THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, November 3, 2014 6:30 p.m. City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

II. REVIEW OF MINUTES:

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

ADD

VII. MOTIONS AND RESOLUTIONS:

3. FROM CORPORATION COUNSEL ACKERMANN, Resolution R14-69, establishing a fee schedule for Ordinance O-14-17 (establishing a fee in lieu of parkland).

REMOVE

VIII. ORDINANCES AND LOCAL LAWS:

2. FROM CORPORATION COUNSEL ACKERMANN, Ordinance O-14-21, approving the rezoning of an unnumbered Maple Street parcel (Tax Map Number 6161-25-504927) from C-2A/R4 to R-4.

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

4. FROM CORPORATION COUNSEL ACKERMANN, a communication regarding proposed sale of 36 North Clover Street.

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

Matthew McNamara 32 Oakwood Blvd: expressed support of the waterfront rezoning for progress and urban renewal.

Ken Stickle 118 Catherine Street: does not support development near waterfront – believes previous promises of revitalization should be honored – **no** town houses or hotels should be built

Jacqueline Marone 20 Fountain Place: Fountain Place needs to be repaved – neighbor needs driveway skirt fixed – dog poop becoming a big problem – speeding on Main is also becoming a big problem

Darrett Roberts 148 Franklin Street: proud of the council for the bon to re-renovate housing – **does not** want land handed over to developers – thinks money should be used to improve current waterfront

Kari Rieser 16 Adriance Avenue: supportive of more active Poughkeepsie – wants zoning sorted out – use current assets and utilize waterfront's beauty – wants more pedestrian friendly Poughkeepsie

Johnny Galbraith 5 White House Avenue: wants a more bike friendly Poughkeepsie – improved bike paths – supports proposal *if it makes Poughkeepsie more accessible* (for bikers)

Amelia Miller 8 Flannery Avenue: thanks Chris for making things easier for tenants of absentee homeowners/landlords – thinks waterfront is already being used – wants youth center – unsupportive of how tenants' concerns over housing conditions are told to their landlords

Randall Johnson 52 Manitou Avenue: evening basketball concerns (does not want it to be dropped) – thanks DPW for cleaning glass mess

Sheila Blanding 89 Cannon Street: people already come to the river – no one came around to ask the people who live near the waterfront how they feel about developing – common council needs to care about the people – use already vacant spaces such as the big hill on Rinaldi

Craig Brandli 110 Hooker Avenue: disappointed in conduct between council members and politicians – taxes – budgets – maybe more taxable green space, trails and revenue with rezoning

Michael Young 20 Barclay Street: for rezoning proposal

Tanya Pinea 16 Davies Place: Wheaton Park/Pelton Manor concerns – does not want property sold to developers – it is a current green space and should be used as is

Terry Clayton 13 Plaza Road (CSEA President): concerned about DPW job loss – when will job cuts stop? – need to fix, hire more people, unfair how DPW are overworked and understaffed

Constantine Kazolias 47 Noxon Street: submitted statement

Bruce Dooris 31 North Clover Street: supports Terry – not acceptable job loss – sanitation fun concerns

Rasanda Squire Grey Street: Rip Van Winkle – concerns about development expenses – jobs! – economic growth – more communication with community

Steven Planck 81 Carroll Street: in favor of development so long as nothing from the Rip to the Children's Museum is touched – school district

Melissa Whitaker 18 Beamont Avenue: Youth Programs – public safety – school district – fix current problems before worrying about making the City prettier

Tron Melton Morgan Avenue: concerned for lower income/minorities

Bill Dykus 96 South Hamilton Street: concerned for lower income/minorities

V. MAYOR'S COMMENTS:

Not Present

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Mallory: addresses youth basketball concerns – addresses funding needs for designated parks and how the council and others are striving to maintain and enhance parks.

VII. MOTIONS AND RESOLUTIONS:

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

   Councilmember Hermann submitted said resolution indicating that it is on behalf of himself, and Councilmember Petsas. Said resolution supports open and transparent government by calling for the consistent and timely publication to the Web of pertinent information-including meeting dates, agendas, minutes, member lists and contact information- relative to City committee boards, and commissions.

RESOLUTION
R14-66

INTRODUCED BY: COUNCILMEMBER HERMANN AND PETSAS

WHEREAS the City of Poughkeepsie has established over the course of its history numerous standing and ad-hoc boards, committees, and commissions to aid and advise in its mission of providing good governance, and, further, continues to enact such boards, committees, and commissions; and

WHEREAS the City of Poughkeepsie has, under Chapter 2, Article VIII of its Code of Ordinances, codified the public's access to records, mandating under section 2-101 of the aforementioned Chapter that "access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality"; and

WHEREAS the City of Poughkeepsie's sovereign state of New York further fosters open government and free access to information under the state's Freedom of Information Law (Public Officers Law §§ 84---90); and WHEREAS the City of Poughkeepsie maintains a website for the purposes of promoting the City and providing its citizenry with access to information;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby determines that in accordance with the existing local and state access and open government laws that supporting documents relative to each of the aforementioned committees, boards, and commissions be readily accessible to the public for the purposes of open and transparent governance, including, but not limited to:

- Meeting dates
- Meeting locations
- Meeting agendas
- Meeting minutes
- Member listing
- Dates of member appointment and expiration; and,

BE IT FURTHER RESOLVED, that each committee, board, and commission, in further support of existing open government laws, will also make available to the public the address, phone number and email address of each member; and,

BE IT FURTHER RESOLVED, that a resolution entitled "Publication of Committee, Board, and Commission Directory" be and is hereby introduced to the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and,

BE IT FURTHER RESOLVED, that City of Poughkeepsie department heads and committee chairs are directed to provide the aforementioned information to IT and to members of the Common Council within 30 days of this resolution and that any changes to membership makeup or contact information be provided, similarly, within 30 days of the change; and,

BE IT FURTHER RESOLVED, that, upon receipt of the aforementioned information by the City's IT Department, the information is to be posted to the City's Websites in a timely and uniform manner as outlined below:

- Documents are to be published in a sub-directory of the website created for each active committee, board, and commission;
- Each sub-directory is to be accessible through a link on the home page's navigation menu;
- New documents such as timely agendas and minutes are to be posted within two days of their availability; changes to existing documents such as member lists/directories are to be posted within five days of their amending action; and,

BE IT FURTHER RESOLVED, that the Mayor, City Administrator, Chamberlain, and Web manager are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER RICH

R14-66						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

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

RESOLUTION INTRODUCING LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING (R-14-68)

INTRODUCED BY COUNCILMEMBER RICH

BE IT RESOLVED, that an introductory Local Law, entitled "Local Law to override the tax levy limit established in General Municipal Law §3-c" be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New

York; and

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

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o'clock P.M., on November 12, 2014; 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 JOHNSON

R14-68						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

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

RESOLUTION
(R-14-69)

INTRODUCED BY COUNCILMEMBER RICH

BE IT RESOLVED, the Pursuant to Section 19-6.3(4) of the Code of Ordinance of the City of Poughkeepsie the Common Council hereby sets the following fees in lieu of parkland reservation:

$1,000 per single bedroom unit or studio unit

SECONDED BY COUNCILMEMBER JOHNSON

R14-69						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

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

ORDINANCE
O-14-17

INTRODUCED BY CHAIRMAN MALLORY

19-6.3 Reservation of Parkland; Fees in Lieu of Reservation

(1) The Planning Board may require that a subdivision or site plan containing residential units also contain a park, or parks, or playground suitably located for playground or other recreational purposes. Before the Planning Board will require that land be reserved for park, playground or other recreational purposes, the Planning Board must make a finding that such requirement is warranted.

(2) Criteria for land reservation. In determining whether or not to require the reservation of land for public park, playground or recreational purposes, the Planning Board, in its review of residential site plans or subdivisions, shall consider the following factors:

a. an evaluation of the present and anticipated future needs for park and recreational purpose in the City of Poughkeepsie based on the projected population growth to which the particular site plan and/or subdivision will contribute;

b. Whether suitable land exists within the parcel boundaries of the proposed; development, in terms of its size, shape, and dimensions, to reasonably accommodate a park, playground or other recreation use;

c. Whether the characteristics of the land in terms of topography, soils, vegetative cover, hydrology and/or other natural features readily lend themselves to development of the site for active recreation use;

d. Whether there are state or federal regulatory restrictions that would limit the usefulness of the site for active recreation development;

e. Whether the site, in terms of its physical characteristics, would provide an attractive and safe area for recreational use;

f. Whether the site is located such that reasonable and safe pedestrian, bicycle and vehicular access can be provided between the site and surrounding residential areas;

g. Whether the character of the proposed residential development and that of the surrounding area are compatible with a public and/or recreational use;

h. Whether the anticipated population of the proposed residential, together with the population density of surrounding neighborhoods, is sufficient to justify development and long-term maintenance of a park, playground or other recreation facility at the location;

i. Whether the site is located near of duplicates recreation facilities already provided in the area, particularly those providing the same type of recreation opportunities, including facilities located on public school grounds; and

j. Whether development and long-term maintenance of the site would place an undue burden on the City of Poughkeepsie Department of Public Works, given other commitments and priorities of that department;

k. Whether the site contains any unique and significant physical, aesthetic or ecological features that would make it particularly suited for environmental education, trail development, a nature preserve, or other passive recreation use;

l. Whether reservation of the land is consistent with recommendations contained in the Town Plan and/or the Master Plan for Parks and Recreation in the City of Poughkeepsie, If any, in effect at the time the development application is made; and

m. Whether reservation of the land is consistent with the general goals and objectives of the City of Poughkeepsie Department of Public Works, with respect to parks and recreation facility development.

(3) Ownership of park area. The ownership of a reservation for park purposes shall be clearly indicated on the site plan or subdivision and established in a manner satisfactory to the

Planning Board so as to insure its proper future continuation and maintenance. The Planning Board may require:

a. A metes and bounds description of the site that is proposed to be reserved for public park, playground or recreational purposes; and

b. The placing of deed restrictions upon the site. Said deed restrictions shall be in a manner and form acceptable to Corporation Counsel and shall indicate that the land is so reserved for park, playground or recreational purposes, and cannot be further subdivided or built upon except for such purposes. Said deed restrictions shall be filed in the office of the County Clerk, and upon their filing the land so reserved shall become part of the Official Map of the City of Poughkeepsie.

(4) Where the Planning Board makes a finding that the proposed subdivision or site plan presents a proper case for requiring a park or parks suitably located for playground or other recreational purposes, but that a suitable park or parks of adequate size cannot be properly located on such site plan or subdivision, the Planning Board may require, as a condition to the approval of the site plan or subdivision, a payment to the City of Poughkeepsie of a sum of money in an amount to be determined and set annually, by resolution of the Common Council. Fees imposed pursuant to this article shall be paid prior to final site plan or subdivision approval and shall be set aside in a fund to be exclusively for park, playground or other recreational purposes, including acquisition of property for use as park or playgrounds.

(5) Expenditures from recreation fund. All expenditures from the recreation fund shall be made at the recommendation of the Commissioner of Public Works and consent of the Common Council.

(6) Applicability. This section shall apply to all current and future application for site plan or subdivision approval containing residential units.

SECONDED BY COUNCILMEMBER RICH

O-14-17						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

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

AN ORDINANCE OF THE CITY OF POUGHKEEPSIE, AMENDING CHAPTER 6 OF THE CODE OF ORDINANCE, ENTITLED "BUILDING AND UTILITY CODES" ORDINANCE
(O-14-22)

INTRODUCED BY CHAIRMAN MALLORY, COUNCILMEMBERS HERMANN AND PERRY

WHEREAS, the City of Poughkeepsie has experienced an increase in the number of abandoned properties; and

WHEREAS, it is important for the City of Poughkeepsie to establish a process to address the abandoned properties throughout the City; and

WHEREAS, the presence of vacant and abandoned properties can lead to a decline in property value, create aesthetic nuisances, and lead to general decrease in neighborhood and community aesthetics; and

WHEREAS, the current conditions of vacant and abandoned properties present a serious threat to the public health and safety of the community; and

WHEREAS, the presence of vacant and abandoned properties discourage buyers from purchasing property within the City; and

WHEREAS, many vacant and abandoned properties are the responsibility of out-of-state lenders and trustees who fail to adequately secure and maintain such properties; and

WHEREAS, as a result of the high number of foreclosures the City has suffered and continues to suffer from an increase in the number of abandoned and vacant properties leading to declining property values and a reduced tax base for the City; and

WHEREAS, vacant, foreclosed, and foreclosing properties present a danger to the safety and welfare of public safety officers, the public, occupants, abutters, and neighborhoods and, as such, constitute a public nuisance; and

WHEREAS, the City has a vested interest in protecting the City against the decay caused by vacant and abandoned properties and concludes that it is in the best interest of the residents to amend the Code of Ordinances and impose registration requirements on such properties located within the City**; and**

WHEREAS, it is the purpose and intent of the City to promote the health, safety and welfare of the public, to protect and preserve the quiet enjoyment of occupants, abutters, and neighborhoods, and to minimize hazards to public safety personnel

inspecting or entering such properties by requiring the owners of vacant and foreclosed or foreclosing properties to post a cash bond to secure the continued maintenance of such properties throughout any vacancies and to remunerate the City for expenses incurred in inspecting, securing, marking, or making such properties safe.

SECTION 1- Chapter 6, Section 36 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 6-39 Abandoned/Vacant **and Foreclosed/Foreclosing** Propert**ies**

(a) Purpose and Intent. It is the purpose and intent of the City to establish a process to address the number of abandoned**, vacant, and foreclosed or foreclosing** properties located within the City. It is the City's further intent to specifically establish an abandoned**, vacant, and foreclosed or foreclosing** ~~residential~~ property program as a mechanism to protect residential neighborhoods from becoming blighted through the lack of adequate maintenance and security of ~~abandoned~~ **such** properties.

(1) Definitions. The following words, terms and phrases when used in this section shall have the meanings ascribed to them in the section except where the context clearly indicates a different meaning:

"*Abandoned Real Property"* shall have the meaning as defined in Section 14-48(h) of the City of Poughkeepsie Code of Ordinances.

***"Building"* shall mean any combination of materials having a roof and enclosed within exterior walls or firewalls, built to form a structure for the shelter of persons.**

"*Building Inspector"* shall mean the duly appointed Building Inspector or his Designees.

"*City*" means the City of Poughkeepsie.

"*Days*" means consecutive calendar days.

***"Default"* shall mean, with respect to a residential building containing four or fewer dwelling units, when the mortgagor is sixty (60) days past due on the mortgagor's obligation to make a scheduled payment under a mortgage or a mortgage note. With respect to all other buildings, when the mortgagor is ninety (90) days past due on the mortgagor's obligation to make a scheduled payment under a mortgage or a mortgage note.**

"*Evidence of Vacancy*" means any condition that on its own, or combined with other conditions present, would lead a reasonable person to believe that the property is vacant. Such conditions may include, but not be limited to, overgrown and/or dead vegetation, accumulation of abandoned real property, as defined herein, statements by neighbors, passers-by, delivery agents or government agents, among other evidence that the property is vacant.

***"Foreclosed"* described a property for which a new deed has been recorded with the county clerk following the foreclosure process and is recorded in the name of a bank, credit union, mortgage servicer, financial institution, REO, government corporation such as Government National Mortgage Association (Ginnie Mae), government-sponsored enterprise such as the Federal Nation Mortgage Association (Fannie Mae) or the Federal Home Loan Mortgage Corporation (Freddie Mac), the Secretary of Housing and Urban Development, the Veterans Administration, or other such entity.**

***"Foreclosing"* describes a property that is in the process of foreclosure.**

"*Foreclosure*" means the process by which a property, placed as security for a real estate loan, is sold at auction to satisfy the debt if the owner or borrower defaults.

"Initiation of foreclosure proceedings"* means commencing a foreclosure action on a property in any court of competent jurisdiction pursuant to N. Y. RPAPL § 1301 *et seq.

"*Mortgagee*" means the creditor, including but not limited to, service companies, lenders in a mortgage agreement and any agent, servant, or employee of the mortgagee, or any successor in interest and/or assignee of the mortgagee's rights, interests or obligations under the mortgage agreement.

"*Notice of Default*" means a recorded notice that a default has occurred under a mortgage and that the mortgagee intends to proceed with a foreclosure sale.

"*Owner*" means any person, ~~co-partnership, association, corporation,~~ entity, ~~or fiduciary having a legal or equitable title or any interest in any real property~~ **service company, alone or severally with others:**

Has legal title to any real property, including but not limited to a dwelling, dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a mobile home park;

Has care, charge or control of real property, including but not limited to any dwelling, dwelling unit, mobile dwelling unit, or parcel of land, vacant or otherwise, including a mobile home park, or any administrator, administratrix, executor, trustee or guardian of the estate of the holder of legal title;

Is the mortgagee of any such property who has initiated foreclosure proceedings as defined in this Section;

In an agent, trustee or other person appointed by the courts and vested with possession or control of any such property;

Is an officer or trustee of the association of unit owners of a condominium. Each such person is bound to comply with the provisions of these minimum standards as if he were the owner. However, "owner" shall not mean a condominium association pursuant to Article 9-B of the Condominium Act, to the extent that such association

forecloses on or initiates the foreclosure process for unpaid assessments due or owing to the association;

Every person who operates a rooming house;

Is a trustee who holds, owns or controls mortgage loans for mortgage-backed securities transactions and has initiated the foreclosure process; or

Has initiated foreclosure proceedings against a property pursuant to N.Y. RPAPL § 1301 *et sec.*

"*Owner of Record*" means the person having title to the property as indicated upon the records of the Dutchess County Clerk.

"*Property*" means any improved ~~residential~~ real property, or portion thereof, situated in the City and includes all the buildings or structures located on the property.

"*Vacant Structures*" means a building or structure that is not legally occupied.

(2) Registration. ~~Whenever a structure is vacant and/or abandoned, the owner or mortgagee of such structure shall have an affirmative duty to register said structure within ten (10) days of the existence of such vacancy and/or abandonment. This registration must be renewed at the end of each six months if the property is still vacant. The Common Council, by resolution, shall establish a fee schedule for the registering of such vacant building or dwelling.~~

a. Properties with vacant structures. Within ten (10) days of the date on which a structure becomes vacant, or within ten (10) days of being provided notices from the Building Inspector of the existence of a vacant structure that has not been registered, the owner shall register said property with the Building Department on a form provided by the Department.

b. Foreclosed and foreclosing properties. Within ten (10) days of the effective date of this Ordinance or within ten (10) days of the initiation of foreclosure proceedings, whichever is later, the owner of any foreclosed or foreclosing property shall register said property with the Building Department on a form provided by the Building Department.

c. Registration pursuant to this Paragraph must be renewed at the end of each six (6) months if the property is still in foreclosure and/or is vacant.

d. Any mortgagee who holds a mortgage on real property located with the City shall perform an inspection of the property that is the security for the mortgage, upon default by the mortgagor, prior to the issuance of a Notice of Default. If the property is found to be vacant or shows evidence of vacancy, it shall be deemed abandoned and the mortgagee shall, within ten (10) days of the inspection, register the property in accordance with this Paragraph and obtain a Vacant Property Permit in accordance with Section 6-39(a)(8)

below. If the property is occupied but remains in default, it shall be inspected by the mortgagee or mortgagee's designee on a monthly basis until the mortgagor or other party remedies the default; or it is found to be vacant or shows evidence of vacancy. Such determination may be made by communication with the mortgagor, a visual inspection of the real estate, or other means reasonably calculated to determine if the structure is vacant. The property shall be deemed abandoned upon such time as it is found to be vacant or shows evidence of vacancy, and the mortgagee shall within ten (10) days of the inspection register the property in accordance with this Paragraph.

e. The Common Council, by resolution, shall establish a fee schedule for the registering of vacant structures and foreclosed or foreclosing properties but shall not require that an owner pay more than one registration fee per parcel per six (6) month period.

f. The owner shall notify the Building Inspector within ten (10) days of any change in the registration information, including the sale or transfer of the property, by filing an amended registration statement on a form provided for such purposes.

(3) Form. The registration shall be submitted on forms ~~available at~~ **provided by** the Building Department and shall include the following information supplied by the owner:

(1) A description of the premise;
(2) The names and addresses of the owner or owners;
(3) If the owner does not reside in Dutchess County, the name and address of any third party who the owner has entered into a contract or agreement with for property management;
(4) The names and addresses of all known lien holders and all other parties with an ownership interest in the building;
(5) A telephone number where a responsible party can be reached at all times during business and non-business hours; and
(6) A vacant building plan described in Section 6-39(a)(4).

(4) Statement of Plan. At the time a vacant building or dwelling is registered as required above, the owner shall submit to the Building Department a Statement of Plan and obtain a vacant property permit pursuant to Section 6-39(a)(8). The plan shall include at least the following:

(1) The length of time the owner expects the vacancy to continue;
(2) The proposed rehabilitation or improvement to be made to the structure so as to make the structure suitable for its last use of record;
(3) A form in which the owner grants permission to the Building Inspector, Police Chief or Fire Inspector to enter and inspect the property;
(4) A description of what will be done to secure the structure so that it will not become open to the general public;
(5) An open trespass complaint to be filed with the Police Department.

(5) Failure to File a Statement of Plan and/or register. Should the owner fail to submit a plan or fail to comply with such plan after it has been approved by the Building Department, the Building Inspector, shall recommend to the Office of Corporation Counsel that a criminal information be filed in City Court and the property shall be deemed Abandoned pursuant to Section 6-39(~~10~~**12**) of this Chapter.

(6) ~~Vacant Building or Structure~~ **Maintaining and securing vacant structures**. All vacant real property shall at all times be properly maintained. A vacant ~~building or~~ structure shall be considered properly maintained if it:

(a) Has all doors and windows and other openings weather-tight and secured against entry by the general public as well as animals.

(b) All roof and roof flashings shall be sound and tight such that no rain will penetrate the structure and must allow for appropriate drainage so as to prevent deterioration of the interior walls or other interior portions of the building.

(c) The building must be maintained in good repair, be structurally sound and free from **overgrown vegetation,** rubbish, garbage, and other debris.

(d) Structured members of the building shall be capable of bearing both live and dead loads and the foundation walls likewise shall be capable of supporting an appropriate load.

(e) The exterior of the structure shall be free of loose or rotten materials as well as holes. Any exposed metal, wood or other surface shall be protected from the element by appropriate weather- coating materials (paint or similar treatment).

(f) Any balconies, canopies, signs, metal awnings, stairways, fire escapes or other overhanging extensions shall be in good repair, appropriately anchored. The exposed metal and wood surface of such overhanging extensions shall also be protected from the element against rust or decay by appropriate application of paint or similar weather-coating.

(g) Any accessories or appurtenant structures, including but not limited to garages, sheds and other storage facilities shall meet the same standards.

(h) The Property contains a posting with the name and twenty-four hour contact phone number of the local individual or property management company responsible for the maintenance. This sign must be posted on the front of the property so it is clearly visible from the street.

(i) All bushes must be trimmed so as to provide an unobstructed view of the front of the house from the public roadway.

(j) **The owner shall comply with all other relevant state and local regulations concerning the maintenance of property.** ~~All weeds, grass and rank vegetation must be maintained pursuant to and in compliance with Chapter 9, Sections 6 and 7.~~

(7) Inspections. The building inspector, fire department, sanitation inspector and or/ police department shall have the authority to inspect properties subject to this Section for compliance with Section 6-39(a)(6) and to issue citations for any violations **with directions to remedy the violation within ten (10) days of the date of the citation**.

(8) Vacant Property Permit. The Building Inspector will issue a Vacant Building Permit upon being satisfied that the property is properly registered pursuant to Section 6-39(a)(2) and properly maintained pursuant to Section 6-39(a)(6). This permit shall be valid for a period of six (6) months, at the end of which the inspection process must again be carried out by the Building Inspector.

~~(9) Mortgagee's requirement to register. Any mortgagee who holds a mortgage on real property located within the City shall perform an inspection of the property that is the security for the mortgage, upon default by the mortgagor, prior to the issuance of a Notice of Default. If the property is vacant or abandoned or shows evidence of vacancy or abandonment, it shall be deemed vacant or abandoned and the mortgagee shall, within ten (10) days of the inspection register the property in accordance with Section 6-39(a)(2) above and obtain a Vacant Property Permit in accordance with Section 6-39(a)(6) above.~~

~~a. If the property is occupied but remains in default, it shall be inspected by the mortgagee or mortgagee's designee on a monthly basis until:~~

~~(1) the mortgagor or other party remedies the default; or~~

~~(2) it is found to be vacant or abandoned or shows evidence of vacancy or abandonment at which time it is deemed abandoned, and the mortgagee shall within ten (10) days of the inspection, register the property in accordance with Section 6-39(a)(2) above.~~

(9) Cash bond. Within ten (10) days of the date on which the registration form is required under Section 6-39(a)(2), the owner of any vacant and/or foreclosing or foreclosed property shall provide a cash bond in the amount of ten thousand dollars ($10,000) to the Building Inspector as security in the event the Building Inspector is authorized pursuant to Section 6-39(a)(12) below to secure the continued maintenance of the property until such time as the property is again legally occupied, sold, or transferred and to remunerate the City for any expenses incurred in inspecting, securing, marking, maintaining, or making such property safe. A portion of said bond, in an amount to be determined by the Building Inspector, not to exceed ten percent (10%) of the total bond value, shall be retained by the City as an administrative fee to fund an account for expenses incurred in inspecting, securing, maintaining and marking other vacant and/or foreclosed or foreclosing properties that are not in compliance with this Section. Any owner of a vacant and/or foreclosed or foreclosing property providing a bond pursuant to this Paragraph must also provide bonds for all other vacant and foreclosed or foreclosing properties it owns in the City.

(10) Liability insurance. Within ten (10) days of the date on which the registration form is required under Section 6-39(a)(2), the owner of any vacant and/or foreclosed or foreclosing property shall procure liability insurance for the property with a coverage amount to exceed $150,000 and shall furnish the building Inspector with a copy of said certificate of insurance.

(11) Expiration of obligations. An owner's obligations under Section 6-39(a)(2)-(10) shall expire at such time as (1) a property in foreclosure is sold or transferred, or (2) a vacant property that is not in foreclosure becomes legally occupied again.

(~~10~~**12**) Certification of Abandonment. Upon the Building Inspector**'s** ~~or his designee~~ determining a property has been abandoned **and/or is otherwise vacant and not in compliance with Section 6-39(a)(2)-(6), the Building Inspector** ~~he/she~~ shall cause a Certification of Abandonment to be filed with the building department's records and such certification shall be served upon the owner of the premises either personally or by posting a copy of the Certification in a conspicuous place on the property and by mailing a copy **by certified mail** to the owner('s') ~~or mortgagee(s)~~ last known address.

a. Upon the Building Inspector's filing a Certification of Abandonment, the Building Inspector, Sanitation Inspector, Police Department and/or Fire Department may, without further notice to the owner, take necessary steps to ensure the property ~~and/or dwelling~~ is properly maintained pursuant to Section 6-39(a)(6). ~~Costs incurred under this section plus a sum equal to 10% of such actual cost for inspection and other additional costs in connection therewith shall be paid out of the municipal treasury on certificate of the Building Inspector. Such costs plus a penalty in the amount of $1,500 shall be charged against the land on which the building existed, as a municipal lien, or shall be added to the tax roll as an assessment or shall be levied as a special tax against the land upon which the building stands or stood or shall be recovered in a suit at law against the owner.~~ **The Building Inspector shall then provide the owner with a written statement of all costs associated with inspecting, securing, and maintaining the property. If the owner fails to reimburse the City within five (5) days of receiving said written statement of costs, the City shall draw down upon the bond paid by the owner pursuant to Section 6-39(a)(9). If there is no bond available, the costs incurred to ensure the property and/or dwelling is properly maintained shall be paid out of the municipal treasury on the certificate of the Building Inspector. Such costs shall be charged against the land on which the building existed, as a municipal lien, or shall be added to the tax roll as an assessment or shall be levied as a special tax against the land upon which the building stands or stood or shall be recovered in a suit at law against the owner.**

b. **If the Building Inspector draws down a cash bond provided pursuant to Section 6-39(a)(9), he or she shall forthwith notify the owner of the amount by which the cash bond has been drawn down, and the owner shall have ten (10) days from the date of said notice to replenish the bond to the ten thousand dollar ($10,000) minimum required in Section 6-39(a)(9).**

c. The owner of a property declared abandoned may petition the Building Department remove the certification of abandonment by providing proof to the Building Inspector that the basis of the certificate of abandonment no longer exists and the owner is in compliance with this Article.

(~~11~~**13**) Establishment of list. The Building Inspector is hereby directed to compile a list of all properties declared abandoned.

(~~12~~**14**) Penalties. ~~Notwithstanding and in addition to any costs and penalties imposed pursuant to Section 6-39(10), a~~ **A**ny person, firm, corporation, or association violating the provisions of this ~~chapter~~ **Section** shall be subject to a penalty ~~as provided in Section 6-11 and Section 6-12.~~ **Of three hundred dollars ($300) per day, per property for the following violations, which shall constitute distinct and separately chargeable violations:**

a. Failure to register a property as required in Section 6-39(a)(2). The first date on which a penalty for failure to register may be imposed is the latter of the following:
The eleventh (11th) day after the owner is provided with written notice the existence of a vacant property;

The eleventh (11th) day after the initiation of foreclosure proceedings; or

The eleventh (11th) day after the effective date of this Ordinance.

b. Failure to provide a cash bond as required in Section 6-39(a)(9). The first date on which a penalty for failure to provide a cash bond may be imposed is the latter of the following:

The twenty-first (21st) day after the owner is provided with written notice of the existence of a vacant property;

The twenty-first (21st) day after the initiation of foreclosure proceedings; or

The twenty-first (21st) day after the effective date of this Ordinance.

c. Failure to replenish a cash bond that the Building Inspector has drawn down pursuant to Section 6-39(a)(12). The first date on which a penalty for failure to provide a cash bond may be imposed is the eleventh (11th) day after the Building Inspector notifies the owner of the obligation to replenish the bond to the ten thousand dollar ($10,000) minimum.

d. Failure to provide proof of liability insurance as required in Section 6-39(a)(1). The first date on which a penalty for failure to provide a cash bond may be imposed is the latter of the following:

The twenty-first (21st) day after the owner is provided with written notice of the existence of a vacant property;

The twenty-first (21st) day after the initiation of foreclosure proceedings; or

The twenty-first (21st) day after the effective date of this Ordinance.

e. Failure to rectify violations of Section 6-39(a)(6). An owner who fails to remedy violations of Section 6-39(a)(6) within ten (10) days of the date of a citation issued pursuant to Section 6-39(a)(7) shall be subject to civil penalties as set forth in Section 6-11 and 6-12 for each day the violation is unremedied or until the Building Inspector exercises his or her authority under Section 6-39(a)(12) to take necessary steps to ensure the property is properly maintained pursuant to Section 6-39(a)(6).

(15) Procedure for serving notices. Notices required pursuant to this Section shall be served in the following manner:

Personally on any owner as defined in this Section;

Left at the last and usual place of abode of any owner, if such place of abode is known and is within or without the State; and sent by certified or registered mail, return receipt requested.

SECTION 2- This Ordinance shall take effect immediately upon adoption.

SECONDED BY COUNCILMEMBER RICH

O-14-22						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

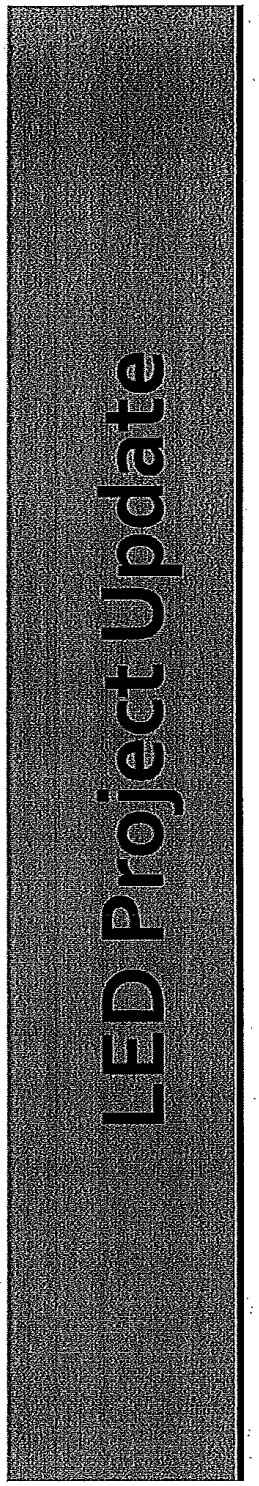
1. **FROM BUILDING INSPECTOR BECK,** a communication regarding amendments to the Building Code.

2. **FROM COMMISSIONER OF PUBLIC WORKS GENT,** a communication regarding the proposed changes to the snow emergency route on Mill Street.

3. **FROM CORPORATION COUNSEL ACKERMANN,** a communication regarding the proposed changes to the Hawking and Peddling Ordinance with regard to Market Street.

4. **FROM CORPORATION COUNSEL ACKERMANN,** a communication regarding proposed sale of 36 North Clover Street. **Removed**

5. **FROM CITY ADMINISTRATOR BUNYI,** a communication regarding the LED Lights.



City of Poughkeepsie Street Ligthing - Phase I Current Rate
TOTAL PROJECT SUMMARY
10/28/2014

(Y)es (N)o (O)ption	ECM No.	Energy Conservation Measure	Total Measure Cost[1] ($)	Annual Electric Savings (kWh)	Annual O&M Savings ($)	Annual Electric Savings ($)	Annual Fuel Savings ($)	Total Annual Savings ($)	Simple Payback Period[2]	Estimated Total Incentive[3]
Y	1	Street Lighting Rate C	$2,382,261	1,400,483	$249,969	$119,041	$0	$369,010	6.5	$168,058
Y	2	Traffic Signals	$481,765	183,670	$9,273	$36,376	$0	$45,650	10.6	$22,040
Y	3	Street Light Purchase from CHGE	$314,797	0	$0	$0	$0	$0	0.0	$0
		PROGRAM TOTALS - Recommended Measures	$3,178,823	1,584,153	$259,242	$155,417	$0	$414,660	7.7	$190,098

NOTES:

1. TOTAL MEASURE COST includes direct construction costs (subcontractor material and labor) and DOES include fees for the following services: Energy, Electrical and Mechanical engineering, Construction documents, Financing assi Subcontractor coordination and administration
2. SIMPLE PAYBACK periods DO NOT include incentives. Payback is given by the total measure cost divided by total annual savings.
3. ESTIMATED TOTAL INCENTIVE is based on NYSERDA's Existing Facilities Program Performance Based Incentive at a rate of $0.12/kWh and is subject to First Energy approval, program rules and modifications, and eligibility. This inc account for customer-secured third party firms or their costs to provide program deliverables, such as calculations.

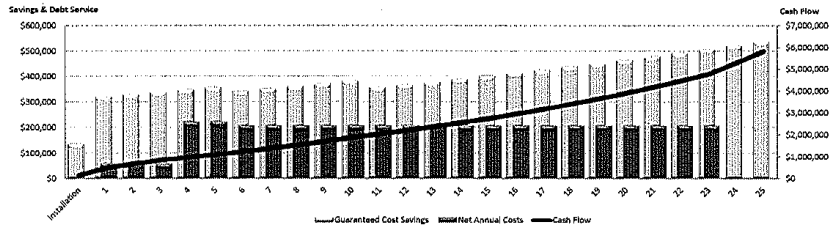
wendel

City of Poughkeepsie
Cashflow Analysis - Phase I Current Rate
10/28/2014

Project Financing	
Project Cost[1]	$3,178,823
Costs After NYSERDA Rebate	$2,988,724
Financed Amount	$3,178,823
Upfront Funding Percent	
BAN Interest Rate	1.50%
Long Term Interest Rate	3.75%
Term of Financing	20
Payment Frequency	Annually

Net Present Value (NPV)	$3,571,832
Return on Investment (ROI)	119.50%

Simple Pay Back Including Rebates and Maintenance Costs	9.29



	A	B	C	D=B+C-E	E	F	G	H	I=H+G+E	J=D-I		K=J^n-1
Year	Principal Balance	Energy Cost Savings	CHGE Fee Savings	Guaranteed Cost Savings	Maintenance Costs	Utility Incentives	Anticipated M&V Cost	Financing Costs	Net Annual Costs	Annual Cash Flow	Principal Payment	Cumulative Cash Flow
Installation	$0	$51,806	$86,414	$138,220	$0	$0	$0	$0	$0	$138,220	$0	$138,220
1	$3,178,823	$155,417	$259,242	$321,574	$93,085	$190,098	$12,863	$47,682	$60,545	$451,127	$100,000	$489,347
2	$3,078,823	$160,080	$267,020	$330,150	$95,950	$0	$13,646	$46,182	$59,829	$270,321	$100,000	$659,668
3	$2,978,823	$164,882	$275,030	$339,453	$100,459	$0	$14,056	$44,682	$58,738	$280,715	$100,000	$840,383
4	$2,878,823	$169,829	$283,281	$349,019	$104,091	$0	$14,477	$207,166	$221,643	$127,375	$0	$967,759
5	$2,779,612	$174,924	$291,780	$358,381	$108,322	$0	$14,912	$207,166	$222,078	$136,304	$0	$1,104,062
6	$2,676,682	$180,171	$300,533	$343,585	$137,119	$0	$0	$207,166	$207,166	$136,419	$0	$1,240,481
7	$2,569,981	$185,577	$309,549	$352,539	$142,588	$0	$0	$207,166	$207,166	$145,373	$0	$1,385,855
8	$2,459,098	$191,144	$318,835	$362,721	$147,259	$0	$0	$207,166	$207,166	$155,555	$0	$1,541,409
9	$2,344,146	$196,878	$328,401	$372,249	$153,030	$0	$0	$207,166	$207,166	$165,082	$0	$1,706,492
10	$2,224,985	$202,785	$338,253	$383,020	$158,017	$0	$0	$207,166	$207,166	$175,854	$0	$1,882,345
11	$2,101,152	$208,888	$348,400	$357,277	$199,991	$0	$0	$207,166	$207,166	$150,111	$0	$2,032,456
12	$1,972,780	$215,134	$358,852	$387,973	$206,013	$0	$0	$207,166	$207,166	$160,807	$0	$2,193,263
13	$1,839,593	$221,588	$369,618	$378,980	$212,225	$0	$0	$207,166	$207,166	$171,814	$0	$2,365,077
14	$1,701,411	$228,236	$380,706	$390,308	$218,634	$0	$0	$207,166	$207,166	$183,142	$0	$2,548,219
15	$1,558,048	$235,083	$392,127	$401,965	$225,245	$0	$0	$207,166	$207,166	$194,799	$0	$2,743,018
16	$1,409,309	$242,135	$403,891	$413,961	$232,066	$0	$0	$207,166	$207,166	$206,795	$0	$2,949,813
17	$1,254,992	$249,399	$416,008	$426,305	$239,102	$0	$0	$207,166	$207,166	$219,139	$0	$3,168,952
18	$1,094,888	$256,881	$428,488	$439,008	$246,361	$0	$0	$207,166	$207,166	$231,842	$0	$3,400,794
19	$928,780	$264,588	$441,343	$452,080	$253,850	$0	$0	$207,166	$207,166	$244,914	$0	$3,645,708
20	$756,443	$272,525	$454,583	$465,531	$261,577	$0	$0	$207,166	$207,166	$258,365	$0	$3,904,074
21	$577,844	$280,701	$468,221	$479,373	$269,549	$0	$0	$207,166	$207,166	$272,207	$0	$4,176,280
22	$392,139	$289,122	$482,267	$493,616	$277,774	$0	$0	$207,166	$207,166	$285,450	$0	$4,462,730
23	$199,678	$297,796	$496,735	$508,271	$286,260	$0	$0	$207,166	$207,166	$301,105	$0	$4,763,835
24	$0	$306,730	$511,637	$523,352	$295,015	$0	$0	$0	$0	$523,352	$0	$5,287,187
25	$0	$315,932	$526,986	$538,869	$304,049	$0	$0	$0	$0	$538,869	$0	$5,826,056
Totals	$42,956,459	$5,718,212	$9,538,202	$10,287,781	$4,968,032	$190,098	$69,954	$4,261,860	$4,351,823	$6,126,056	$300,000	$5,826,056

CHGE Fee Escalation: 3.0%
Energy Escalation: 3.0%
M&V Escalation: 3.0%
Discount Rate: 4.0%

Note:
1. Include all costs for Development Phase services and all costs for design and construction of ECMs. Does not include O&M or monitoring and validation (M&V) costs.
2. [(Net Present Value of Annual savings - Financing cost) over average equipment useful life] / [Total project cost]

City of Poughkeepsie Street Ligthing - Phase I Pending Rate
Cashflow Analysis - Phase I Pending Rate
10/28/2014

(Y)es (N)o (O)ption	ECM No.	Energy Conservation Measure	Total Measure Cost[1] ($)	Annual Electric Savings (kWh)	Annual O&M Savings ($)	Annual Electric Savings ($)	Annual Fuel Savings ($)	Total Annual Savings ($)	Simple Payback Period [2]	Estimated Total Incentive [3]
Y	1	Street Lighting Rate C	$2,382,261	1,400,483	$284,835	$119,041	$0	$403,876	5.9	$168,058
Y	2	Traffic Signals	$481,765	183,670	$9,488	$36,376	$0	$45,864	10.5	$22,040
Y	3	Street Light Purchase from CHGE	$314,797	0	$0	$0	$0	$0	0.0	$0
		PROGRAM TOTALS - Recommended Measures	$3,178,823	1,584,153	$294,323	$155,417	$0	$449,740	7.1	$190,098

NOTES:

1. TOTAL MEASURE COST includes direct construction costs (subcontractor material and labor) and DOES include fees for the following services: Energy, Electrical and Mechanical engineering, Construction documents, Financing assi Subcontractor coordination and administration
2. SIMPLE PAYBACK periods DO NOT include incentives. Payback is given by the total measure cost divided by total annual savings.
3. ESTIMATED TOTAL INCENTIVE is based on NYSERDA's Existing Facilities Program Performance Based Incentive at a rate of $0.12/kWh and is subject to First Energy approval, program rules and modifications, and eligibility. This inc account for customer-secured third party firms or their costs to provide program deliverables, such as calculations.

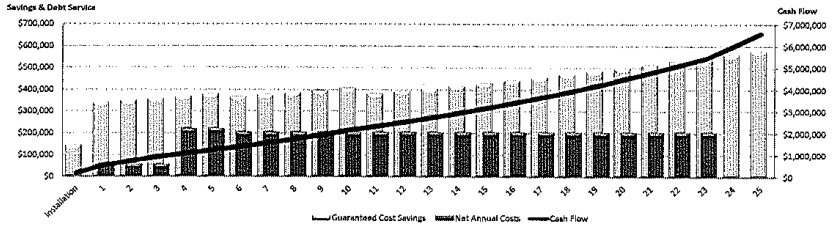
wendel

City of Poughkeepsie
Cashflow Analysis - Phase I Pending Rate
10/28/2014

Project Financing	
Project Cost[1]	$3,178,823
Costs After NYSERDA Rebate	$2,988,724
Financed Amount	$3,178,823
Upfront Funding Percent	
BAN Interest Rate	1.50%
Long Term Interest Rate	3.75%
Term of Financing	20
Payment Frequency	Annually

Net Present Value (NPV)	$4,011,443
Return on Investment (ROI)	134.22%

Simple Pay Back Including Rebates and Maintenance Costs	8.71



	A	B	C	D=B+C-E	E	F	G	H	I=H+G+E	J=D-I		K=J[t-1]
Year	Principal Balance	Energy Cost Savings	CHGE Fee Savings	Guaranteed Cost Savings	Maintenance Costs	Utility Incentives	Anticipated M&V Cost	Financing Costs	Net Annual Costs	Annual Cash Flow	Principal Payment	Cumulative Cash Flow
Installation	$0	$51,808	$98,106	$149,913	$0	$0	$0	$0	$0	$149,913	$0	$149,913
1	$3,178,823	$155,417	$294,323	$343,004	$106,736	$190,098	$13,720	$47,682	$61,403	$471,700	$100,000	$621,613
2	$3,078,823	$160,080	$303,152	$352,183	$111,050	$0	$14,556	$46,182	$60,738	$291,445	$100,000	$713,058
3	$2,978,823	$164,882	$312,247	$362,105	$115,025	$0	$14,992	$44,682	$59,675	$302,430	$100,000	$915,488
4	$2,878,823	$169,829	$321,614	$372,306	$119,137	$0	$15,442	$207,166	$222,608	$149,697	$0	$1,065,185
5	$2,779,612	$174,924	$331,263	$382,322	$123,864	$0	$15,905	$207,166	$223,072	$159,250	$0	$1,224,436
6	$2,676,682	$180,171	$341,201	$368,197	$153,175	$0	$0	$207,166	$207,166	$161,031	$0	$1,385,467
7	$2,569,891	$185,577	$351,437	$377,842	$159,171	$0	$0	$207,166	$207,166	$170,676	$0	$1,556,143
8	$2,459,098	$191,144	$361,080	$388,732	$164,391	$0	$0	$207,166	$207,166	$181,566	$0	$1,737,709
9	$2,344,146	$196,878	$372,839	$398,989	$170,728	$0	$0	$207,166	$207,166	$191,823	$0	$1,929,532
10	$2,224,885	$202,785	$384,024	$410,509	$176,299	$0	$0	$207,166	$207,166	$203,343	$0	$2,132,875
11	$2,101,152	$208,868	$395,545	$385,536	$218,877	$0	$0	$207,166	$207,166	$178,370	$0	$2,311,245
12	$1,972,780	$215,134	$407,411	$397,024	$225,522	$0	$0	$207,166	$207,166	$189,858	$0	$2,501,103
13	$1,839,593	$221,588	$419,634	$408,844	$232,378	$0	$0	$207,166	$207,166	$201,678	$0	$2,702,781
14	$1,701,411	$228,236	$432,223	$421,007	$239,451	$0	$0	$207,166	$207,166	$213,841	$0	$2,916,622
15	$1,558,048	$235,083	$445,189	$433,523	$246,749	$0	$0	$207,166	$207,166	$226,357	$0	$3,142,979
16	$1,409,309	$242,135	$458,545	$446,401	$254,280	$0	$0	$207,166	$207,166	$239,235	$0	$3,382,213
17	$1,254,992	$249,399	$472,301	$459,652	$262,049	$0	$0	$207,166	$207,166	$252,488	$0	$3,634,699
18	$1,094,888	$256,881	$486,470	$473,286	$270,065	$0	$0	$207,166	$207,166	$266,120	$0	$3,900,819
19	$928,780	$264,588	$501,065	$487,315	$278,337	$0	$0	$207,166	$207,166	$280,149	$0	$4,180,969
20	$756,443	$272,525	$516,097	$501,750	$286,872	$0	$0	$207,166	$207,166	$294,584	$0	$4,475,553
21	$577,644	$280,701	$531,579	$516,602	$295,678	$0	$0	$207,166	$207,166	$309,436	$0	$4,784,989
22	$392,139	$289,122	$547,527	$531,884	$304,765	$0	$0	$207,166	$207,166	$324,718	$0	$5,109,707
23	$199,678	$297,796	$563,953	$547,607	$314,142	$0	$0	$207,166	$207,166	$340,440	$0	$5,450,147
24	$0	$306,730	$580,871	$563,783	$323,818	$0	$0	$0	$0	$563,783	$0	$6,013,931
25	$0	$315,932	$598,297	$580,427	$333,802	$0	$0	$0	$0	$580,427	$0	$6,594,358
Totals	$42,950,459	$5,718,212	$10,828,894	$11,000,745	$5,480,302	$190,098	$74,616	$4,281,869	$4,356,485	$6,894,358	$300,000	$6,594,358

CHGE Fee Escalation: 3.0%
Energy Escalation: 3.0%
M&V Escalation: 3.0%
Discount Rate: 4.0%

Note:
1. Include all costs for Development Phase services and all costs for design and construction of ECMs. Does not include O&M or monitoring and validation (M&V) costs.
2. [(Net Present Value of Annual savings - Financing cost) over average equipment useful life] / [Total project cost]

City of Poughkeepsie Street Ligthing - Phase II Current Rate
TOTAL PROJECT SUMMARY
10/28/2014

(Y)es (N)o (O)ption	ECM No.	Energy Conservation Measure	Total Measure Cost[1] ($)	Annual Electric Savings (kWh)	Annual O&M Savings ($)	Annual Electric Savings ($)	Annual Fuel Savings ($)	Total Annual Savings ($)	Simple Payback Period[2]	Estimated Total Incentive[3]
Y	1	Street Lighting (Formally Rate A) Rate C	$1,403,319	658,711	$14,738	$55,990	$0	$70,728	19.8	$79,045
		PROGRAM TOTALS - Recommended Measures	$1,403,319	658,711	$14,738	$55,990	$0	$70,728	19.8	$79,045

NOTES:

1. TOTAL MEASURE COST includes direct construction costs (subcontractor material and labor) and DOES include fees for the following services: Energy, Electrical and Mechanical engineering, Construction documents, Financing assis Subcontractor coordination and administration
2. SIMPLE PAYBACK periods DO NOT include incentives. Payback is given by the total measure cost divided by total annual savings.
3. ESTIMATED TOTAL INCENTIVE is based on NYSERDA's Existing Facilities Program Performance Based Incentive at a rate of $0.12/kWh and is subject to First Energy approval, program rules and modifications, and eligibility. This inc account for customer-secured third party firms or their costs to provide program deliverables, such as calculations.

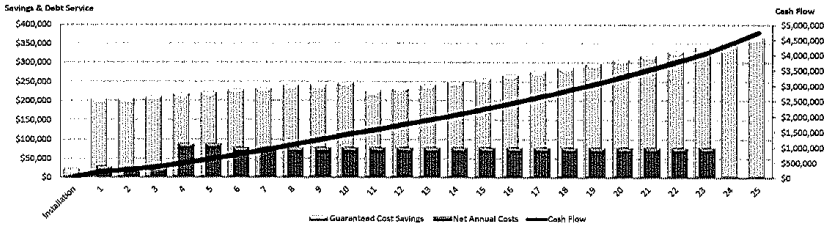
wendel

City of Poughkeepsie
Cashflow Analysis - Phase II Current Rate
10/28/2014
Preliminary - Installation and Equipment Pricing not Finalized

Project Financing	
Project Cost[1]	$1,403,319
Costs After NYSERDA Rebate	$1,324,274
Financed Amount	$1,403,319
Upfront Funding Percent	
BAN Interest Rate	1.50%
Long Term Interest Rate	3.75%
Term of Financing	20
Payment Frequency	Annually

Net Present Value (NPV)	$2,894,234
Return on Investment (ROI)	218.55%

Simple Pay Back Including Rebates and Maintenance Costs	8.40



	A	B	C	D=B+C	E	F	G	H	I=H+G+E	J=D-I		K=J[n-1]
Year	Principal Balance	Energy Cost Savings	CHGE Fee Savings	Guaranteed Cost Savings	Maintenance Costs	Utility Incentives	Anticipated M&V Cost	Financing Costs	Net Annual Costs	Annual Cash Flow	Principal Payment	Cumulative Cash Flow
Installation	$0	$18,663	$4,913	$23,576	$0	$0	$0	$0	$0	$23,576	$0	$23,576
1	$1,403,319	$55,990	$14,738	$207,035	-$136,336	$79,045	$8,283	$21,050	$29,332	$256,779	$100,000	$180,355
2	$1,303,319	$57,670	$15,180	$206,474	-$133,624	$0	$8,787	$19,550	$28,337	$178,137	$100,000	$258,493
3	$1,203,319	$59,400	$15,635	$213,178	-$138,142	$0	$9,051	$18,050	$27,100	$186,078	$100,000	$344,570
4	$1,103,319	$61,182	$16,104	$220,098	-$142,812	$0	$9,322	$79,397	$88,719	$131,379	$0	$475,949
5	$1,065,296	$63,018	$16,587	$223,437	-$143,832	$0	$9,602	$79,397	$88,999	$134,438	$0	$610,387
6	$1,025,848	$64,908	$17,085	$230,743	-$148,749	$0	$0	$79,397	$79,397	$151,345	$0	$761,732
7	$984,920	$66,856	$17,598	$234,342	-$149,888	$0	$0	$79,397	$79,397	$154,944	$0	$916,677
8	$942,457	$68,861	$18,126	$242,056	-$155,070	$0	$0	$79,397	$79,397	$162,659	$0	$1,079,336
9	$898,402	$70,927	$18,669	$241,848	-$152,251	$0	$0	$79,397	$79,397	$162,450	$0	$1,241,787
10	$852,695	$73,055	$19,229	$249,923	-$157,639	$0	$0	$79,397	$79,397	$170,526	$0	$1,412,313
11	$805,274	$75,247	$19,806	$226,584	-$131,531	$0	$0	$79,397	$79,397	$147,187	$0	$1,559,500
12	$756,075	$77,504	$20,400	$234,593	-$136,689	$0	$0	$79,397	$79,397	$155,196	$0	$1,714,696
13	$705,030	$79,829	$21,012	$242,872	-$142,031	$0	$0	$79,397	$79,397	$163,475	$0	$1,878,171
14	$652,072	$82,224	$21,643	$251,430	-$147,563	$0	$0	$79,397	$79,397	$172,032	$0	$2,050,204
15	$597,127	$84,691	$22,292	$260,275	-$153,292	$0	$0	$79,397	$79,397	$180,878	$0	$2,231,081
16	$540,123	$87,231	$22,961	$269,417	-$159,225	$0	$0	$79,397	$79,397	$190,020	$0	$2,421,101
17	$480,980	$89,848	$23,650	$278,867	-$165,369	$0	$0	$79,397	$79,397	$199,469	$0	$2,620,571
18	$419,620	$92,544	$24,359	$288,633	-$171,730	$0	$0	$79,397	$79,397	$209,236	$0	$2,829,807
19	$355,958	$95,320	$25,090	$298,728	-$178,318	$0	$0	$79,397	$79,397	$219,331	$0	$3,049,137
20	$289,909	$98,180	$25,843	$309,161	-$185,138	$0	$0	$79,397	$79,397	$229,764	$0	$3,278,901
21	$221,384	$101,125	$26,619	$319,943	-$192,200	$0	$0	$79,397	$79,397	$240,546	$0	$3,519,447
22	$150,289	$104,159	$27,418	$331,087	-$199,512	$0	$0	$79,397	$79,397	$251,690	$0	$3,771,137
23	$76,527	$107,284	$28,239	$342,604	-$207,082	$0	$0	$79,397	$79,397	$263,207	$0	$4,034,344
24	$0	$110,502	$29,086	$354,507	-$214,919	$0	$0	$0	$0	$354,507	$0	$4,388,851
25	$0	$113,817	$29,959	$366,808	-$223,032	$0	$0	$0	$0	$366,808	$0	$4,755,659
Totals	$10,833,202	$2,000,035	$542,239	$9,068,250	-$4,085,978	$79,045	$45,044	$1,040,592	$1,891,037	$5,055,059	$300,000	$4,755,659

CHGE Fee Escalation: 3.0%
Energy Escalation: 3.0%
M&V Escalation: 3.0%
Discount Rate: 4.0%

Note:
1. Include all costs for Development Phase services and all costs for design and construction of ECMs. Does not include O&M or monitoring and validation (M&V) costs.
2. [(Net Present Value of Annual savings - Financing cost) over average equipment useful life] / [Total project cost]

City of Poughkeepsie Street Ligthing - Phase II Pending Rate
Cashflow Analysis - Phase II Pending Rate
10/28/2014

(Y)es (N)o (O)ption	ECM No.	Energy Conservation Measure	Total Measure Cost[1] ($)	Annual Electric Savings (kWh)	Annual O&M Savings ($)	Annual Electric Savings ($)	Annual Fuel Savings ($)	Total Annual Savings ($)	Simple Payback Period[2]	Estimated Total Incentive[3]
Y	1	Street Lighting (Formally Rate A) Rate C	$1,403,319	658,711	$21,270	$55,990	$0	$77,260	18.2	$79,045
		PROGRAM TOTALS - Recommended Measures	$1,403,319	658,711	$21,270	$55,990	$0	$77,260	18.2	$79,045

NOTES:

1. TOTAL MEASURE COST includes direct construction costs (subcontractor material and labor) and DOES include fees for the following services: Energy, Electrical and Mechanical engineering, Construction documents, Financing assis Subcontractor coordination and administration
2. SIMPLE PAYBACK periods DO NOT include incentives. Payback is given by the total measure cost divided by total annual savings.
3. ESTIMATED TOTAL INCENTIVE is based on NYSERDA's Existing Facilities Program Performance Based Incentive at a rate of $0.12/kWh and is subject to First Energy approval, program rules and modifications, and eligibility. This inc account for customer-secured third party firms or their costs to provide program deliverables, such as calculations.

wendel

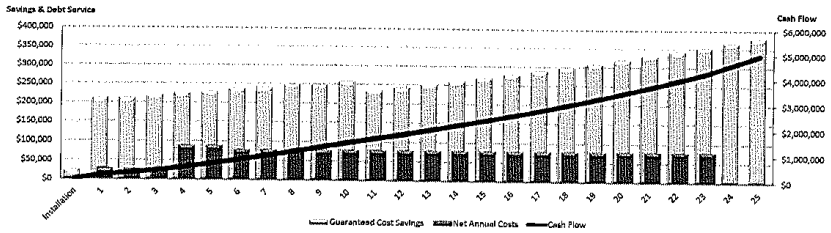
6. FROM EBENEZER BAPTIST CHURCH, a notice of property damage sustained on September 3, 2014. **Referred to Corporation Counsel**

City of Poughkeepsie
Cashflow Analysis - Phase II Pending Rate
10/28/2014
Preliminary - Installation and Equipment Pricing not Finalized

Project Financing	
Project Cost[1]	$1,403,319
Costs After NYSERDA Rebate	$1,324,274
Financed Amount	$1,403,319
Upfront Funding Percent	
BAN Interest Rate	1.50%
Long Term Interest Rate	3.75%
Term of Financing	20
Payment Frequency	Annually

Net Present Value (NPV)	$3,029,889
Return on Investment (ROI)	228.80%

Simple Pay Back Including Rebates and Maintenance Costs	6.20



	A	B	C	D=B+C	E	F	G	H	I=H+G+E	J=D-I	K=J^t-1
Year	Principal Balance	Energy Cost Savings	CHGE Fee Savings	Guaranteed Cost Savings	Maintenance Costs	Utility Incentives	Anticipated M&V Cost	Financing Costs	Net Annual Costs	Annual Cash Flow	Principal Payment	Cumulative Cash Flow
Installation	$0	$18,663	$7,090	$25,753	$0	$0	$0	$0	$0	$25,753	$0	$25,753
1	$1,403,319	$55,990	$21,270	$213,598	-$136,338	$79,045	$8,544	$21,050	$29,594	$283,050	$100,000	$188,803
2	$1,303,319	$57,670	$21,908	$213,202	-$133,624	$0	$9,064	$19,550	$28,614	$184,588	$100,000	$273,391
3	$1,203,319	$59,400	$22,585	$220,108	-$138,142	$0	$9,336	$18,050	$27,386	$192,722	$100,000	$366,113
4	$1,103,319	$61,182	$23,242	$227,236	-$142,812	$0	$9,616	$79,397	$89,013	$138,222	$0	$504,335
5	$1,065,296	$63,018	$23,939	$230,789	-$143,832	$0	$9,905	$79,397	$89,302	$141,487	$0	$645,822
6	$1,025,848	$64,908	$24,657	$238,315	-$148,749	$0	$0	$79,397	$79,397	$158,918	$0	$804,739
7	$984,920	$66,856	$25,397	$242,141	-$149,888	$0	$0	$79,397	$79,397	$162,744	$0	$967,483
8	$942,457	$68,861	$26,159	$250,090	-$155,070	$0	$0	$79,397	$79,397	$170,693	$0	$1,138,176
9	$898,402	$70,927	$26,944	$250,122	-$152,251	$0	$0	$79,397	$79,397	$170,725	$0	$1,308,901
10	$852,695	$73,055	$27,752	$258,446	-$157,639	$0	$0	$79,397	$79,397	$179,049	$0	$1,487,950
11	$805,274	$75,247	$28,585	$235,362	-$131,531	$0	$0	$79,397	$79,397	$155,965	$0	$1,643,915
12	$756,075	$77,504	$29,442	$243,635	-$136,689	$0	$0	$79,397	$79,397	$164,238	$0	$1,808,153
13	$705,030	$79,829	$30,325	$252,185	-$142,031	$0	$0	$79,397	$79,397	$172,788	$0	$1,980,941
14	$652,072	$82,224	$31,235	$261,022	-$147,563	$0	$0	$79,397	$79,397	$181,625	$0	$2,162,565
15	$597,127	$84,691	$32,172	$270,155	-$153,292	$0	$0	$79,397	$79,397	$190,758	$0	$2,353,323
16	$540,123	$87,231	$33,137	$279,593	-$159,225	$0	$0	$79,397	$79,397	$200,196	$0	$2,553,519
17	$480,980	$89,848	$34,131	$289,348	-$165,369	$0	$0	$79,397	$79,397	$209,951	$0	$2,763,470
18	$419,620	$92,544	$35,155	$299,429	-$171,730	$0	$0	$79,397	$79,397	$220,032	$0	$2,983,503
19	$355,958	$95,320	$36,210	$309,848	-$178,318	$0	$0	$79,397	$79,397	$230,451	$0	$3,213,953
20	$289,909	$98,180	$37,296	$320,614	-$185,138	$0	$0	$79,397	$79,397	$241,217	$0	$3,455,170
21	$221,384	$101,125	$38,415	$331,741	-$192,200	$0	$0	$79,397	$79,397	$252,343	$0	$3,707,514
22	$150,289	$104,159	$39,568	$343,236	-$199,512	$0	$0	$79,397	$79,397	$263,841	$0	$3,971,355
23	$76,527	$107,284	$40,755	$355,120	-$207,082	$0	$0	$79,397	$79,397	$275,723	$0	$4,247,078
24	$0	$110,502	$41,977	$367,398	-$214,919	$0	$0	$0	$0	$367,398	$0	$4,614,476
25	$0	$113,817	$43,237	$380,085	-$223,032	$0	$0	$0	$0	$380,085	$0	$4,994,561
Totals	$16,833,202	$2,060,035	$782,562	$8,908,574	-$4,065,976	$79,045	$46,405	$1,046,592	$1,693,058	$5,294,501	$300,000	$4,994,561

CHGE Fee Escalation: 3.0%
Energy Escalation: 3.0%
M&V Escalation: 3.0%
Discount Rate: 4.0%

Note:
1. Include all costs for Development Phase services and all costs for design and construction of ECMs. Does not include O&M or monitoring and validation (M&V) costs.
2 [(Net Present Value of Annual savings - Financing cost) over average equipment useful life] / [Total project cost]

10/28/2014
12

7. **FROM GERSON GOLDMAN,** a notice of property damage sustained on March 7, 2014. **Referred to Corporation Counsel**

8. **FROM GEICO ASO NELL A. MALLEN,** a notice of property damage sustained on June 24, 2014. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

Councilmember McClinton –Wanted to thank Corporation Counsel Ackermann for his help.

Councilmember Hermann – inquired about a received by City for $150,000 for LWRP?

Councilmember Johnson – just thanks to Commissioner of Public Work Gent and DPW

Councilmember Klein – inquired about the status of the supermarket.

Councilmember Petsas – thanks for Stop signs.

Councilmember Rich – inquired about the parking on Delano Street.

XI. NEW BUSINESS:

Councilmember Petsas – asked about the broadcasting of the meeting on Time Warner. Also asked about the leaf clean up in 1st ward – crosswalks in 1st ward. Stated that he was concerns about Rip Van Winkle.

Councilmember Klein – inquired about zoning requirements for solar panels.

Councilmember Perry also inquired about the broadcasting of the meetings on Time Warner Cable. Cottage Street between North Clinton and Smith Street, there is no parking

Councilmember Hermann – inquired about the status of the parking amnesty (old news) – thanked Commissioner of Public Works Gent (old news) – Waterfront Development – stated that he won't be intimidated

Councilmember McClinton – asked about the South Clinton Street sign and parking – WTOD upset – waterfront (unsure)

XII. ADJOURNMENT:

A motion was made by **Councilmember Hermann** and seconded by **Councilmember Johnson** to adjourn the meeting at 9:54 p.m.

Dated: July 16, 2015

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, November 17, 2014 at 6:30 p.m.

Respectfully submitted,
Deanne L. Flynn
City Chamberlain

COMMON COUNCIL MEETING

Common Council Chambers
Monday, November 3, 2014
6:30 p.m.
5:45 pm Public Hearing regarding proposed 2015 Budget

I. ROLL CALL:

III. REVIEW OF MINUTES:

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 COUNCILMEMBER HERMANN AND PETSAS,** Resolution R14-66, requiring the publication of information with regard to boards and committees.

2. **FROM CORPORATION COUNSEL ACKERMANN,** Resolution R14-68, introducing Local Law LL-14-5, and setting a public hearing to override the tax cap.

IX. ORDINANCES AND LOCAL LAWS:

1. **FROM CHAIRMAN MALLORY,** Ordinance O-14-17, establishing a fee in lieu of parkland.

2. **FROM CORPORATION COUNSEL ACKERMANN,** Ordinance O-14-21, approving the rezoning of an unnumbered Maple Street parcel (Tax Map Number 6161-25-504927) from C-2A/R4 to R-4.

3. **FROM CHAIRMAN MALLORY AND COUNCILMEMBERS HERMANN AND PERRY,** Ordinance O-14-22, amending Chapter 6, Section 36 entitled Abandoned-Vacant Properties, requiring the posting of a bond.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

9. **FROM BUILDING INSPECTOR BECK,** a communication regarding amendments to the Building Code.

10. **FROM COMMISSIONER OF PUBLIC WORKS GENT,** a communication regarding the proposed changes to the snow emergency route on Mill Street.

11. **FROM CORPORATION COUNSEL ACKERMANN,** a communication regarding the proposed changes to the Hawking and Peddling Ordinance with regard to Market Street.

12. **FROM CORPORATION COUNSEL ACKERMANN,** a communication regarding proposed sale of 36 North Clover Street.

13. **FROM CITY ADMINISTRATOR BUNYI,** a communication regarding the LED Lights.

14. **FROM EBENEZER BAPTIST CHURCH,** a notice of property damage sustained on September 3, 2014.

15. **FROM GERSON GOLDMAN,** a notice of property damage sustained on March 7, 2014.

16. **FROM GEICO ASO NELL A. MALLEN,** a notice of property damage sustained on June 24, 2014.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: