping it under the rug. I have been upfront with crime. We know there is a problem and we are doing everything that we can and we are seeking additional resources when we can to do all of this. We do it with the cooperation of our staff and of the support of the Common Council that we strongly need to move the city forward. If you look around us at some of the other Hudson River Valley cities and towns and throughout this county, we are in a much better situation than them. I do not mean that to gloat, I do not mean that to boast. But to come out and say that we have only raised the levy by 1%, I think is quite impressive given these economic times. So, we have to put our best foot forward. I ask the Common Council to continue working with us during this budget process and these challenges and decisions will not be easy. I know we will move forward with what we feel is the right decision in our hearts to move this city forward to the best that we can. I thank you for that.

Just a few other notes: I want to remind everyone that this coming Sunday, Veteran's Day, at 2 PM we will have a memorial service sponsored by the American Legion Post at the soldiers' fountain. Also, I would like to remind everyone that on Friday, December 3, in collaboration with the Bardovan and the Downtown River District, we will have our annual Festival of Lights celebration, parade and fireworks starting on Main Street and going right down to the First Ward in Dunnegan Park. We thank all the businesses and restaurants who partake in that. Finally, I would like to remind everyone that tomorrow is Election Day, and to please get out and vote. Thank you.

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

**Chairman Klein-** I will add my support to the mayor's comments. I would also thank the members of the City of Poughkeepsie public and property owners who chose to attend this evening. Our public hearing format is designed to accommodate a 45 minute schedule. As Chair, I exercise my prerogative and allow it, and I beg my fellow councilmember's indulgence and I am sure that they would agree that we allow the public hearing part to extend because we know these issues are of such great concern to the City of Poughkeepsie residents. I am very sorry that Mrs. Stevenson left a few minutes ago. The last lady who commented, in fact, she should know that we take all of these issues

seriously, we do take notes and the meetings are recorded on webcast, and we hope to have even a greater public information and publishing profile in the very near future. Additionally we face very grave challenges. New York State, it has been reported, has lost over 1.5 million people over the last ten years. There are those who would rename the State of New York the State of No Work. People tout the state's great natural resources—the greatest natural resource is human beings. They have left in droves taking with them businesses, payroll, commerce and industry. The single greatest cause that is cited for that is taxes. We, I can assure the members of the public, on behalf of all councilmembers, are taking these issues very seriously. We do not consider the issue of cutting to be a light issue. We cut where we can. We are trying to maintain a low level of taxes, we are trying to maintain a high level of services, we are trying to maintain a high level of programming, and we are trying to ensure that we maintain our staffing and personnel levels. These are very difficult choices. Other municipalities are facing them as well throughout the state, throughout the region, throughout the nation. We are not exempt. I will cite the mayor for the fact that there are many good things happening here, but we still have a lot of work to do. I can assure you to all members of the public, that we take this issue seriously, and also strive very hard to balance them and to do the right thing. Our job as public officials is to seek truth, speak truth, to do right. I can guarantee that everyone here, regardless of their party affiliation, is doing just that along with a very dedicated staff and administration and City Hall, including management and staff at all levels.

## **VII. MOTIONS AND RESOLUTIONS:**

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

**Assistant Corporation Counsel Ackermann** informed the council that this resolution is authorizing the Mayor to enter into a license agreement with Seaway Navigation and Tours, Ltd. The agreement will allow Seaway to relocate its main port from Brewerton, New York to Waryas Park beginning the spring of 2011. This agreement is for 10 years and includes an annual fee of \$2500.00 for the use of the dock. Seaway Navigation will have exclusive use of the dock in front of the Ice House Café; however there is a provision that allows the City to use the dock with notice to Seaway. Seaway Navigation is working with the Dutchess County Tourism, the Dutchess County Regional Chamber of Commerce and Metro-North to set up packages & tours. Dutchess County Tourism expects Seaway Navigation and Tour to be a large draw for tourism and tourism dollars into the area. He additionally informed the council that there were some emails about review under SEQRA and review under the Waterfront Advisory Committee, this action that you are adopting today is a Type 2 action which means there is no further SEQRA review that is required for them entering into the license agreement. The City Code and the establishment under the Waterfront Advisory Committee powers and

duties are to review any action within the geographical area of the Waterfront Advisory Committee, however it is defined as action and action does not include a Type 2 action in SEQRA includes a type 1 also any action that is not listed. With that said there are some requirements once this process is done, the process of entering into a license agreement where they will need to apply to the Planning Board for some approvals and during that period of time the action may be an unlisted action and at that time if it is determined that it is an unlisted action, it will be appropriate to seek comment from the Waterfront Advisory Committee which is an advisory committee who doesn't make determinations or decisions but can advise the board or Common Council. At this time this is a Type 2 action and does not require any further SEQRA review or any action under the Waterfront Advisory Committee.

**R E S O L U T I O N**  
**(R-10-109)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, the City of Poughkeepsie, Dutchess County Tourism and the Dutchess County Regional Chamber of Commerce have been negotiating with Seaway Navigation and Tours, Ltd. to relocate their home port to the City of Poughkeepsie waterfront; and

**WHEREAS**, the relocation of the port for Seaway Navigation and Tours, Ltd. is expected to draw thousands of tourist a month to Waryas Park and Seaway has agreed to promote local business; and

**WHEREAS**, the Common Council has determined that a home port at Waryas Park located between the Mid-Hudson Bridge and the Walkway of the Hudson as well as in close proximity of the train station will benefit the residents of the City and the public at large; and

**WHEREAS**, the Common Council has reviewed the proposed license agreement; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie hereby finds and determines that entering into a license agreement with Seaway Navigation and Tours, Ltd. will be in the best interest of the residents of the City of Poughkeepsie and the public at large; and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to enter into a license agreement for the above mentioned operation provided such agreement is in substantially the same form and substance as attached hereto together with such other terms and conditions which the Mayor, City Administrator and/or Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation

Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution

**SECONDED BY COUNCILMEMBER PARISE**

R10-109			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Assistant Corporation Counsel Ackermann informed the Council that the last meeting distributed was a proposed amendment to Chapter 6 of the Code of Ordinances which is part of the Building Code with regard to vacant property/abandoned property ordinance. At this time what the council would be doing is enacting a resolution setting a public hearing. The public hearing is proposed to be scheduled November 15<sup>th</sup> at 6:00 p.m. which is the next regular council meeting.

**RESOLUTION INTRODUCING LOCAL LAW  
AND PROVIDING FOR PUBLIC  
NOTICE AND HEARING  
(R-10-113)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**BE IT RESOLVED,** that an introductory Ordinance, entitled “Vacant/Abandoned Property Ordinance,” be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

**BE IT FURTHER RESOLVED** that copies of the aforesaid proposed ordinance is laid upon the desk of each member of the Council; and

**BE IT FURTHER RESOLVED** that the Council shall hold a public hearing on

said proposed ordinance at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o'clock P.M., on November 15, 2010; and

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

**SECONDED BY COUNCILMEMBER PARISE**

<b>R10-113</b>			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Assistant Corporation Counsel Gildard** informed the Council that this resolution authorizes the Mayor to execute the Fourth Ward Sewer Agreement between the City of Poughkeepsie, the Culinary Institute of America, and the Town of Poughkeepsie. The new agreement replaces an old agreement replaces an old agreement between parties and is necessary due to the location of the CIA outside the Fourth Ward Sewer Improvement Area, the necessity for the CIA to transmit its effluent through the town's sewer main, and the ultimate treatment of the CIA effluent by the City's sewage treatment plant. This new agreement will strengthen the City's role in regulating pre-treatment requirements for the effluent generated by the CIA and transported through the mains of the Fourth Ward Sewer Improvement Area to the City's Sewage Treatment Plant. The new agreement also provides for a formal enforcement role to the City with the right to monitor and sample the effluent generated at the CIA for compliance with pre-treatment effluent standards. The agreement was negotiated with the technical assistance of Commissioner DuPilka and has a 15 year term.

**RESOLUTION  
(R-10-115)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**Fourth Ward Sewer Improvement Area agreement with the Culinary Institute of America and the City of Poughkeepsie**

**WHEREAS**, the City of Poughkeepsie, the Culinary Institute of America, and the Fourth Ward Sewer Area of the Town of Poughkeepsie have previously entered into a municipal agreement dated March 15, 1998 making certain provisions for pre-treatment of industrial waste by users of the Fourth Ward collection lines.

**WHEREAS**, the parties wish, pursuant to Section 198.1(f) of the Town Law and Section 20(7) of the General City Law to provide for a continuation of the services and to amend the terms of their prior agreement.

**WHEREAS**, the new agreement will strengthen the City’s role in regulating the pre-treatment requirements for the effluent generated by the Culinary Institute of America and transported through the mains of the Fourth Ward Sewer Improvement Area to the City’s Sewage Treatment Plant.

**WHEREAS**, the new agreement will also provide a formal enforcement role to the City which includes the right to monitor and sample the effluent generated at the CIA for compliance with pre-treatment standards.

**WHEREAS**, the Common Council of the City of Poughkeepsie has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617.5(c)(26) and (27), and

**NOW THEREFORE,**

**BE IT RESOLVED**, The Common Council of the City of Poughkeepsie, New York does hereby authorize the Mayor to execute the Fourth Ward Sewer Agreement between the Culinary Institute of America and the City of Poughkeepsie, a copy of which is attached hereto.

**SECONDED BY COUNCILMEMBER PARISE**

R10-115			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Assistant Corporation Counsel Ackermann** informed the Council that this resolution is supporting a grant application that the city is making; this comes from the Planning Department, specifically Planner Morabito. It is for monies that are available under a federal program. The monies of the grant application would be used for connecting the link between Waryas Park and Kaal Rock Park. Currently there are monies that are available for design study; the additional monies would be used for the next phase of that project if it is awarded to the City of Poughkeepsie.

**R-E-S-O-L-U-T-I-O-N**

**(R-10-116)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, the NYS Office of Parks, Recreation and Historic Preservation, which supports projects that promote the enhancement of public use and enjoyment of the natural, scenic and cultural resources of the Hudson River and its shores – with an emphasis on physical projects that require capital construction, development or improvement, has recently announced availability of Federal SAFETEA-LU funds for construction, maintenance and rehabilitation of trails; and

**WHEREAS**, the City of Poughkeepsie desires to create an overland link between Waryas Park and Kaal Rock Park over and around Kaal Rock Point insofar as is feasibly and practicably possible, in order to facilitate a more enjoyable walking experience for residents and visitors to the riverfront; and

**WHEREAS**, such grants allow for enhancement of public use and enjoyment of the natural, scenic and cultural resources of the Hudson River and its shores by creating viable connections between existing, parks, trails, and road networks in the City; and

**WHEREAS**, this grant will also promote the protection and preservation of open spaces, scenic vistas, and historic resources along the banks of the Hudson River, the First American Heritage River; and

**WHEREAS**, the Common Council, the governing body of the City of Poughkeepsie, wishes to express its approval and endorsement of this grant application.

**NOW THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie hereby does approve of and endorse the application for a grant under the NYS SAFETEA-LU Recreational Trails Program; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized and directed to affix his signature to this resolution of support for the grant application.

**SECONDED BY COUNCILMEMBER PARISE**

R10-116			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Assistant Corporation Counsel Ackermann** informed the council that we have received a request from Herbert Wallace who is the attorney for Andy’s Restaurant, Inc., d/b/a Andy’s Place to waive the 30 day comment period that is required and allowed pursuant to Alcohol and Beverage Control Law Section 64 that requires notice be given to municipalities 30 days in advance before an application is submitted. The application before you would be for an amendment to the license which would allow for the additional bar. The Nuisance Committee has reviewed the request and there is no objections and we have had sufficient time to review it so there is no opposition to waiving the 30 day period.

**R-E-S-O-L-U-T-I-O-N  
(R-10-114)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, ANDY’S RESTURANT, INC., d/b/a ANDY’S PLACE has applied for permission to amend its on-premises liquor license to enable the sale of alcoholic beverages at an additional bar at the premises known as 45 Dutchess Avenue, 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 with the State or obtain a waiver from the municipality; and

**WHEREAS**, the request been reviewed by the nuisance committee and has no objection to the application of ANDY’S RESTURANT, INC. d/b/a/ ANDY’S PLACE 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 and notice requirement pursuant to NYS ABC § 64 for ANDY’S RESTURANT, INC. d/b/a ANDY’S PLACE and acknowledges its intent to apply for a liquor license.

**SECONDED BY COUNCILMEMBER PARISE**

R10-114			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**City Administrator Long** informed the Council that this is the second grant application tonight that we will consider which is similar to the one that was discussed about Kaal Rock. We have 2 people here, Elizabeth Waldstein-Hart and Steven Densmore from the Walkway over the Hudson are here and their tasks have been over the years to try to raise funds for the completions of the Walkway over the Hudson project. The State and the Fed’s have been extremely generous over the past years in soliciting funds for this and as the Council may recall several months ago the council was also asked to submit endorse a resolution to support the New York State Environmental Protection fund. This particular grant is the New York State safety

**R-E-S-O-L-U-T-I-O-N  
(R-10-117)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**WHEREAS**, the Walkway Over the Hudson is applying to the New York State Office of Parks, Recreation and Historic Preservation for a grant under the Recreational Trails Program for a trail project to be located along Parker Avenue in the City of Poughkeepsie, a site located within the territorial jurisdiction of this Common Council of the City of Poughkeepsie; and

**WHEREAS**, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

**NOW, THEREFORE,**

**BE IT RESOLVED**, by this august body that the Common Council of the City of Poughkeepsie hereby does approve and endorse the application of Walkway Over the Hudson for a grant under the Recreational Trails Program for a trail project known as railroad bed acquisition project and located within this community.

**SECONDED BY COUNCILMEMBER PARISE**

R10-117						
			e /Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallo y	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VIII. ORDINANCES AND LOCAL LAWS:**

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

**Assistant Corporation Counsel Gildard** informed the council that said Local Law 10-5 amends 15.08 (c) which amends the residency requirements for firefighters from 10 to 30 miles as is provided in the current collective bargaining agreement between the Firefighters and the City of Poughkeepsie. This was introduced at your last meeting by a resolution where a public hearing was set for tonight and this is ready for your action tonight.

**LOCAL LAW AMENDING SECTION 15.08(c) OF THE ADMINISTRATIVE CODE OF THE CITY OF POUGHKEEPSIE (LL-10-5)**

**INTRODUCED BY COUNCILMEMBER HERMAN**

**SECTION 1. BE IT ENACTED**, by the Common Council of the City of Poughkeepsie, a local law amending Section 15.08(c) of the Administrative Code of the City of Poughkeepsie entitled Residency Requirement for Officers and Employees, to provide as follows:

**Section 15.08(c) Residency Requirements for Officers and Employees**

Notwithstanding the provisions of subsection (a) preceding, all persons appointed or hired to permanent positions as firefighters of the city and who are included within the collective bargaining unit represented by Local 596, International Association of Fire Fighters shall, within six (6) months from the date of appointment or hire, be residents of the city or reside at a location that is within ~~ten (10)~~ **thirty (30)** miles from any boundary of the city, and shall remain residents of either of such areas during their term of office or employment. A violation of this local law shall result in immediate termination of office or employment.

**SECTION 2.** This Ordinance shall take effect immediately upon filing with the New York State Secretary of State.

**SECONDED BY COUNCILMEMBER PARISE**

**STRIKETHROUGH INDICATES DELETION  
BOLD INDICATES LANGUAGE ADDED**

L-11-5							
			Yes	Aye	No/Nay	Abst i	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Coates	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Council member Herman	Vo e	<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"/>

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

1. **FROM HARRY L. HOBBS**, a notice of property damage sustained.  
**Referred to Corporation Counsel**
2. **FROM JOHN D. PANTALONE**, a notice of property damage sustained on September 29, 2010. **Referred to Corporation Counsel**
3. **FROM ROLAND BUTTS, ESQ.**, a notice of property damage sustained on October 18, 2010. **Referred to Corporation Counsel**
4. **FROM HELEN G. CLAWSON**, a notice of property damage sustained on October 1, 2010. **Referred to Corporation Counsel**

**5. FROM WATERFRONT MANAGEMENT, LLC**, a notice of intent for Shadows on the Hudson to renew its Liquor License. **Referred to Corporation Counsel**

**X. UNFINISHED BUSINESS:**

**Councilmember Mallory** stated that over a month ago he shared about the Council working together for appointees to the Waterfront Advisory Committee and the Mayor had shared that there is possibly a letter stating that the roles and responsibilities had been changed, he was hoping that they would get that letter, if not they would need to move forward with those appointments.

**Mayor Tkazyik** responded that along with the budget, Corporation Counsel is looking into it, 13 was reduced to 9 and were just trying to verify if that was done, if not we will give the council notice because I believe that so many of those appointments are council appointments and so many are mayoral appointments. We are just confirming if there was a local law done to reduce that number many years ago because looking back at the history there has not been any more than 9 members at one time.

**Councilmember Mallory** responded, that just for clarification, are you saying that you have a letter saying that?

**Mayor Tkazyik** responded that with the budget, we have not gotten to that at this time but December 20<sup>th</sup> all of the terms are up.

**Councilmember Flowers** during the public participation period of the meeting a resident brought up an issue on North Clinton Street about the resident problems that were there this was discussed a few months ago when they were doing the construction on the street and it was her understanding that it would be addressed. She stated that she didn't know whether or not that was still on the table, whether or not they were going to pave the road.

**City Administrator Long** responded that he needs to check with Central Hudson to find out if there was a delay. He knows that they have experienced some problems in terms of gas lines that they were installing but he will try to get a timeline as to when they will get it finished.

**Mayor Tkazyik** added that the road that was done on Fairview into the Town was all done on stimulus money that the Town received to do the Fairview corridor.

**Councilmember Solomon** stated that Mrs. Tomlinson spoke earlier in the meeting who is one of her constituents and she maintains lovely property. The tree in front of her house which she has reported to public works is dead, is a

mess and it has done a lot of damage to her property. Mrs. Tomlinson and her neighbor maintain their property in a way that we would all like them for neighbors. The rest of the street needs our serious attention. When the kids come out of the school that is where they fight in front of the store, they litter. We need a garbage can, it keeps disappearing, and maybe we can get one that won't disappear. They live and pay taxes in the City of Poughkeepsie.

**Councilmember Coates** mentioned during public participation as far as our streets not being cleaned and I know we have the sweeper but it just reminded him that he has received a couple of calls during the weekend about Montgomery Street that it needs to be cleaned. The concern is that they have to move their vehicles on Thursdays and if the streets are being cleaned why they still have to move their vehicles and they are being ticketed. He additionally asked what the status of the street sweeper was.

**City Administrator Long** responded that the City has the new "Green Machine" and it has been out every day since the city has gotten it.

**Mayor Tkazyik** added that the city is looking into purchasing a street sweeper; it is going to be either a sweeper or a garbage truck which we desperately need. We are looking at the possibility of the next season leasing the sweeper just for the period of time that we need it, to be realistic we really don't use it 12 months out of the year.

**Councilmember Johnson** stated that she thinks that the councilmember's should be informed about the quality of life issues and some of the possible grants that are out there so when they see the Assemblymen they can bring it to their attention that this is something that we need and initiate a conversation about it with them. She additionally stated that she would really like to see our streets cleaned. Some good news she has is that this Saturday, Congressman Maurice Hinchey was saying that he would like to help us with some money for a youth center. She stated that if we did have a youth center we wouldn't have 12 year old boys out here mugging people. Something needs to be done because things are getting bad.

## **XI. NEW BUSINESS:**

**Councilmember Flowers** wanted to thank the Jackson family who is the family of the young man who was shot a few times in front of the store on Winnikee, they came here earlier because they wanted to speak out against the store, the convenience store that is open there 24 hours and is causing a lot of problems in our area. They were not able to stay too long due to the fact that the public hearing for the budget went over and they had to leave because of another obligation. It is a problem that she has been dealing with, it was a problem before she got elected, Councilwomen Lewis was speaking against it and the city has implemented certain things to help deal with that situation but

it is something that really needs to be looked into, especially when we have these stores with the permit in place and it is still causing a problem with them being open 24 hours in a residential area which is really deteriorating the neighborhood and also destroying the quality of life for the people who live in that neighborhood. It is something that we really need to explore even more, if this permit situation is not working and if we don't have the jurisdiction to deal with it on a city level then we need to take it onto a higher level. She does not believe that we should have Convenience Stores open in residential areas because it does cause a lot of problems and this is a place where a lot of bad elements come to hang out and they think there is a reason to hang out there because of the store. The police have been there and they have been trying to deal with the situation but it has been very difficult.

**Councilmember Johnson** stated that last Friday in Mrs. Bans class at Morse School, in a Special Ed classroom 8 little beautiful boys who are very smart, there was a pumpkin carving contest between our Mayor John Tkazyik and the Assemblymen Frank Skartados and it was a battle. The kids decided who the winner was and happy to announce that it was a tie.

**Councilmember Coates** stated that there was a comment made during public participation and would like to say that the Mayor has done a good job at informing; at least informing him when there is violent crime that has taken place in his ward, even if it is 11:00 or 12:00 at night. Something needs to be done and he does want to say that a harder look needs to be taken at our community policing. He knows when we had our budget sessions the Chief had mentioned some of their activities as far as covering events and so forth. There is a huge disconnect going on right now between our community policing division and the residents of our city. One of the reasons this division came about was to help with the relations and help with the relationships with the police department and the community but it's not happening. He also wanted to commend the Mayor, in the paper, in trying to get the citizens to help us out with some of the crimes. When you're not community friendly, you're not going to get the community to help out. We have to take a look at this community policing division and something needs to be done. Also, the situation with the bus drivers even the school administrators have some issues and they have noticed some of the complaints we have received. He hopes that the complaints with the bus drivers are taken care of.

**Mayor Tkazyik** responded that Corporation Counsel, City Administrator along with Commissioner DuPilka are taking those two complaints very seriously and we will be addressing the issues at hand, both the emails and the nature of the complaints regarding the bus drivers. We take personnel very seriously and we will be taking the necessary steps to go through the motions to investigate this matter further. He also stated that he has had discussions with Chief Knapp over the last days and weeks, given the rise in the shootings and the robberies that have been taken place and I have asked for him to come

here before the council, give another update and for you to ask questions and he can also inform us on what they are seeing, the initiatives that they are taking to combat some of these steps but also in listening to your other concern, that not only you raised but other councilmembers have raised regarding the community policing division he believes it is something that we need to sit down at the table not only with the Chief and the Administrators but also the PBA to let them know the concerns that you are having and how we can bridge together this connect.

**Councilmember Johnson** stated in regards to the bus drivers that issue has been over a year. If the kids are having a problem, why not replace these drivers and put someone on these routes who gets along a little better with the public why you are trying to figure this out. The police and crime and people not really being eye witnesses a lot of people are fearful of retaliation. If there is some of training session so that the police officers help to keep anyone who calls the police and their identity remain anonymous.

## **XII. ADJOURNMENT**

A motion was made by Chairman Klein and Councilmember Herman moved to adjourn meeting at 9:32 p.m.

Dated: June 26, 2011

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, November 1, 2010

Respectfully submitted,

Deanne L. Flynn  
City Chamberlain



**COMMON COUNCIL MEETING**

Common Council Chambers

Monday, November 1, 2010

6:30 p.m.

*6:00 p.m. tax rate presentation by Commissioner of Assessment DeMarco*

*6:00 public hearing regarding proposed Local Law LL10-05*

*6:00 public hearing regarding 2011 Budget*

**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL**

**II. REVIEW OF MINUTES:**

**Committee of the Whole Minutes of April 5, 2010**

**Special Meeting Minutes of April 23, 2010**

**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 ASSISTANT CORPORATON COUNSEL ACKERMANN, Resolution R10-109, approving license agreement with Seaway Navigation Tour for space at Waryas Park.**

- 2) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,** Resolution R10-113, setting a public hearing for the proposed vacant property registry.
- 3) **FROM ASSISTANT CORPORATION COUNSEL GILDARD,** Resolution R10-115, approving a 4<sup>th</sup> ward sewer agreement between the City of Poughkeepsie, Town of Poughkeepsie and the Culinary Institute of America.
- 4) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,** Resolution R10-116, supporting a grant application for Recreational Trails.
- 5) **FROM ASSISTANT CORPORATON COUNSEL ACKERMANN,** Resolution R10-114, waiving the thirty day notice period for the amendment to Andy's Place application for an amendment to its Liquor License.

**VIII. ORDINANCES AND LOCAL LAWS:**

- 1) **FROM ASSISTANT CORPORATION COUNSEL GILDARD,** Local Law LL-10-05, amending Section 15.08 of the Administrative Code to be consistent with adopted Union contracts.

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

6. **FROM HARRY L. HOBBS,** a notice of property damage sustained.
7. **FROM JOHN D. PANTALONE,** a notice of property damage sustained on September 29, 2010.
8. **FROM ROLAND BUTTS, ESQ.,** a notice of property damage sustained on October 18, 2010.
9. **FROM HELEN G. CLAWSON,** a notice of property damage sustained on October 1, 2010.
10. **FROM WATERFRONT MANAGEMENT, LLC,** a notice of intent for Shadows on the Hudson to renew its Liquor License.

**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT**