



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, November 16, 2015 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL – All Present

II. REVIEW OF MINUTES:

CCM 9-8-15-PH 9-8-15-Special Informational Mtg 9-21-15						
			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Defeated	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

REMOVE:

VII. MOTIONS AND RESOLUTIONS:

- 3. FROM CORPORATION COUNSEL ACKERMANN, Resolution R15-81, approving the collective bargaining agreement with United Federation of Police (Joint Water Employees).**

VIII. ORDINANCES AND LOCAL LAWS:

- 1. FROM ASSISTANT CORPORATION COUNSEL AQEEL, Ordinance O-15-8, amending the parking on Wilbur Blvd.**

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

4. **FROM CORPORATION COUNSEL ACKERMANN**, a communication regarding the Inter-municipal Agreement between the Poughkeepsie School District and the City of Poughkeepsie with regard to Pop-Warner Football.

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

COMMON COUNCIL MEETING

Time: 6:30 p.m.

Date: Monday, November 16, 2015

Place: Common Council Chambers, City Hall, City of Poughkeepsie

Public Comment Sign-up

Public Comment: Three (3) minutes per person on any agenda item or non-agenda item. Time period not to exceed 45 minutes total.

Please clearly print your name and address below:

1. LOU SICKLE 118 CANTON ST ✓
2. GUS KAZOLIAS 47 NOXON ST ✓
3. SEAN HARDEN 36 GLENWOOD AVE ✓
4. LOU STRIPPOLI 145 MILL ST. ✓
5. Wanda Jones 36 N. Dover Street ✓
6. Dory Marcinelli 31 Miller Rd ✓
7. DANN CRUMB 73 MARSHAL ✓
8. Marc Kascsak 18 creekside in Pleasant Valley ✓
9. Marina Roberti 14 Greenhouse Ln. Paler ✓
10. Holly Wahlberg 35 Garfield Place ✓
11. MICHAEL JOHN SIEDZIETOSKI 34 BALDING AVE.
12. Michael Frlmavice 19 Balding Ave.
13. MARK PASTRIZICH - ONE CIVIC CENTE
14. Billy Pykos 96 S. Hamilton Street PL/5011E 5200
15. Nikasha Chesny 173 S. Cherry Street
16. Pastor. Curtis Whitted - YMCA, 211 N Hamilton St.
- ← 17. Tonya Pineda Dover Place
18. Laura Sirodow South Grand

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V. MAYOR'S COMMENTS:

Not Present

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Petsas spoke to Pastor Whitted, and the Commissioner of DPW, and the graffiti, one way or another will be removed off of the YMCA tomorrow by the end of the day. Whether through the efforts of our graffiti machine, or through his efforts of painting it over, that kind of graffiti, or that kind of wordage is not tolerable in the city. Tonight the council will be voting on selling several city owned properties that will generate some income for the city, but more importantly, rehab these homes and bring them back to life. Note that for the last two months there has been a coalition of business owners and residents in the downtown area have been meeting over the last two weeks to develop a game plan to try to focus some more energy on downtown Poughkeepsie. This Saturday at 11:00 that group will be meeting at the Liberty Street parking lot to do some work on the lot. They will be painting, and restoring some of the wood and barriers that have been broken, and planting five new trees on Cannon Street side. They are also looking at working on the Financial Plaza deck, and cameras will be installed there shortly. A point of clarity, it is easy to come to the microphone and say different things, the website is strictly an administration decision. What is on that website, how it was developed, how it's usable, that was an administration function, nothing to do with the city council So if you are unhappy with the website, I encourage you to speak to the Administration.

VII. MOTIONS AND RESOLUTIONS:

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

Corporation Counsel Ackermann informed the Common Council that the City of Poughkeepsie acquired several properties for reason of unpaid taxes. Earlier in the year they offered those properties for sale by placing a sign on each property, sending the listings to our listserv, and posting them on the city website with a deadline of October 1, 2015 for responses. All of the properties are in pretty bad shape. It is advisable that the city quickly remove them from the City's ownership and place them in private hands. Additionally, it is always the goal to get these properties in the hands of individuals that have the wherewithal to put them back to use. The offers have been thoroughly vetted and deemed to be in the best interest of the City. The sale of these properties will result in approximately \$15,000 in additional tax revenue for 2016.

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-15-78)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of several properties that it acquired be reason of unpaid taxes and which are more specifically described in the Schedule "A" attached hereto; and

WHEREAS, the Common Council considers the proposed sale to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of properties; and

WHEREAS, the Common Council has reviewed the proposed sale of properties in accordance with Title 6 NYCRR, Section 617.11; and

WHEREAS, the Common Council has considered the hereto attached Short Environmental Assessment Form (EAF)

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and
4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and
6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER HERMANN

R15-78			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	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 Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**RESOLUTION
(R 15-79)**

AUTHORIZING THE SALE OF TAX DEED PROPERTIES

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the City of Poughkeepsie has acquired the properties described in the attached Schedule “A” (the, “Properties”) by virtue of unpaid taxes; and

WHEREAS, the Properties have been offered for sale by the City in compliance with the policy for the sale of City owned property; and

WHEREAS, the City accepted offers for the purchase of the Properties until October 1, 2015; and

WHEREAS, the offers set forth on Schedule “A” attached hereto and made a part hereof have been deem to be the best offers after consideration of the City’s policy for the sale of City owned property and the Administration of the City of Poughkeepsie has recommended that the City of Poughkeepsie accept the offers set forth; and

WHEREAS, the Common Council hereby finds that the offers attached in Schedule “A” are most favorable of the offers presented and that it is in the best interest of the City of Poughkeepsie to approve such offer; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for the Property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, the offers set forth in Schedule “A” is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

RESOLVED, that this sale is approved subject to the following conditions:

- A. the conveyance of title and the payment of the purchase price shall take place within Thirty (30) days of the date of this resolution, unless the Corporation Counsel shall grant such extension as he deems appropriate;**
- B. Purchaser shall obtain a building permit for the proposed redevelopment within six (6) months of the date of closing of title unless such property is vacant land which this requirement shall not apply;**
- C. Purchaser shall obtain a valid Certificate of Occupancy for the Property within one (1) year after obtaining the building permit, unless the Corporation Counsel shall grant an extension as he/she deems appropriate;**
- D. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**
- E. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record;**
- F. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and**
- G. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law if applicable; and be it further resolved**

RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the 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 HERMAN

SCHEDULE "A"

Updated 11-16-15

Property Address	Tax ID #	Offeror	Offer
37 North Clinton Street	6162-79-277115	Steven F. Neshelwat Maheer A. Fakhoury	\$6,000.00
9 South Clinton Street	6161-23-257985	Cardinal Assets of NY, LLC	\$5,000.00
4 Hammersley Avenue	6161-23-284889 6161-23-282893	Cardinal Assets of NY, LLC	\$3,000.00
338 Mansion Street	6162-80-449112	Joes Family Futures, LLC	\$4,500.00
49 Thompson Street	6162-71-288131	Hot Diggity Dog, Inc.	\$10,100.00
98 Washington Street	6162-61-015296	36 Cottage St. LLC	\$1,500.00
3 Zimmer Avenue Unnumbered W. Oakley	6162-62-173318 6162-62-187336	Mark L. Pastreich	\$25,000.00
204 Church Street	6161-21-098986	Clinton Jackson	\$10,000.00

R15-79						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	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 Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

RESOLUTION

(R-15-80)

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the Common Council has received the Mayor’s proposed 2016 budget for the City of Poughkeepsie and the budget message from the Mayor; and

WHEREAS, the City of Poughkeepsie Administrative Code section 14.04 requires that upon such receipt, the Common Council shall set a public hearing thereon, giving the public notice of at least ten (10) days in the official newspaper; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of setting such public hearing; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie shall hold a public hearing to receive comment from the public concerning the proposed 2015 budget on Monday, December 7, 2015 at 5:30 pm in the Common Council Chambers, Third Floor, City Hall, 62

Civic Center Plaza, Poughkeepsie, New York and the Chamberlain is hereby directed to publish proper notice of the above hearing.

SECONDED BY COUNCILMEMBER HERMANN

R15-80			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	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 Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

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

LOCAL LAW NO. 1 OF 2015

A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW

INTRODUCED BY COUNCILMEMBER RICH

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

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the City of Poughkeepsie, County of Dutchess pursuant to General Municipal Law § 3-c, and to allow the City of Poughkeepsie, County of Dutchess to adopt a budget for the 2016 fiscal year that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. AUTHORITY

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the City Council to override the tax levy limit by the adoption of a local law approved by the Common Council.

Section 3. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the

remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 4. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

SECONDED BY COUNCILMEMBER HERMANN

LL-15-1			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	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 Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM CENTRAL HUDSON**, a presentation regarding their 2016 Gas Main Replacement Project. **Removed**
2. **FROM WENDELL ENERGY**, a presentation regarding the LED Phase Two Project.
3. **FROM AMBER ADAMS**, a notice of property damage sustained on September 15, 2015. **Referred to Corporation Counsel**
4. **FROM THERESA MIKOLESKI**, a notice of property damage sustained on October 9, 2015. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Rich and Councilmember Mallory to adjourn the meeting at 9:05 p.m.

Dated: January 20, 2015

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, November 16, 2015 at 6:30 p.m.

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**

