



## THE CITY OF POUGHKEEPSIE NEW YORK

### COMMON COUNCIL MEETING MINUTES

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Monday, November 5, 2012 6:30 p.m.

City Hall

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**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**

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

**4. FROM MAYOR TKAZYIK, Quarterly Report (3<sup>rd</sup> Quarter 2012 July 1<sup>st</sup> - September 30<sup>th</sup>).**

Chairwoman Johnson: We will now have a presentation from Waste Zero

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

**Constantine (Gus) Kazolias** – 47 Noxon Street – Understood the Waste Zero presentation. It works in Tampa [FL]. The City should look into once per week garbage pickup. Why isn't recycling enforced at the Board of Education or the Housing Authority? It's a County law. The County had a 4% increase in sales tax

and they want to cut us back to 2%. Doesn't add up. There's something radically wrong there. The Republican controlled legislators is protecting their own "fanny" – they're trying to make up a \$40 Million gap that Steinhaus left behind. Meanwhile, let's try something here, maybe once per week pickup. The burn plant requires 150 tons per day. If you get \$60 per ton to dump it elsewhere, that's \$150,000 per year. We have to save these guys' jobs. When Urban Renewal came in, they removed a lot of neighborhoods, communities, etc. All we have left is the garbage guys and the buses. If you want to destroy the last vestige, just get rid of these guys. Everyone knows that if you privatize, it costs more when it gets added to your taxes. Another thing is that the teachers' pension doesn't have to go into the 2%, but ours does. In other words, our politicians are giving us the shaft. I see these guys more than I see the cops, because they're my friends and I live in the community.

**Ken Stickle – 118 Catharine Street** – The idea of \$3.00 bags sounds fantastic, but the problem is we have an unknown number of people in the City that should be on welfare, food stamps and/or medical programs. When the price of bags goes up to \$4.50 to \$6.00 per bag, people are going to have to decide if they need to pay for gas, diapers, - milk pretty soon should be up to about \$6.00 per gallon. I don't care if you want to use a program like this, but you have to put it into the tax base. The mayor should have brought the tax up 2.9% five years ago. The federal and state governments are no longer giving us any money. I tried to tell you this years ago, start tightening the belts. We have renters who barely are able to pay their rent. People are in City Court on a weekly basis for evictions, because they are behind on their rent. Local area colleges are building dorms, taking away rentals from owners. These people don't have the money to spend on bags. Bite the bullet, raise the taxes. There's a sewer on Main and Clinton that I called 2 councilmembers about. It's jam packed. If we got hit worse by the last tropical storm, this city was not going to be prepared.

**Marc Griffith – 33 Salt Point Tpke.** – The city can make money from their "garbage" by selling the paper, plastic, metal, leaves (for composting) and bring money into the city, rather than spending it for someone to haul it away. I'm a veteran. I was in Viet Nam. There are so many products now made in China, and Viet Name. Put people to work here. There are homeless people walking the streets, veterans like myself can work. We need to find ways to recycle out garbage and open up some vacant buildings to do the recycling, instead of giving jobs overseas, create them right here in America. Garbage is not a problem, it's a solution if you just do it the right way.

**Nancy Fedorashenko – 46 Fallkill Avenue** – I object to the budget. I'm here to encourage all to vote no on the \$6.5 Million bond library. How can you fire men, and support this proposed country club library? Those with limited incomes can't afford this extra tax. The mayor says to hold the line on taxes. This proposed library is going to raise taxes. The plan is to build it on 6.5 acres of land at a cost of \$700,000. The existing building has to be torn down and renovated. Why can't this be put into another building, such as on Raymond Avenue? Why not buy a building located on a

bus route. We don't need 6 acres of land. The one we have here isn't on 6 acres and that's doing just fine. If it gets built in Spackenkill, it's inaccessible. In 2 years, we'd be asked to spend more money on taxes for sidewalks and buses to transport those people with no cars to the area by walking to it or any other way. In these hard economic times, when people are standing on the streets looking for food or clothing, how can we in our hearts, look to spend \$5 Million?! The City of Poughkeepsie must refuse this project. It would make use of the manpower for those folks who are jailed, those programs for the homeless that provide people who can work for us, Social Services Workfair folks, etc. to clean up the city and to clean up the City's vacant properties, thereby making those properties more usable, desirable, more saleable. I think it's time to hold the line on taxes by firing or lowering the wages in government that are not doing their jobs, rather than to fire those in Sanitation, who are.

**Frank Clark – 50 Rinaldi Blvd.** – This city is very lucky to have a Common Council that works very, very hard to scrutinize this administration's proposed budget. Doesn't agree that people should buy plastic bags and find a private hauler to pickup their garbage. The City themselves, should educate the public in recycling. Perhaps going to the schools to teach the kids the importance of recycling. They can then go home and teach their parents about recycling. Thought of 2 slogans for the education process: "Become great – Learn to Separate." The other one is, "Don't be a Has Been – Use Your Bin." There used to be a slogan in the city years ago, "People, Pride and Progress." Most people have pride in the work that they do, but none of them have as much pride as the workers for the Sanitation Department. Urged the Council, Administration and the Union to come up with a solution to save our excellent sanitation department's workers' jobs.

**Harvey Flad – 115 Academy Street** – As a member of the Waterfront Advisory Committee, I'd like to make a comment about two resolutions coming up. Item #4 on the Motions and Resolutions and #1 on Local Ordinance and Laws. Both of which have to do with expanding the hours of operation for the Ice House restaurant, and/or amending the park hours for Waryas Park. I'd like to suggest that since these two resolutions, or the idea of the whole question about the use of Waryas Park and the Ice House has not been discussed by your advisory committee, called the Waterfront Advisory Committee, therefore, has no advice to give you as to how these issues might be addressed. There have been no meetings for so many months, I can't even count. It's terrible that the committee is to give you advice, has no met. I have requested in writing, to the Chair, that we meet, so we can discuss any and all issues dealing with the waterfront and perhaps even these recent resolutions. A number of changes to the Ice House itself, which include a canopy which was never in the original plans that the Waterfront Advisory Committee had just a quick look at. Also, on the canopy and the building itself, there is signage which is regulated by the Planning Board, which comes back to you on. There are many other issues, including public access, putting privatization on the dock. We have a problem in the way in which the waterfront is being developed. It is not going through the appropriate procedures – the very procedures for which you are ultimately in charge. You have not had anything to do with the fact that these changes to whether it is the Ice House,

The Greenway or any of these kinds of things going on have occurred. Even when we did meet, the minutes of the meeting were never sent to you, so you don't know what we were meeting about, and what advice we might have given you. I ask that you do two things: Since we have not met on the resolutions, to table those resolutions until such time that we can meet, and discuss positive and negative aspects. Secondly, that you require the Chair to call a meeting of the Waterfront Advisory Committee.

**Councilwoman Johnson:** How many times has the WAC met in 2012? Once?

**Harvey Flaad:** I believe it was once. I don't think twice.

**Councilwoman Johnson:** How many people are on the committee?

**Harvey Flaad:** 13

**Councilwoman Johnson:** 13 people – and nobody calls a meeting? How are the meetings set up?

**Harvey Flaad:** The Chair sends a written request for a meeting.

**Jeff Green – 128 Washington Street** – Is at the Ice House several times a week. Because of the Ice House, the ramp and park have been cleaned. They had someone pickup trash around the property by paying them out-of-pocket. There's a big change there. They invested their own money in it, and they don't even own it. It's an awesome place to go meet new friends. They sell beer and wine. It caters to a more mature audience. It would be great if the hours could be extended. They have to close at 9:00 p.m. because they're located in a park. He stated that they would have more business if they could stay open until maybe 11:00 p.m.

**Carol Campbell – Marshall Road, Salt Pt.** – Read the Mayor's Budget online. My husband, Bob Campbell is going to lose his job as a mechanic with the City of Poughkeepsie. That's what brings me here and also the guys in the orange shirts, I have a soft spot for. I'm an elected official in Pleasant Valley. I also am on the town Common Council. I know how difficult it is to stay under the 2% cap. Discussed the things that the Town of Pleasant Valley gets for their taxes. One is the dump, and the other is the highway. Don't try to take away either one of these from the residents! Explained recycling process. They pay to have them hauled. They pay for a dump ticket to bring their recyclables there. The city should take into consideration the cost of recycling vs. the sanitation workers' salaries to see if they balance out. Clear plastic bags are a bad idea. People could see inside and there might be medicines in there and also there is a Dutchess County Sanitary Code and the city could be fined for not keeping the city clean. You should think about that. Dutchess County has a \$40 Million deficit, and doubts if anyone on this Council thinks they'll give anything back. These workers are essential employees – when you're doing a budget, you do not lay off your essential employees. We lost \$80,000 in sales tax. We cut our

budget in attorney fees and engineering fees. We also changed our health plan. We went to CDPHP and got our employees a better plan. Dutchess County will be reinstating the Dutchess County mortgage tax. It is Molinaro's way of trying to give back to the towns, what we've lost in sales tax. I don't think that it's something to consider for this year's budget, as far as a revenue stream, but you might want to ask the Mayor if he was a part of that and whether or not he knows that the County was talking about that. Was he asked to support this by going to the County Legislature to approve it? She was a 20 year County employee. During those 20 years, I heard them say, we keeping everything in house, that they're going to get rid of all their outside contractors. Eight years later, they want to contract everything out. I think by contracting out, you'll lose in the end. You'll lose because it will cost you money. That being said, I understand what the City is dealing with. Thank you so much. Keep sanitation, put all your employees back in the budget – they all have a face attached to them.

**Rita Trocino – 26 West Marshall Drive** – I'm not a resident of the city, but attended school here. I am a private hauler. I'm here to tell you that private hauling will not work in the City of Poughkeepsie. There are too many people living too close, using two different types of trash containers for collection – toters, buckets, barrels. What will happen if one building pays their bill and one does not. Who is going to pickup the garbage left from the one who didn't pay their bill? If you get rid of sanitation workers, who is going to clean it up? By using private haulers, the cost will exceed any line item put on your tax. I make money as a private hauler; it's not going to work in the City of Poughkeepsie. Gave statistics of costs for taking recyclables to a cheaper facility across the river, but also need to consider cost of hauling it there. Trucking is expensive, fuel is expensive. It potentially can cost \$20 per ton to transport it there. You won't save any money. As far as \$3.00 per bag, how much of that do these guys make? You still need your public works guys. Make it a separate line item – not inclusive of your 2% cap. It's not an increase – you're giving them back a resource. Keep these guys' jobs.

**Jacqueline Marone – 20 Fountain Place** – Why don't we do what I suggested to Mayor Waryas...Tkayzik...whatever. First, get rid of government who doesn't know how to run a city. Find out where the money is being allotted for sanitation and other things and stop concentrating on the waterfront.

**Chairwoman Johnson:** Ms. Marone. We have to have proper decorum.

**Ms. Marone:** Decorum? Excuse me, I guess that's for certain people; I'm not one of them that has the privilege. I believe in telling things the way they are. The people who spoke this evening all said the same thing – We have a city government that wants to save the tax dollar, and is worried about raising this and that. They don't know how to handle the money. That's the problem. The guy in charge of the finances doesn't know how to handle the money.

**Councilwoman Johnson:** Order. No personal attacks. Read the rules of conduct.

**Ms. Marone:** Are those things shown to the residents of the City of Poughkeepsie? All I've heard tonight is to hire a private hauler to do this and do that... Why do we have to do all these elaborate things that cost money? Why can't we use the money we have and have the City workers do the work that we're hiring out to do? Why don't the ones who want to save money think about the poor man's side of it as pointed out? Nobody's going to pay \$3.00 per bag – I'm not. I don't want see-through bags so what is being thrown away can be seen. Why should we pay for bags when money is allotted for sanitation in our taxes? That's going outside – we're giving private people money and they say they want to keep the tax dollars here in the city. That's not what this was all about tonight. It was about how to get the tax dollars out of Poughkeepsie by hiring all these private people to do all these things our own DPW could do.

**William Dykus – 96 South Hamilton Street** – I'm a registered Democrat. I switched just to vote for Mayor Tkazyik. I'd like to see all of you work hard at keeping these guys. There like family to us. They've grown up here – in fact, some of their families did the same thing. There are years of generations. That's what I like to see, old timers. I like the newcomers too, because they add to the city. They'll eventually become old timers too. I hope you can work to have you keep these guys. It isn't just them – it's their families too. I'll pray for you and I'll pray for them too – make sure you save those guys' jobs.

**Councilmember Rich** made a motion for a five minute recess, **Councilmember Boyd** seconded the motion.

**Councilmember Rich** made a motion to resume the meeting, **Councilmember Boyd** seconded the motion.

## V. MAYOR'S COMMENTS

**Mayor Tkazyik** – Thank you Madam Chair. Good evening everyone. I want to thank everyone for participating in the budget process and coming to the public hearing and speaking out, and being part of the budget process and Common Council setting another date. We encourage all of those to come out on the 19<sup>th</sup> as well to speak out and let your voices be heard on the budget. I want to thank all of our city workforce coming together during Hurricane Sandy events. The Department of Public Works, Police Department, Firefighters and certainly, our Public Safety Dispatchers. I got to tell you that the weekend I was around the City the weekend preparing for the storm, Monday before the storm and day of checking the Fallkill Creek and other areas. Storm drain calls that came in, we tried to address as best as we could before the storm that was made known to us. We were very lucky dealing with a few trees that have come down. The biggest impact that faced up was the challenge of the Hudson River surge that took over Waryas Park and brought about 4 feet of water into the Ice House facility. I want to commend the owners of the Ice House in getting their entire team and staff together not only to prepare for the storm, but to make way

and to re-open 36 hours later, and to get all the necessary steps together in order to do that. That was quite an undertaking . Sara and I were down at Waryas Park at midnight with Chief Knapp, seeing the 9 feet of water come in and take over Waryas Park. It was midway up the circle coming from Main Street and halfway up the driveway entrance coming down the hill. You could see where the water was just up to the windows going into the Ice House. The dumpsters were literally floating around, over by the Children's Museum. Again, I would like to commend the entire team. So again, I'd like to commend the entire team and the department heads that came together to prepare for the storm. Everyone was out in full force. We tried to update the public and the Council as we got the necessary notifications on the weather and being prepared and what the County was bringing forward. I'd also like to address one portion with that, I'd like everyone to know that the decision of "no shelters" in the City did come from efforts between the County and Red Cross. That decision was not made by me or by the City. We always advocate for a shelter being central to Dutchess County. Not in Red Hook, not in Beacon and I fought long and hard to make sure that public transportation was going to be provided to those to get to Beacon High School or to get to Red Hook High School free of charge. I was notified by Dutchess County, 7:00 p.m. at night the day before the storm, for the last pickup at Main and Market to be at 8:00 p.m. I contacted Brian Doyle at the Family Partnership Center, who then contacted Ed Murphy, because I had been in touch with him earlier, the day before saying, "I'm waiting to hear on the shelter location and how people who are homeless or need assistance are going to get there. So, I wanted to be clear – I advocated and made the voice heard that we really wanted a shelter here in the city. I will make that known even more when a County emergency response meeting is held; after the fact – when we talk about how the storm was handled by the County. Public transportation and shelter location in the City was something that was of great importance, but unfortunately we did not have that opportunity here this year. I would also like to remind everyone that we will be hosting the Annual Veteran's Day Ceremony on Sunday, November 11<sup>th</sup> at 2:00 p.m. here in the Common Council Chambers, hosted by the American Legion Post. We thank them for participating in with us, and as you know, the American Legion Post will have their new home in Ken Carney's development up on Hudson Avenue, in the 5<sup>th</sup> Ward. The project is coming along very nice[ly] and there will be a community room there which the American Legion will host and have their meetings in and assemblies. I know that they are very excited about that taking place. Also, Friday, November 30<sup>th</sup>, is the Annual Festival of Lights Celebration, sponsored by the River District and the Bardavon. We look forward to that event. Festivities kick-off at 6:00 p.m. and the Fireworks Spectacular will take place down at Donegan Park, in the Mt. Carmel neighborhood. So, again, we will look forward to seeing everyone on November 30<sup>th</sup>. That concludes my remarks, Madam Chair. Thank you. One other thing – I'm sorry. I want to remind everyone about the County Budget meeting coming up this Thursday. We urge Council members to go out and speak against the proposed sales tax cap. I'm happy to see the Council adding that to the resolution on tonight's agenda. Administration is fully in support of that resolution. Again, appealing to the County Legislature, not to go forward with the proposed cap.

**Councilwoman Johnson** – What time is that County public hearing?

**Mayor Tkazyik** – I don't know if it's at 6:00 p.m. or 7:00 p.m. but I do know it's this Thursday.

**Councilwoman Johnson** – OK. Thank you.

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

**Chairwoman Johnson-** Good evening and Welcome. First , I would like to have a moment of silence for the 110 Americans who have lost their lives in Hurricane Sandy...

I would also like to thank God for sparing the City of Poughkeepsie any devastation from this hurricane. And, to thank Central Hudson, the Mayor, Red Cross, Acting City Administrator Bunyi, Commissioner DuPilka, our DPW workers, our Police, our Firefighters and our dispatchers on a great job in our recovery.

Secondly, I would like to re-cap the Mayor's Preliminary Budget.

Plan A – as stated in the Mayor's October 15, 2012 Press Release...was the elimination of the sanitation trash pickup service along with several other layoffs.

Plan B – one week later, the Mayor has proposed the Pay-As-You-Throw concept. Reinstating the 13 sanitation workers with a \$3.00 a bag trash/recycling plan.

Plan C – will be the budget plan from the Common Council.

Which may require a third public hearing, to be scheduled on Tuesday, November 27, 2012 at 5:30 p.m.

So, the timeline for the budget is as follows:

First, we had tonight 11/5 our first public hearing. Next, we will have our second public hearing scheduled for Monday, 11/19 at 5:30 p.m. and, if needed again, we will schedule a third public hearing on Tuesday, 11/27.

Then the Common Council hopefully, will be adopting the amended 2013 Budget on Monday, December 3<sup>rd</sup>. At which point, the Mayor can either approve or disapprove the amended budget and he will have up to 10 days to veto, which brings us to the deadline (12/13). The Common Council can then override the Mayor's veto at our next scheduled meeting on December 17, 2012, at which point the Amended 2013 Budget will be final. Case closed.

And, this concludes Chairwoman's Comments.

**VII. MOTIONS AND RESOLUTIONS:**

**Councilwoman Johnson:** So we're going to move out of order to Item #4 from **Councilmember Parise**, resolution R-12-77, providing for the extended hours of operation for the Ice House Restaurant.

**A motion was made by Councilmember Boyd** to table the resolution to our next Common Council meeting for the Ice House to extend the hours, due to the fact that the Waterfront Advisory Committee (which we all know as WAC) is not familiar with or has no recollection of these extended hours and seconded by **Councilmember Solomon**.

To Table R12-77			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Herman	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Defeated					
<input type="checkbox"/>	Accepted as Amended					
<input type="checkbox"/>	Tabled					

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

**Councilmember Parise:** We have a wonderful asset down at Waryas Park. We have a successful business. With its' operation, there is less crime. They have put a lot of hard work and used their own money. Thanked the WAC for accepting the original proposal and the Lund Family and Mr. Tom Waltrosten?? ...for the terrific job and success of the Ice House. We need to extend the hours. This is a family restaurant. It's a beautiful park down there. I get out of work at 7:30 p.m. If I do go to the restaurant, I get there at 8:00 or 8:15 p.m. and feel like I'm being rushed to be out by 9:00 p.m. I want to enjoy the sights; the beautiful bridge, the beautiful walkway. I go there and get kicked out at 9:00 p.m. It's not fair to me or the restaurant owners. It is not only rude, but it's embarrassing. Think about that. Two extra hours. That's not asking a lot. Thank you.

**Councilmember Mallory:** Concerned that we haven't heard anything about the WAC or the signage or what impact extended hours will have on the policing, parking or sanitation for garbage pickup. We haven't heard anything from DPW about the impact in maintaining the parks. There is a process. That's what I'm missing and that's what I'm looking for. I would hope that the lease agreement would be reviewed in a meeting with Corporation Counsel and the City if you want to make adjustments. Thank you.

**Councilmember Solomon:** Wanted to know who pays for utilities and water and sewer.

**Mayor Tkazyik:** They pay their own utilities – not water and sewer. They're the only restaurant that cleans the restrooms and buying the supplies to clean with. They maintain the

parameters of the property themselves. That does not take place at “Benny’s...” If I can, Madam Chair, the concerns of the Council in relation to issues before the WAC, I’m sure that the operators will be happy to go back and meet with WAC. However, this request, specifically is a Type II which you set park ordinances, you set license agreements with city buildings and facilities. The WAC has no jurisdiction over those two items. It is a City facility...

**Councilmember Solomon:** Despite your declaration that this is a Type II action that does not require SEQRA review, that may be true, but I can say that years ago, the city spent a lot of time developing a local waterfront revitalization plan. It was to be reviewed by the Waterfront Advisory Committee, who would then give the Common Council their advice. We are sadly missing that information. The other question I have is, that since the Ice House is located in a flood plain, does it have flood insurance?

**Mayor Tkazyik:** Yes, the license agreement is that they provide flood insurance for that facility per the agreement. I would disagree with the WAC definition...

**Councilmember Solomon:** If you read the stuff, you will see it.

**Mayor Tkazyik:** The WAC items are referred to when there are a Type I, or an unlisted action if you read the LWRP – it’s Type I or an unlisted action that is referred to the WAC. I’ve asked this council to consider making the WAC seven members. Thirteen members is unrealistic. When they do have a meeting, they can’t even get a quorum. So, it’s unrealistic to think you’re going to get thirteen people together all at the same time. That’s the way the WAC has operated since Mayor Cozean, Mayor Lafuente and whether there’s minutes, no minutes, seven people or three people or four people. It’s a mess and needs to be addressed. I believe it should be made to seven members.

**Councilmember Solomon:** You know what, you can never have a quorum if you don’t call a meeting. And, no meetings have been called.

**Mayor Tkazyik:** Well, when Type I actions are submitted, or development projects that are referred to the Planning Board, they are sent to the WAC. Members of the Ice House, did go to the WAC Committee, they did present their project to the WAC. In fact, the way the contract reads is that it is as an “eatery,” and the WAC approved the way the restaurant is currently.

**Councilmember Solomon:** Was there a surprise about the hours?

**Mayor Tkazyik:** No, they didn’t even address the hours.

**Councilmember Solomon:** I’m asking whether the restaurant people knew that 9:00 p.m. was the closing hour when they started this?

**Mayor Tkazyik:** That is correct. You were the only member that did not vote for the agreement at the time. They went along with the park hours as required by the licensing agreement. The vote was 7 to 1. You were absent.

**Councilwoman Johnson:** I just want to make sure if Councilmember Solomon has any other comments?

**Councilmember Solomon:** My feeling is that we know nothing about what happens down there. We are only confronted with requests. That large extension to the building, the canopy in front. Is it true that people can no longer sit in the patio in front of the building? That's what someone told me tonight.

**Mayor Tkazyik:** I have not heard of anyone being thrown out of the patio area or the waterfront.

**Councilmember Solomon:** How about parking? This is something...

**Mayor Tkazyik:** Parking is a concern. In fact, we're having a meeting with Bill Beehler and Captain Pape to address the parking along the hill ramp going down. There had been signs "No Parking" there over the years. More need to be placed in relation to lighting that's been fixed. That has been done.

**Councilmember Solomon:** How about garbage?

**Mayor Tkazyik:** Per the agreement, the City picks up.

**Councilmember Solomon:** A dumpster...could we please have covered garbage?

**Mayor Tkazyik:** Councilmember Solomon, this was approved 7 to 1. Two members sitting here, three members sitting here, maybe four voted for this. Benny's gets private pickup. However, the maintenance of the bathrooms and the cleaning supplies and the cleaning of the perimeter of the property gets maintained by the City. The Ice House is the only facility that has to do that.

**Councilmember Solomon:** I don't understand why we're talking about Benny's. I really wanted to talk about...

**Mayor Tkazyik:** That's by the license agreement that you approved.

**Councilmember Solomon:** I never approved...

**Mayor Tkazyik:** Yes, you did.

**Councilmember Solomon:** This is awful. Our beautiful public park is becoming a private commercial development.

**Mayor Tkazyik:** That's not true. When Mr. Muratta was there or the Milanese, I never heard any complaints from any of you.

**Councilmember Solomon:** It was a little shack with a couple of bathrooms.

**Mayor Tkazyik:** Roof that was collapsing, bathrooms that didn't work. The public couldn't even use the facilities. This is progress, Councilmember Solomon. You're stopping progress. This was approved by this body.

**Councilmember Solomon:** The WAC did not approve 11:00 p.m.

**Mayor Tkazyik:** The WAC didn't have jurisdiction over 11:00 p.m. You have 5 parks now that's 11:00 p.m. I don't even know why Morgan Lake is open until 11:00 p.m. That's a joke.

**Councilmember Boyd:** That agreement that was made and passed by the Common Council in 2010, was for a concession stand, not for a restaurant. When I brought this up at seven different Common Council meetings at seven different occasions. I also asked if that license agreement could be looked into regarding some more revenue for our city. And, the response I got from Corporate Counsel Ackermann was, "Yes, we will look into that." What's happening with that now?

**Mayor Tkazyik:** You think the way this family has been treated that they're even going to sit down and negotiate with the City? You honestly believe that.

**Councilmember Boyd:** So, lay off our Sanitation workers!

**Mayor Tkazyik:** You're comparing apples to oranges. Councilmember Boyd, these are unrealistic scenarios you present.

**Councilmember Boyd:** You are bringing up situations, when I had asked Corporate Ackermann to review the lease, that was three meetings ago.

**Mayor Tkazyik:** There are seven years remaining on the lease.

**Councilmember Rich:** Thank you Madam Chair. I find it very difficult to vote the way I have to vote, because I know there are friends in this room and friends outside that disagree vehemently with how I feel. Way back when we had a public hearing to increase the hours. There were those who said yes, and those who said no. The request was then withdrawn. We had a hearing to increase the hours and never voted on it. This is nothing new before the council. We're just going to vote on it. We have to ask ourselves, is it better for the City, that it remained at 9:00 p.m. or increase it to 11:00 p.m. I believe 11:00 p.m. is better because we want to give the Ice House a chance to succeed. Its' success will benefit the City, failure will hurt it. They already have a negative because they don't have a full liquor license yet. It makes more sense to have them close at 11:00 p.m. One of my parks, Hume Park is open until 11:00 p.m. because of basketball playing. It has lights on – that's why we let it go until 11:00 p.m. I repeatedly requested that the WAC look into waterfront matters. In a few cases, it was done prior to our vote. I believe, the WAC would, without any question whatsoever, if we postponed it for the WAC to say, we're for the 11:00 p.m. The Ice House just had a flood. Thanksgiving, Christmas and New Year's is coming up. This is when restaurants make a lot of money. We want to give them the best chance to succeed. If they fail, I don't want to be held responsible if I voted to

keep it at 9:00 p.m. If they succeed, it will help the waterfront, because we're about to have that elevator go in which will benefit the other restaurants on Main Street as well. I feel that it should be open until 11:00 p.m. There are other parks which close at 11:00 p.m.

**Councilwoman Johnson:** I've had a representative from the WAC Committee. He said that if they've met once in the last 10 months, that's a lot. That's a dysfunction there. I have enough to deal with. I can't go micromanage them and force them to have a meeting, when there's thirteen members. There are several parks open until 11:00 p.m. As far as policing is concerned, policing is already being done right now for 24 hrs. at all our parks. We all know what goes on at Waryas. People don't even want to clean up with the condoms, needles, etc. This Ice House Restaurant is another jewel for the Crown City. We should be happy to have them and embrace them. This place is so beautiful. We should be proud of them and tell people how beautiful it is. I would think that all this construction didn't happen overnight. This construction took how long? Because they were there during Hurricane Irene.

**Mayor Tkazyik:** Two and one half years ago. They got wiped out.

**Councilwoman Johnson:** So they were fixing it then. Everybody acts as if this restaurant just got here overnight. I'm looking at Mr. Rumson, the Lunds' son. They're looking hurt and crushed. They probably wondering if they made the right decision to come to Poughkeepsie...if I were them, I'd say what is wrong? If they have a problem, they can't even get the WAC Committee to meet. Why are they being penalized for being successful. isn't the City trying to work with us. I've been there to eat with my husband recently for the ribbon cutting, and have seen the creation of so many jobs. So many young people working; isn't that what the country is all about? If the Ice House fails, how many people are going to be unemployed that have families that are depending on them, paying their rent, car notes...are we even thinking about that while we're playing this little Russian Roulette game here, with people's lives? All to be able to recoup their investment, pay for the food, pay for the salaries for the employees. Everybody knows, Thanksgiving, Christmas and New Years are the biggest food holidays. So what are we supposed to do? We got to get the WAC people together even though they meet once/year. What are we going to do? Perform miracles with them? It may take another year. By then, I don't know what will happen. We have to do what's best for the city. Which is, development, jobs, revenue. If they walk away, we own that building. What is the problem? That's all I have to say about the subject. Any other concerns? This has been dragging out for a year. It's all about extending the hours just so that they can have business for the holidays.

**Councilmember Perry:** It's amazing, how sometimes we can throw principal outside the door, while we work right around it. What I mean is, this discussion tonight is not about the owners of the restaurant on a personal level. It's about questions we had to ask, that no one answered. I respectfully asked to table this resolution, just so we could have that discussion in a peaceful manner, so that this cloud that's hanging over these people's restaurant would be lifted. But no one wanted to listen to what I had to say. All I needed was a little time. Let's talk about it. Let's reason together. Instead, I'm listening to all the nonsense. No one sitting here wants this business to fail. We want it to succeed, because we are working for the benefit for the city. It just disturbed me that we could not talk about it. We could not reason for five minutes. But, look how long this dissertation, this long conversation has been going on. Yes, they have good

food. Yes, they have invested a lot of money, but my goodness, we cannot reason for five minutes so we could put our heads together so we could have a cooperative session here. We have to continue all this. It doesn't really matter. We're all here to work for the City. I don't want to go against Mr. Parise's resolution, because he's an honorable man, a decent man and that's his ward. But, because of all of this discussion, all we needed to do was, as Council members and Corporate Counsel, was to sit down for five or ten minutes to put an end to this. And, look, we have made it longer now. Thank you, Madam Chair.

**Councilwoman Johnson:** Ok. Can we call a vote?

**Councilmember Boyd:** I have a question about this resolution. Where it says "Whereas the Common Council..." all the way on the bottom, "Be it further resolved, that the Mayor, and the City Administrator and Corporate Counsel shall deem appropriate, and the City Administrator and the Corporate Counsel are hereby authorized and directed to all these things necessary to give effect to the terms of this resolution." Why isn't the Common Council in those – in that part?

**Corporation Counsel Ackermann:** Common Council pursuant to the resolution is approving the change and is giving the authority to the Mayor, to the City Administrator or to my office to make the changes with the amended agreement which will be presented and signed by the Mayor. It's through your authority that you are giving the Mayor the power to amend that and make that change.

**Councilmember Herman:** What are we voting on?

**Councilwoman Johnson:** We're voting on extending the 2 hrs. on extending the hours under R-12-76 for the Ice House to stay open from 9:00 p.m. to 11:00 p.m. Called a vote.

**City Chamberlain:** Mayor Tkayzik?

**Mayor Tkazyik:** No, no, no. It will be presented to the Mayor.

**Chairwoman Johnson:** Corporate Counsel Ackermann, can you explain what happens when there is a tie vote of the Common Council?

**Corporation Counsel Ackermann:** With a tie vote in the Common Council, the City Chamberlain will present the resolution to the Mayor. At that point, the Mayor will have the ability to vote in an affirmative, negative or not vote at all on the resolution.

**Chairwoman Johnson:** One moment....brief pause to speak to the mayor. Okay, so we can go to the next item now?

**Councilmember Mallory:** Madam Chair, can we change the resolution for changing the hours. It says R-12-76.

**City Chamberlain:** What does the Agenda say?

**Councilmember Mallory:** The Agenda says one thing, but the resolution says R-12-76.

**City Chamberlain:** It's R-12-77, the wrong number was inserted into the resolution.

**Mayor Tkazyik:** So the correct number is R-12-76?

**Councilmembers Mallory, Rich, Herman, Parise:** No, 77.

**Mayor Tkazyik:** Please make that correction.

**Councilwoman Johnson:** That's what we voted on R-12-77. Just change the 6 to a "7."

**City Chamberlain Flynn:** I entered the vote log with a space for the Mayor to cast his vote, that these are both the same things that were given to you, that's now being given to him.

**Councilwoman Johnson:** Mayor Tkazyik, are you going to let us know what the outcome is going to be on the Ice House vote, the tie vote? Make sure everything is correct now, you know we got to double check.

**Mayor Tkazyik:** So, Madam Chair, now that the Chamberlain has presented to me with the R-12-77 extending the license agreement of the Ice House facility from 9:00 a.m. to 11:00 p.m. I vote Aye to extend the hours.

**R E S O L U T I O N**  
**(R-12-77)**

**INTRODUCED BY COUNCILMEMBER PARISE:**

**WHEREAS**, the Common Council, by Resolution R-10-51, adopted on April 5, 2010, approved a License Agreement for the Ice House with George Gallaher, Kevin Lund, Michael Lund and Matthew Lund (the, "Licensee"); and

**WHEREAS**, the Licensee, Poughkeepsie Ice House, Inc. has requested the City amend the License agreement to allow for the operation of the business from 9:00 a.m. to 11:00 p.m.; and

**WHEREAS**, by separate resolution the Common Council is desirous of amending the park hours for Waryas park to 6:00 a.m. to 11:00 p.m.; and

**WHEREAS**, the Common Council wishes to enter into an amendment to the license agreement with Tom Rolston and Michael Lund who are the principles of Poughkeepsie Ice House, Inc.; and

**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,

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie hereby approves the amendment to the License Agreement dated June 7, 2010 to provide for the expanded operating hours of 9:00 a.m. to 11:00 p.m.; and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to enter into an amended license agreement for the above mentioned operation provided such agreement contains the terms contained herein together with such other terms and conditions which the Mayor, the City Administrator and 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 RICH**

R12-77						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input type="checkbox"/>	<input checked="" 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 Boyd	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mayor Tkazyik	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

**Councilwoman Johnson:** Thank you. Now we can move on to Ordinances and Local Laws from Councilmember Parise. Ordinance O-12-12, amending park hours for Waryas Park which coincides with....Oh, I'm sorry motion to receive and print?

**VIII. ORDINANCES AND LOCAL LAWS:**

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

**Councilmember Parise:** Thank you, Madam Chair. Like you said, this corresponds with the Ice House opening 'til 11:00 p.m. I'm sure everyone received the paper with the City of Poughkeepsie Park hours. As you can see, Donegan Square is 11, Hume Park is 11, King Street Park is 10, Morgan is 11, Pershing Avenue Park is 11, Reservoir Square 10, Spratt Park 10, Stitzel Field is 11. This is a, "no brainer." When the elevator is in, I believe that Walkway-Over-The-Hudson closes at sunset, it's well beyond 9:00 p.m., so people will be exiting the park. This makes all the sense in the world, to leave it open 'til 11:00 p.m.

**Councilmember Boyd:** How many of these parks that have restaurants that serve wine and beer?

**Councilmember Parise:** Probably none.

**Councilmember Rich:** What about Spratt?

**Councilmember Boyd:** They don't serve wine and beer.

**Councilmember Rich:** Christo's is on City land, isn't it?

**Councilmember Boyd:** It's McCann Golf Course.

**Councilmember Parise:** You're right.

**Corporation Counsel Ackermann:** Christo's is located on City property. It's on McCann Golf Course. I don't believe it is listed in those who have other hours, so it would default to the 11 o'clock hour. All City parks close at 11:00 p.m. unless the code specifies otherwise.

**Mayor Tkazyik:** Madam Chair, now that Chamberlain Flynn has submitted to me Ordinance O-12-12.

**City Chamberlain Flynn** explained that the Deputy Chamberlain had made up the agenda in her absence and had made the error(s). attempted to correct all the packets, but some were picked up already before they could be corrected. However, the Ordinance copy is correct and reads O-12-12.

**Mayor Tkazyik:** Madam Chair, now that I have Ordinance O-12-12, ordinance amending park hours for Waryas Park, I vote Aye to extend the hours.

**City Chamberlain Flynn:** Sorry for the confusion.

**ORDINANCE AMENDING §15-19  
OF CHAPTER 15 OF THE CITY OF POUGHKEEPSIE  
CODE OF ORDINANCES ENTITLED "CLOSED HOURS OF CITY PARKS"**

**(O-12-12)**

**INTRODUCED BY COUNCILMEMBER PARISE**

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

**SECTION 1:** §15-19 is hereby amended by the following additions:

**Section 15-19 Closed hours of city parks**

It shall be unlawful for any person, unless engaged either as a participant or as a spectator at a public event sanctioned by the City of Poughkeepsie, to occupy or to be present in all City parks between the hours of 11:00 p.m. and 6:00 a.m. of the following day, as all City parks are ordered

Official Common Council Minutes of November 5, 2012

closed from the hours of 11:00 p.m. to 6:00 a.m. of the following day, except as provided herein:

**Park Hours Closed**

- Bartlett Park 10:00 p.m. to 6:00 a.m. of the following day
- College Hill Park and basketball court of College Hill Park 9:00 p.m. to 6:00 a.m. of the following day
- Eastman Park 9:00 p.m. to 6:00 a.m. of the following day
- Kaal Rock Park 9:00 p.m. to 6:00 a.m. of the following day
- King Street Park 10:00 p.m. to 6:00 a.m. of the following day
- Lincoln Park 9:00 p.m. to 6:00 a.m. of the following day
- Mansion Square Park 9:00 p.m. to 6:00 a.m. of the following day
- Pulaski Park 9:00 p.m. to 6:00 a.m. of the following day
- Reservoir Square Park 10:00 p.m. to 6:00 a.m. of the following day
- Soldier's Memorial Fountain 9:00 p.m. to 6:00 a.m. of the following day
- Spratt Park 10:00 p.m. to 6:00 a.m. of the following day
- ~~Waryas Park 9:00 p.m. to 6:00 a.m. of the following day~~
- Wheaton Park 9:00 p.m. to 6:00 a.m. of the following day

**SECTION 2: This Ordinance shall take effect immediately.**

**SECONDED BY COUNCILMEMBER RICH**

**ADDITIONS** denoted by **Underlining and Bold**

**DELETIONS** denoted by Strikethrough

R12-77		Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mayor Tkazyik	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

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

**Corporation Counsel Ackermann:** At the request of Chairwoman Johnson, we were asked to prepare an additional public hearing. The Administrative Code requires that one public hearing will be held regarding the Mayor's proposed budget. At your request, you had asked for an additional date for a public hearing. This resolution will set the additional date at November 19, 2012 at 5:30 p.m.

## **RESOLUTION**

**(R-12-74)**

### **INTRODUCED BY COUNCILMEMBER RICH**

**WHEREAS**, the Common Council has received the Mayor's proposed 2013 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 has scheduled a public hearing for the purpose of receiving comment on the proposed budget for November 5, 2012 at 5:30 p.m.; and

**WHEREAS**, the Common Council is desirous of setting an additional public hearing;

### **NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie shall hold an additional public hearing to receive comment from the public concerning the proposed 2013 budget on Monday, November 19, 2012 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 BOYD**

R12-74			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Chairwoman Johnson:** We're moving \$5,000 from the Common Council legal line in order for us to save these jobs, crunch numbers, and it's not really going to cost that much. But we need help. We can come up with the numbers, we can come up with an idea, but we need to crunch the numbers to make sure that everything works accounting wise.

**R-E-S-O-L-U-T-I-O-N  
(R-12- 75)**

**INTRODUCED BY CHAIRWOMAN JOHNSON**

**WHEREAS**, by resolution R-12-11, the Common Council appropriated funds for the purpose of contracted legal services; and

**WHEREAS**, the Common Council is desirous of retaining a certified public accountant for the purpose of reviewing and developing the 2013 budget; and

**WHEREAS**, the Common Council wishes to encumber an amount not to exceed \$5,000 for the purpose of retaining said accountant; and

**Now, Therefore,**

**BE IT RESOLVED**, that the Common Council hereby approves and authorizes the encumbrance and appropriation of \$5,000 from the Common Council's contracted legal services line for the purpose of retaining a certified public accountant.

**SECONDED BY COUNCILMEMBER RICH**

R12-75			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Councilmember Mallory:** Thank you Madam Chair. Before you is a resolution, based on the response by the County back in August, of limiting the amount of City sales tax revenue. Also, this resolution is before you, based on what we've seen on a budget on that one.

**Councilmember Mallory** was asked to read R-12-76 in it's' entirety.

**Mayor Tkazyik:** I just wanted to say great resolution, Councilmember Mallory. We wanted to send a strong message over to the County, but I did want the Finance Commissioner real quick just to tell you what the County Executive's announced budget now that it's concrete is. How it really affects the City based on a 2% growth. Commissioner, if you can just go through it very quickly.

**Commissioner of Finance Bunyi:** Very quickly. The 2013 Budget for the County reflects not a \$5 Million increase, but a \$9 Million increase. That is because they computed the cap based on the first quarter, which was a minus 2%. As of eight months, the sales tax is up 1.47 and based on that projection, we will lose \$2.45 Million, instead of the \$1.7 that we were originally told.

**Chairwoman Johnson:** So, we're going to be losing \$4.5 instead of \$1.7 Million. So, where does that put us now?

**Finance Commissioner Bunyi:** We budgeted a \$2 Million loss. All we're saying is, we're not getting the growth. They're taking everything.

**Mayor Tkazyik:** Remember, we proposed \$1.7 and then we said, "wait a minute – something's not right. That's because they're capping us at the first quarter. And then, with the growth, the County anticipates that's the growth we're not going to receive. So, that's what we could get would be the 2 you know...now we're going to call...(inaudible).

**Chairwoman Johnson:** I read that a lot of people are sending a message to the County, because they're not satisfied. Everybody is sending a message, so you know. We're not the only ones in that boat, in other words.

**RESOLUTION**

**(R-12-76)**

**INTRODUCED BY COUNCILMEMBER MALLORY:**

**WHEREAS**, the City of Poughkeepsie has received correspondence from Dutchess County Government stating that the County will be reducing the City of Poughkeepsie's portion of county the sales tax revenue by at least 15% for fiscal year 2013; and

**WHEREAS**, the County has announced, as part of a plan to close the County's deficit, the County will keep a larger share of the county sales tax revenue and impose a cap on the aggregate share of the county sales tax revenue for all cities, towns, and villages to \$25 million dollars starting in 2013; and

**WHEREAS**, since 1989, all Dutchess County cities, towns, and villages have depended on this vital revenue source as a significant component of their local budgets helping stabilize the real property tax levy; and

**WHEREAS**, all municipalities have fairly shared the benefit from the growth in sales tax revenue in good economic times, and have fairly shared the burden from a decline in the county sales tax revenue during difficult economic times; and

**WHEREAS**, the Governor and the New York State Legislature enacted a property tax cap of two percent (2%) in 2011 for all local governments without any mandate relief, adding to the difficulty for local governments to meet its fiduciary obligations; and

**WHEREAS**, the changes in sales tax revenue distribution formula proposed by the County disproportionately and adversely impacts all cities, towns, and villages which will result in many municipalities having to cut services and increase its property tax levy to offset the loss of the county sales tax revenue, and in many cases, will require municipalities to override their mandatory two percent property tax cap; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, The recitations above set forth are incorporated in this Resolution as if fully set forth and adopted herein; and

**BE IT FURTHER; RESOLVED**, the Common Council of the City of Poughkeepsie hereby declares its opposition to any changes in the county sales tax revenue distribution formula as proposed by the County which creates undue hardship on the local governments of Dutchess County, and,

**BE IT FURTHER RESOLVED**, the Common Council of the City of Poughkeepsie calls upon **Dutchess County Legislator Chairman Rob Rolison, Dutchess County Legislator Minority Leader Barbara Jeter-Jackson, and Dutchess County Legislator Steve White**, on behalf of the people of the City of Poughkeepsie to oppose the changes in the county sales tax distribution formula; and

**BE IT FURTHER RESOLVED**, the Common Council of the City of Poughkeepsie calls upon the entire Dutchess County Legislature to oppose and reject any proposed changes to county sales tax distribution and revenue sharing with all the cities, towns, and villages of Dutchess County; and

**BE IT FURTHER RESOLVED**, the Common Council of the City of Poughkeepsie directs our City Chamberlain to memorialize a copy of this resolution to the Clerk of the Dutchess County Legislature, the entire Dutchess County Legislature, and the County Executive, hereby expressing the City of Poughkeepsie’s formal opposition to the proposed change in distribution of the county sales tax to the cities, towns, and villages of Dutchess County.

**SECONDED BY COUNCILMEMBER RICH**

R12-76						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

1. **FROM GINO’S PIZZA AND RESTAURANT**, a notice of intent to renew their Liquor License. **Referred to Corporation Counsel**
2. **FROM MUHAMMAD S. KHURSHID**, a notice of claim sustained on July 25, 2012. **Referred to Corporation Counsel**
3. **FROM LAWRENCE E. WONDERLY**, a notice of claim sustained on August 1, 2012. **Referred to Corporation Counsel**
4. **FROM MAYOR TKAZYIK**, Quarterly Report (3<sup>rd</sup> Quarter 2012 July 1<sup>st</sup>-September 30<sup>th</sup>). **Mayor Tkazyik:** Madam Chair, members of the Council, I present the Quarterly Report for the third quarter. Please find a copy for your review, deliberation. This covers the period of July 1<sup>st</sup>, 2012 until September 30<sup>th</sup>, 2012. Please review that and any specific questions to me or the Acting City Administrator of any of the departments reported.



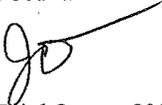
The City of Poughkeepsie  
New York

John C. Tkazyik  
Mayor

**MEMORANDUM**

November 5, 2012

**TO:** Gwen Johnson, Chair  
Members of the Common Council

**FROM:** John C. Tkazyik, Mayor 

**RE:** Quarterly Report for the Third Quarter 2012

Attached for your review, please find a copy of the report for the Third Quarter 2012, which covers the period from July 1<sup>st</sup> until September 30<sup>th</sup>, 2012.

## Official Common Council Minutes of November 5, 2012

- Negotiated with multiple commercial owners and representatives over tax certioraris leading to some settlements saving the City in refunds.
- Continued the verification and clean up of erroneous data generated by the revaluation process.
- Continued to verify sales data from county 5217's (Property Transfer Documents)
- Continued to track building permits plus fire loss properties to adjust assessment accordingly.
- Attended multiple Dutchess County Assessor's Meetings.
- Verified sales data for ORPS so to facilitate the year's trend numbers to be developed.
- Attended required class for Appraisal and Assessor certification.
- Meet with the VanDeWater law firm of on multiple occasions regarding certioraris to develop appraisals and viable defenses for each.
- Meet with the Scott Volkman on multiple certioraris to develop appraisals and viable defenses for each.
- Meet with multiple tax payers and inspected same to determine feasibility of merging properties.
- Continued to monitor for data and status changes, Multiple Listing Service, returned data mailers from new purchasers.
- Mailed out STAR applications for October 1<sup>st</sup> season beginning.
- Mailed out property data sheets to new home owners and STAR applications to begin the 2013 roll.
- Initiated abbreviated office hours for those weeks necessary to facilitated office vacations for Diane and myself.
- Last, but certainly not least, is the ongoing servicing on a daily basis of both walk-ins and telephone calls from property owners, Star and enhanced Star applicants, low income and, title companies, banks, realtors and other governmental agencies.

**City Clerk:**

See report attached

**Corporation Counsel:**

***Parking Violations***

See chart attached

**\*Corporation Counsel is now representing the City for miscellaneous parking trials for police officers to eliminate the four (4) hour “call back” and need to pay police officers for overtime for appearing in court for one or two parking tickets.**

***Claims against City***

See chart attached

***Poughkeepsie Housing Authority***

Continued representation of PHA eviction proceedings, general advice and counsel, several court appearances and Board meetings. The City also defended PHA in a suit brought by the former Director.

***City Court***

569 appearances were made on prosecutions of City Ordinance violations. City Court imposed \$15,255.00 in fines.

**\*Corporation Counsel is now responsible for “first appearance” in City Court for traffic tickets for state trooper and city police officer tickets. This has further added to the time spent in court by the attorney and the need to have two attorneys in court every morning. See traffic ticket chart attached.**

***City Property***

Drafted and passed Resolution and SEQRA to sell 14 Jewett Avenue. Updated City-owned property sales list and corresponding documents. Prepared, drafted easement and PILOT agreement for Poughkeepsie Commons. Updated and maintained City-owned property and prepared same for sale.

***Miscellaneous***

- The Law Department successfully litigated a Supreme Court personal injury lawsuit entitled Yasmine Chanaoui v. City of Poughkeepsie, which resulted in the City being discounted as a defendant in the lawsuit.
- Monitor DeLaval site remediation project
- Manage environmental review for Dutton application including comprehensive review of F.E.I.S.

## Official Common Council Minutes of November 5, 2012

- Attend Common Council meetings
- Meet with prospective city investors, developers
- Participate in mandatory continuing legal education
- Legislative drafting
- General advice and counsel to Plumbing Board, Electrical Board, Councilmembers, Planning Board, Zoning Board, Board of Contract & Supply, City Administration, Safety Committee, Nuisance Committee
- Respond to CSEA grievances
- Ongoing assistance to department heads
- FOIL issues - advise FOIL officer, respond and research FOIL requests
- Nuisance Task Force management
- Investigated and prosecuted over 30 new Building Code cases in City Court
- Filed Real Property Action Proceeding Law cases against nuisance properties in Dutchess County
- Supreme Court (14 Jewett, 26, 28, 30 North Hamilton, 8 Balding, 40 Bement, and 22 Forbus)
- Filed suit and/or collected delinquent funds for unpaid parking bills owed to the City for parking in City lots
- Continue consultation on Section 8 matters, transitional issues
- Prosecute Disciplinary Proceedings and defend against grievances
- Assist Planning staff on Waterfront, Dutton
- Office administration
- Assist Mayor with Charter & Code interpretations, personnel issues
- Attend Leadership meetings; prepare documents for meeting agendas
- Assist Chamberlain with procedures, notices and event planning

## Official Common Council Minutes of November 5, 2012

- Manage Special Counsel
- Manage self insurance and claims management
- Attend to Joint Landfill issues
- Act as Administration for property and casualty claims
- Negotiate tax cert matters
- Title research for misc. City-owned land parcels
- Advise Mayor on insurance issues; budget issues; cost recovery legislation for code enforcement
- Collaborate with Town of Poughkeepsie on proposed application for development of Dutton parcel
- Consult on HUD grants
- Consult on Joint Water issues
- Consult on sale of city-owned property
- Research and consult on water plant employee issues
- CSEA Labor Management discussions
- Prepare for collective bargaining negotiations
- Complete solid waste report

### *Police Department*

- 207-c claim administration
- Contract Negotiations
- Respond to grievances

### *Fire Department*

- 207-a claim administration
- Respond to grievances

## Official Common Council Minutes of November 5, 2012

- Contract Negotiations

### ***CSEA***

- Contract Negotiations
- Manage Labor Management Negotiations
- Impact Negotiations
- Respond to Grievances

### ***Other***

- Review and approve purchasing contracts
- Review files on diary
- Assist Mayor with strategic planning initiatives
- Administration of city-owned properties
- Develop inter-municipal initiatives with other municipalities
- Consult with staff regarding neighborhood issues
- Conduct staff meetings and peer review
- Continue Time Warner Cable franchise negotiations
- Trash pick-up study management
- Riverkeeper suit management
- Consult with Planning Board chair and staff

### **Department of Public Works:**

See report attached

### **Development:**

See report attached

**Engineering:**

*Administration/Engineering*

- Input data into CSO Annual Report forms for third quarter of 2012.
- Downloaded and interpreted data from CSO meters on a routine basis.
- Conducted Hertel Landfill inspection
- Responded to and conducted tree mark-outs to determine city or private trees as requested.
- MS4 (Municipal Separate Storm Sewer System) – Attended monthly Dutchess County Committee Meetings.
- Issued Notice of Violations of Erosion and Sediment Control ordinance. Dutchess County Medical Examiner's Office construction site was cited for not having personnel with a 4-hour training course certification. The violation was removed after it was determined at least one personnel was certified.
- Created and periodically updated the MS4's Stormwater Management Plan (SWMP)
- Began preparing and organizing all documents between Engineering and DPW for the MS4 audit. Audit was scheduled for July 17, 2012. The NYSDEC's audit of the City's MS4 program received a satisfaction with no outstanding issues, violations, or fines.
- Performed periodic updates of the Engineering section of the City website.

*Contract Administration/Construction Management*

- Continued design work and implementation of Waryas Park dock expansion. Installed twenty feet of dock space at the northern end of existing dock. Currently designing the stabilization for proposed forty feet at southern end of the dock.
- Administered playground equipment installation at King Street Park and Waryas Park. Provided assistance to DPW Parks and Recreation Department with installing the playground and footings. Started layout location for Waryas Park playground.
- Hoffman Street Bridge construction administration - Attended progress meetings with contractor and consultants; utility coordination meetings with contractor, consultants and Central Hudson; collated monthly ARRA and DBE reports and submitted to NYSDOT. Engineering took part in a successful audit of the project records by NYSDOT. Project is on schedule with demolition of the old Hoffman Street Bridge to be completed October 2012.

## Official Common Council Minutes of November 5, 2012

- Deleval Environmental Remediation (DER) - Continued to prepare and collate documents for Final Engineer's Report (FER) to be submitted to NYSDEC by Clough-Harbour Associates (CHA).
- Glebe House - Bid Package was prepared and advertised for roof repairs. Bids were analyzed and low bid awarded to One Time Carpentry. Notice to Proceed is pending and will be issued once contracts are executed and insurance and bonds are reviewed and approved by finance and Corp. Counsel.
- Attended on-site visits of drainage complaints at various locations within the City.
- Prepared documents for 2012-2013 Scattered Sidewalk Restoration and Repair Program. Bids were due in early July 2012. DMC was awarded the project and has begun work on some of the City's most severe sidewalk hazards in the Third Ward. Coordination and project oversight is being provided.
- Provided surveying and engineering services for paving at Fountain Place.
- Prepared new bid packages for installation of CSO meters. The first bid package was bid too expensive to be accepted by the City. The bid documents had been revised to allow acceptable bid prices. The second bid package received no bids due to the type of storm sewer pipe in one overflow location. The third bid package is currently being prepared with the hope to eliminate any outstanding issues.
- Provided project coordination and oversight for emergency sanitary sewer repairs between Van Kleek Drive and Cottage Street due to sewer surcharging. An emergency declaration was awarded for Arold Construction to complete sewer repairs.
- Approximately six-hundred to seven-hundred feet of sewer main was televised, cleaned, spot repaired and/or replaced. Significant improvements have been noted since the finishing of the repair.
- Market Street Emergency Water Main Repair and valve installation - Emergency declaration was made for this work. Engineering assisted with construction oversight and project coordination for replacement of a 20" valve at market Street between Church Street and Cannon Street. Sun Up Enterprises performed the work. Additional water main repairs were done by DPW forces.

### *Engineering Design/Analysis*

- Morgan Lake Dam – Weekly dam safety inspections continued, including survey to monitor water level behind dam.
- Conducted inspections of work order complaints (WOC) by DPW personnel and property owners of sidewalks and driveway aprons in disrepair.

## Official Common Council Minutes of November 5, 2012

- Provided cost and area estimates for proposed sidewalk repairs in the 2012-2013 Scattered Sidewalk Program.
- Worked with Urban Engineers of New York on the City's Transit Hub. Project design has reached near 100% submittals. Attended Common Council meeting with Urban Engineers to present the Transit Hub to the Council.
- Conducted visual walkthrough and stability analysis of Fallkill Creek retaining walls. Nubian Directions has obtained a grant and will hire approximately 200 youths to clean and repair the walls of the Fallkill Creek. Met with project leader to determine schedule of cleanup. Reviewed cleaned areas with project leader. Project leader informed Office of the City Engineer if and when illicit discharges into the Fallkill Creek were observed. Engineering personnel investigated and eliminated all illicit discharges observed.
- Conducted SWPPP compliance inspections at Hoffman Street Bridge, Poughkeepsie Commons, and Dutchess County Medical Examiner's Office construction projects.
- Performed stormwater outfall inspection in compliance with the City's Illicit Discharge Detection and Elimination program and MS4 requirements.
- Met with 4<sup>th</sup> ward Council Member Nina Boyd and residents regarding drainage issues in rear yards at Linden Avenue. Prepared drawings and conceptual plan in preparation of meeting. Conducted a survey of the backyards and road at Linden Road pursuant to the meeting.
- Conducted illicit discharge detection and elimination inspections in various locations of the City.
- Investigated stormwater flood complaints at Wilbur Boulevard/Kingston Avenue from Fox Hill Apartments.
- Assessed the western stairwell at Financial Plaza Deck due to rusting and disrepair areas. Roped off one flight of stairs due to the area of concern. Currently consulting with Silkworth Welding to determine whether a repair can be made via welding or if the stairs will need to be replaced.

### *Development*

- Site Plan Reviews – 11 site plans were reviewed and comments forwarded to the Planning Board.
- Spoke with Engineer of Taylor Manufacturing site and Upper Landing site to discuss further movement on site plans.
- Attended monthly Shade Tree Committee meetings. Engineering site plan comments were presented to the Shade Tree officials.

## Official Common Council Minutes of November 5, 2012

- 1 SWPPP was reviewed and approved.

### *Water and Sewer Department*

- Sanitary Sewer - 47 manhole inspections, 8 riser/frame repairs and 8 line cleanings (2029' of 8" pipe, 1200' of 12" pipe)
- Combined Sewer - 9 manhole inspections, and 1 line cleanings (210' of 8" pipe) 4 catch basin cleanings-removed 6 cy
- MS4 Storm Sewer - 27 manhole inspections, 5 riser frame repair, 2 line cleanings (350' of 12" pipe), 2 catch basin inspections, 39 catch basin cleanings – removed 118 cy, 8 catch basin frame repairs and 5 catch basin full repairs
- Sewer department - completed 85 work orders
- Mark-Out Department - received and completed 292 mark-out requests
- Water Department - completed 174 work orders
- Water Department - low pressure complaints and water quality complaints – 1
- Water Department - water leaks – 18
- Water Department - hydrant and sample station repairs – 156
- Water Department - valve box repair/inspection – 15
- Water Department – flushing of water lines – 19
- 3 Monthly Monitoring Reports for the Department of Health
- 1 Disinfection Byproduct report for Department of Health
- Continued Stage 2 DBP testing for Department of Health
- RFP for city wide Water Meter project

### **Finance:**

#### *Key Tasks/Functions*

- Attended NYSGFOA GFI Summer Workshop

## Official Common Council Minutes of November 5, 2012

- Budget preparation to Department Heads
- Implemented Administrative Fee for Abandoned/Vacant properties billed through Finance
- Review & Finalization of Joint Water Plant Budget
- NYSOCS Audit Entrance Conference
- Meeting with the County on Sales Tax Cap
- County Budget Impact on Municipalities Conference at Marist College
- Meeting with Bond Counsel & Financial Advisor on refinancing DeLaval BAN
- Meeting to plan fall leaf pick-up requirements
- Meeting with Verizon to centralize control of all mobile phones and air cards
- Sales Tax Cap meeting with County Legislators
- Conference Call on Restore NY
- Update meeting with Walkway on Department of State Grant
- Completion of refinance on Waterfront BAN

### *Personnel*

#### **Additions**

Theresa Matuck, Animal Control Officer, Police Department

#### **Resignation/Termination**

Antonio Peixoto, Public Safety Dispatcher, Police Department

Michael Long, City Administrator, City Administrator's Office

#### **Retirement**

Renate Vargas, Timekeeper, Department of Public Works—42 years

Laura Wojtowicz, Development Director, Development Department—4 years

Daniel Ferrara, Bus Driver, Department of Public Works—9 years

#### **Purchasing**

- In the third quarter of 2012, approximately 122 purchase orders were generated, making the total for the year approximately 407 to date.

## Official Common Council Minutes of November 5, 2012

### Bids:

RFB-COP-05-12-02 Glebe House Roof Repair—Opened September 5, 2012—Awarded to One Time Carpentry, contracts currently pending

RFB-COP-07-12-10 CSO Flow Meter Install—Opening was August 8, 2012—No responses, will rebid

RFB-COP-08-12-12 2 Heavy Duty Salter Trucks—Opened September 2, 2012—Awarded to Campbell Freightliner, waiting delivery

RFB-COP-08-12-13 Combination Sewer Cleaner—Opened September 12, 2012—Awarded to Joe Johnson Equipment, delivery in 150 to 180 days

RFB-COP-08-12-14 4x4 Utility Work Machine (Bobcat)—Opened September 12, 2012—No bids received, will rebid

RFB-COP-08-12-14R 4x4 Utility Work Machine (Rebid)—Opened October 3, 2012—One bid received, on hold

- Procurement Card (P-Card) Program: Expense reporting is continuing and journal entries for some expenses have been made through August. Several departments have outstanding reports, mostly within DPW. Working on getting the subsequent months finalized. Expenses this quarter total \$65,866.22.
- The City's Copier Machine contract will be extended to 2013. Since the City will be piggybacking from Dutchess County, the City's quarterly charge has been reduced from \$2,359.68 to \$1,840.55 (A savings of \$519.13 per quarter). Contracts will be signed shortly.
- The City's postage machine has been replaced with a less expensive model that does not include the Weigh On the Way (WOW) feature. The quarterly payments are now \$1,445.00, originally \$2,258.00, a savings of \$813.00 per quarter.
- Auction update: Auctions continue to be held almost monthly. The amount collected this quarter is \$35,520.00. To date, we have collected revenue in the amount of \$67,628.90 for the sale of our surplus, including impounds.
- The City's contracts with Mr. Shine for Car Wash services expired in February 2012. The City received notice that the contract price of \$3.50 per car would increase to \$4.95. The purchasing agent contacted three companies, including Mr. Shine for price quotes. One company did not return the agent's call, Mr. Shine's price was confirmed at \$4.95, Foam & Wash was \$4.50. Foam & Wash reduced their price to \$4.525. Account set-up has taken place. Each vehicle will be given a sticker for their vehicle. To date, most, if not all, vehicles have received their sticker.

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- The purchasing agent, Shirley Davison, is looking forward to attending the upcoming SAMPO conference in October to continue her education on municipal purchasing.

**Fire:**

*Alarm Reports*

Building Fires	11
Other Fires	1
Multiple Alarm Fires	6
Vehicle Fires	2
Cooking Fires	4
Outside Rubbish Fires	7
Carbon Monoxide Incidents	3
Motor Vehicle Accidents	51
Gas Leaks/Hazardous	8
Water Problems/other	2
Aircraft Standby	12
Good Intent Calls	28
Public Assistance Calls	4
Mutual Aid Given	9
Mutual Aid Received	6
Alarm Activations/Smoke	66
Boating Assist/Rescue	4
False Alarms	13
System Alarms Total	108
Assist EMS	644
<b>TOTAL ALARMS ANSWERED</b>	<b>1076</b>

*Loss from Fires*

Dollar Losses From Fire	\$350,000
Civilian Deaths	0
Civilian Injuries from Fire	0

*Personnel*

Firefighters Hired	0
Firefighters Retired	0
Total Firefighters Injuries	7
Days Lost Due to Injury	14
Total Sick Days Used	125
207-a Long Term Personnel	1
Total 207-a Lost Work Days	46
<b>Total Lost Work Days</b>	<b>185</b>

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*Revenue*

Foil Revenue	\$ 63.00
Miscellaneous Revenue	\$ 40.00
<b>Total Revenue</b>	<b>\$103.00</b>

*Training*

In House Training by M.T.O./M.F.I

• Building Construction	48 personnel @ 2hr each	Total hrs.	96
• RIT Training	44 personnel @ 2hr each	Total hrs	88
• Building Pre Planning	46 personnel @ 2hr each	Total hrs	92
• Master Streams	44 personnel @ 1hr each	Total hrs	44
• Ladder Inspections	21 personnel @ 2hr each	Total hrs	42
• Bail Out Ropes	16 personnel @ 3hr each	Total hrs	48
• SCBA Training	12 personnel @ 1hr each	Total hrs	12
• Hose Loads/Fire Streams	28 personnel @ 2hr each	Total hrs	56
• Basement Fire Operations	42 personnel @ 1hr each	Total hrs	42

**Total Training Hours 520**

EMS Training Hours

• Training	28 personnel @ 6hr each	Total hrs	168
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**Total Training Hours 168**

Police:

- The 3<sup>rd</sup> quarter began the 2013 budget process. We focused on eliminating any unnecessary spending in order to counter expected deficits that were being projected.
- We began the quarter with one police officer vacancy. This was "frozen" due to the pending budget concerns as well as a vacant civilian dispatcher position.
- Kevin VanWagner, Daniel Horton and Thomas Palinkas continue their field training and are expected to be at full performance in squads in the 4<sup>th</sup> quarter.
- Zachery McKinnon is still attending the Dutchess County Sheriff's Department Police Academy, and will graduate on October 25, 2012.
- We ended the quarter with one police officer vacancy. However, due to the City's fiscal crisis, this position will be frozen.
- We filled the vacant Animal Control Officer position with Theresa Matuck (09/17/12). She is currently on the job training with help from the Town of Poughkeepsie animal control officer. Theresa will be attending a mandated training at some time in the future.

## Official Common Council Minutes of November 5, 2012

- There is one vacant public safety dispatcher position available with the termination of Antonio Peixoto (07/06/12). Unfortunately that position may be eliminated in the 2013 budget.
- PO Michael Labrada continues to serve in the military in Afghanistan under Operation Enduring Freedom.
- The Citizen Observer continues to serve as our alert system to the public. We routinely send out information to the public to keep the community apprised of activity in their neighborhoods. During the winter months we also use it for snow emergency announcements and cancellations.
- We have continued to work to increase the number of alerts we issue via the system.

### *Community Policing/Directed Patrol*

- Last summer the department began an initiative to reorganize and revamp community policing.
- Based on the current staffing and expected reductions in the coming budget cycle the plans for the new directed patrol unit have been cancelled.

### *Traffic Division: 3rd Quarter 2012*

Impound statistics:

Jul:	31 impounds, 0 to salvage, 1 sold at auction, 20 returned to owners, 10 Scofflaw vehicles impounds, 0 sanitation impounds, 3 evidence impound, Scofflaw Amt. Owed <b>\$5,330.00</b> Scofflaw Amt Paid <b>\$2,800.00</b>
Aug:	45 impounds, 0 to salvage, 8 sold at auction, 28 returned to owners, 24 scofflaw vehicle impounds, 0 sanitation impounds and 8 evidence impounds, Scofflaw Amt. Owed <b>\$12,530.00</b> Scofflaw Amt. Paid <b>\$6,380.00</b>
Sept:	23 impounds, 0 to salvage, 0 sold at auction, 16 returned to owners, 10 Scofflaw impounds, 0 sanitation, impounds and 6 evidence impound, Scofflaw Amt. Owed <b>\$7,460.00</b> Scofflaw Amt. Paid <b>\$4,640.00</b>
<b>Total:</b>	99 total impounds, 0 to salvage, 9 sold at auction, 64 returned to owners, 44 Scofflaw vehicle impounds, 0 sanitation impounds and 17 evidence impound, Scofflaw Amt. Owed <b>\$25,320.00</b> Scofflaw Amt. Paid <b>\$13,820.00</b>

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<u>Traffic Accidents:</u>	<u>2012</u>	<u>2011</u>
Jul	100	92
Aug	86	127
Sept	111	113
<b>Total</b>	<b>297</b>	<b>332</b>

**Unit Assignments:**

**Days:**

PO Poluzzi            Mon-Fri  
PO Badner            Tue-Sat  
P.O. Dinonno        Mon - Fri

**Evenings:**

PO Lawless           Sun-Thurs  
PO Morrone           Tue-Sat

**Monday-Friday:**

Traffic Enforcement Officers (TEO's)

Vinette

Williams

Michetti

Young

- The Traffic Division assisted in several special events throughout the 3<sup>rd</sup> quarter including the 4<sup>th</sup> of July Celebration, Latin Festival and Judge Foreman's annual 9/11 service. The STEP Enforcement (Selective Traffic Enforcement Program) concluded at the end of September with traffic officers issuing 79 speed related tickets, 25 aggressive driving tickets, 18 cell phone tickets, and 69 other violations.
- The Parking Enforcement Officers continue to enforce the areas of college student residents including Whinfield and Delafield Sts. to prevent the recurring complaints of students parking in the permit district.
- The Traffic Officers assisted in the reconstruction of a double fatal auto accident in August. The result of this investigation is still pending and the vehicles involved are being examined for safety and to determine the approximate speeds.

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- Officer Badner assisted in training at the Police Academy being held at the DCSO for Radar certification. Officer Dinonno has become proficient in the use of the LPR, used to locate scofflaw vehicles throughout the city and impounding them.

*Statistics:* Below is the breakdown of 1st quarter unit activity:



### *Neighborhood Recovery Unit*

The NRU made a total of 29 arrests this quarter (12 felonies and 17 misdemeanors). This includes three County Court Indictments. The unit conducted five search warrants. The unit seized over 38 units of cocaine, 171 units of heroin, 3 units of marihuana, and 7 controlled substance pills. In addition, the unit also seized \$2,566.00 in cash and long handgun.

### *Dutchess County Drug Task Force*

The unit reports a total of 165 investigations in the City of Poughkeepsie (51 county-wide). Their efforts resulted in 17 arrests (9 felonies and 8 misdemeanors). They also report the seizure of \$7,349.00 in cash, 4 ounces of cocaine, 1211 units of heroin, 13 lbs of marihuana, 434 Oxycontin pills, and two handguns. The unit executed two search warrants in the City.

### *Training During the 3<sup>rd</sup> quarter:*

1. Total number of training give back time.....	836.00 hrs
2. Total number of hours submitted for pay .....	163.00 hrs
3. Total number of hours submitted for CT.....	171.58 hrs
4. Total number of hours attended during RTD.....	96.00 hrs
5. Total man-hours officers attended training.....	1266.58 hrs
6. Total training time amount paid.....	\$ 8,957.58

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### *3<sup>rd</sup> Quarter Training Highlights:*

- ESU Training conducted twice a month.
- Sniper training conducted once every other month.
- Motorcycle Training conducted once per month.
- Capt. Pape, Lt's. Freer, Wilson, Sgt's. Horton, Fitzgerald, Cronk, Camacho, Beam, Gioia and PO. Cummaro attended Investigating Use of Force for Field Supervisors in Town of Poughkeepsie, NY.
- K-9 Training is conducted once monthly
- PO. Stitt attended Scuba Diving Training with NYSP Dive Team in Albany, NY.
- PO's Badner, Morrone and Lawless attended Motorcycle Enforcement Training in Newburgh, NY.
- PO. Williams attended Physical Fitness Instructor Training in Ulster County, NY. at Ulster County Police Academy.

### *Animal Control:*

The new animal control officer began in September. Her reports will commence in the next quarter.

### **Other Projects Currently Overseen by the Police Department:**

#### *911 Phone System and Backup Room*

- We continue to update the newly renovated back up room to ensure it is ready to function in case of need either by the County or the City.
- An event occurred on 7/08/12 (2042 hours) when the network connections in City Hall failed causing our CAD and Records systems to crash. We operated in a manual dispatch mode until they were restored several hours later.
- We experienced an electrical loss of approximately one second during the Hudson Valley Balloon Festival (7/07/12) when one of the balloons hit a power line. This knocked out the air conditioning for City Hall during a high temperature weekend. The situation was further compounded by the breakdown of the dedicated air conditioning system in the computer room earlier the same week. Because dispatch and the front desk have separate air conditioning systems the effect of increasing temperatures was not noticed until just before the failure. The high heat in the computer room crashed their systems which maintain our software and operating systems. It should be noted that because this was a

## Official Common Council Minutes of November 5, 2012

weekend and we did not have the normal physical employee presence in the rest of City Hall to note the rising temperatures.

### *Computerization*

- The Coplogic (on-line citizen reporting) module setup has begun. We have been working with the vendor to finalize the reporting format. We expect to go on live in the next quarter.
- Decision Support (simplified data analysis inquiries) has been installed. We have not conducted in house training on this module.
- The MSP (Microsoft Platform) continues to be stabilized and expanded throughout the various units.
- Jere Tierney continues to lead our conversion and expansion processes.

### *Camera Upgrade and Expansion*

- Eclipse, our new camera vendor, has begun the process of site review and equipment ordering. We expect to begin actual installation in the next quarter.

### **Redundancy**

- The generator replacement project has been discontinued due to a lack of funding.

### **Injured/Restricted Status –**

**Sworn**-Seven members are currently out on long term medical- Wilkinson (02/12/08), Digilio (05/17/09), and Tortarella (RTW 03/04/10 then back out 03/05/10), Mannain (02/18/11), D'Amicantonio (05/06/11), McGinley (RTW 07/12/11 restricted duty then back out DI on 07/22/11), and Magistro (06/18/11).

Three members are currently out on short term medical- Craig (11/23/11), Tomaine (03/25/2012), and McSpedon (05/24/12)

Four members are currently on restricted duty- Richards (RTW 09/12/10), Zirbel (11/26/11 not duty incurred), and Lee (RTW 8/15), and Egan (out on 8/7 RTW 9/03)

**Civilian** – none

### *Statistics*

- The 3<sup>rd</sup> quarter shows a 33% increase in violent crime. This is totally due to an increase in assaults. This is caused by domestic violence assaults. The department changed its reporting methods and also its handling which has resulted in the change.

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- The second quarter also shows a 5% decrease in property crime. Except for a minor increase in burglaries, the other categories decreased.
- We also saw decreases this quarter in arrests, and all categories of tickets.
- The first three quarters showed 17% increase in violent crime, but again this is due to the increase in assaults and as previously explained.
- During the same period property crime decreased 3% with only MV thefts increasing.
- The first three quarters also saw a decrease in all ticket categories except moving violations which remained flat.
- Attached are the 3<sup>rd</sup> quarter (and the first three quarters of the year) statistics and a comparison with 2011.
- For further information please refer to the attached statistics.
- The statistics format was changed in 2007 to better reflect how NY State maintains their information. For their records the State counts attempted crimes as actual crimes. Our previous reporting split this into separate categories and was not reflected in reports prior to 2007. However we will now include this information as a separate part of the report.
- In addition, for statistical purposes, NY State considers unauthorized use of a motor vehicle as a motor vehicle theft. Therefore, we will also list these categories separately on the report.

Official Common Council Minutes of November 5, 2012

10/12/2012

Clerk Monthly Report Quarterly Report  
July 01, 2012 - September 30, 2012

CERTIFICATION OF REMITTING OFFICER:

Deanne L. Flynn, hereby certifies that she is the Chamberlain of the City of Poughkeepsie, State of New York; that she has examined the annexed report, that she knows such report to be a true and correct statement of operations for the period which it covers and that the amount remitted herewith is the full amount payable to the State Comptroller for such period

Account Description	Fee Description	Account#	Qty	Local Share
Clerk Admin Fee - .05 Postage	Clerk Admin. Fee		21	337.05
			<b>Sub-Total:</b>	<b>\$337.05</b>
Dog Licensing	Exempt Dogs	A2544	1	0.00
Dog Licensing	Female, Spayed	A2544	35	210.00
Dog Licensing	Female, Unspayed	A2544	6	105.00
Dog Licensing	Male, Neutered	A2544	48	288.00
Dog Licensing	Male, Unneutered	A2544	11	192.50
Dog Licensing	Replacement Tags	A2544	2	6.00
			<b>Sub-Total:</b>	<b>\$801.50</b>
Marriage Lic.	Marriage License		159	2,782.50
			<b>Sub-Total:</b>	<b>\$2,782.50</b>
Minor Sales	Copies Of Records		432	181.75
	Dog Redemption		4	539.86
	Maps		2	10.00
			<b>Sub-Total:</b>	<b>\$731.61</b>
Other Licenses	After Hours Store Permit		4	2,000.00
			<b>Sub-Total:</b>	<b>\$2,000.00</b>
	Application Fee		14	350.00
			<b>Sub-Total:</b>	<b>\$350.00</b>
	Assembly Permit		1	25.00
	Block Sale		2	50.00
	Garage/Yard Sales		31	217.00
			<b>Sub-Total:</b>	<b>\$292.00</b>
	Taxi Cab License 1 Year		28	4,200.00
	Taxi DI Process Fee		55	550.00
	Taxi Driver Perm. License		19	285.00
	Taxi Driver Temp. License		2	30.00
	Taxi Inspection		56	2,800.00
			<b>Sub-Total:</b>	<b>\$7,865.00</b>
	Town of Poughkeepsie HACK license		20	1,000.00
			<b>Sub-Total:</b>	<b>\$1,000.00</b>
	Vehicle for Hire License- Annual-Town of Pok		28	3,500.00
			<b>Sub-Total:</b>	<b>\$3,500.00</b>
	Vendor Permit/community Event		3	105.00
	Vendors License 6 Mo.		1	125.00
			<b>Sub-Total:</b>	<b>\$230.00</b>
Vital Fees	Zoning Book/map		1	35.00
	Birth Certificates		1140	11,400.00
	CImc Marr. Off. (credit)		3	150.00
	CImo Marr. Off. (cash)		4	200.00
	Death Transcripts		1419	14,190.00
	Marriage Transcripts		90	900.00
Traffic	Scofflaw			\$25,445.00
			<b>Sub-Total</b>	<b>\$25,445.00</b>

Official Common Council Minutes of November 5, 2012

10/12/2012

Clerk Monthly Report Quarterly Report  
July 01, 2012 - September 30, 2012

CERTIFICATION OF REMITTING OFFICER:

Deanne L. Flynn, hereby certifies that she is the Chamberlain of the City of Poughkeepsie, State of New York; that she has examined the annexed report, that she knows such report to be a true and correct statement of operations for the period which it covers and that the amount remitted herewith is the full amount payable to the State Comptroller for such period pursuant to chapter 960 of the laws of 1976, as amended.

Account Description	Fee Description	Account#	Qty	Local Share
	N/C Birth Cert.		21	0.00
	N/C Death Cert.		1	0.00
	N/C Marriage Cert.		2	0.00
	Search Records		14	308.00
VS/Clerk Postage Reimbursement	Postage/residential		21	397.95
			<b>Sub-Total:</b>	<b>\$27,580.95</b>
Wagering Fees	Bell Jar Permits		1	25.00
	Bingo Proceeds		10	154.86
	Games of Chance License		3	75.00
	Raffle License		1	25.00
			<b>Sub-Total:</b>	<b>\$279.86</b>
			<b>Total Local Shares Remitted:</b>	<b>\$73,195.47</b>
Amount paid to:	NYS Ag. & Markets for spay/neuter program			134.00
Amount paid to:	State Health Dept For Marriage Licenses			3,577.50
<b>Total State, County &amp; Local Revenues: \$76,907.97</b>			<b>Total Non-Local Revenues:</b>	<b>\$3,711.50</b>

CERTIFICATION OF ISSUING OFFICER:

Deanne L. Flynn, hereby certifies that she is the Chamberlain of the CITY OF POUGHKEEPSIE, State of New York; that she has prepared the annexed report, issued the licenses listed therein and that such report is a true and correct statement of operations for the period which it covers.

BP4BOPER SYSTEM

BREAKDOWN-BY-OP  
CITY OF POUGHKEEPSIE PARKING TICKET  
08/01/2012  
BREAKDOWN BY OPERATOR REPORT  
FOR MONTH ENDING 07/31/2012

PAGE 1

OPID	AMT-PD	AMT-DS	AMT-RED	AMT-PD-YTD	AMT-DS-YTD	AMT-RED-YTD
413	.00	1,305.00	.00	.00	1,305.00	.00
423	26,135.00	.00	1,410.00	26,135.00	.00	1,410.00
425	1,760.00	.00	70.00	1,760.00	.00	70.00
432	6,555.00	.00	135.00	6,555.00	.00	135.00
456	3,315.00	2,060.00	785.00	3,315.00	2,060.00	785.00
WEB	11,025.00	.00	.00	11,025.00	.00	.00
GRAND TOTALS: PD : 48,790.00 DS : 3,365.00 RED : 2,400.00 PD YTD: 48,790.00 DS YTD: 3,365.00 RED YTD: 2,400.00						

Official Common Council Minutes of November 5, 2012

‡P4BOPER SYSTEM

BREAKDOWN-BY-OP  
CITY OF POUGHKEEPSIE PARKING TICKET  
09/04/2012  
BREAKDOWN BY OPERATOR REPORT

PAGE 1

FOR MONTH ENDING 08/31/2012

OPID	AMT-PD	AMT-DS	AMT-RED	AMT-PD-YTD	AMT-DS-YTD	AMT-RED-YTD
413	.00	1,025.00	.00	.00	1,025.00	.00
423	30,280.00	.00	1,195.00	30,280.00	.00	1,195.00
432	10,855.00	20.00	140.00	10,855.00	20.00	140.00
456	3,565.00	2,135.00	760.00	3,565.00	2,135.00	760.00
WEB	8,370.00	.00	.00	8,370.00	.00	.00
GRAND TOTALS: PD : 53,070.00 DS : 3,180.00 RED : 2,095.00 PD YTD:						
53,070.00 DS YTD: 3,180.00 RED YTD: 2,095.00						

‡P4BOPER SYSTEM

BREAKDOWN-BY-OP  
CITY OF POUGHKEEPSIE PARKING TICKET  
10/01/2012  
BREAKDOWN BY OPERATOR REPORT

PAGE 1

FOR MONTH ENDING 09/30/2012

OPID	AMT-PD	AMT-DS	AMT-RED	AMT-PD-YTD	AMT-DS-YTD	AMT-RED-YTD
413	.00	2,290.00	.00	.00	2,290.00	.00
423	24,385.00	.00	1,235.00	24,385.00	.00	1,235.00
432	8,035.00	.00	60.00	8,035.00	.00	60.00
456	3,200.00	1,580.00	655.00	3,200.00	1,580.00	655.00
WEB	10,065.00	.00	.00	10,065.00	.00	.00
GRAND TOTALS: PD : 45,685.00 DS : 3,870.00 RED : 1,950.00 PD YTD:						
45,685.00 DS YTD: 3,870.00 RED YTD: 1,950.00						

Official Common Council Minutes of November 5, 2012

PARKING TICKET TRIALS – July 1, 2012-September 30, 2012

DATE	POTENTIAL REVENUE	ACTUAL REVENUE	PERCENTAGE	TIA'S ETC.
July 2, 2012	\$605.00	\$420.00	69%	4-Default Judgments 2-ACD 1-"Covered"
July 9, 2012	\$885.00	\$580.00	65%	7-Default Judgments 3-Dismis 2-ACD
July 10, 2012	\$675.00	\$295.00	44%	4-Default Judgments 4-ACD 2-Covered
July 16, 2012	\$1,580.00	\$560.00	35%	9-Default Judgments 8-ACD 2-"Covered"
August 6, 2012	\$1,315.00	\$425.00	32%	5-Default Judgments 11-ACD 1-DIJ
August 13, 2012	\$325.00	\$200.00	62%	4-Default Judgments 1-ACD 4-"Covered"
September 10, 2012	\$1,095.00	\$595.00	54%	8-Default Judgments 16-ACD 2-DIJ
September 11, 2012	\$910.00	\$245.00	27%	4-Default Judgments 5-ACD 1-Dismis
September 24, 2012	\$760.00	\$490.00	64%	5-Default Judgments 3-ACD

**TOTALS                    \$ 8,150.00        \$ 3,810.00        47%**

IN ADDITION, CORPORATION COUNSEL'S OFFICE COLLECTED \$3,900.00 IN PLEA BARGAINS FOR THE QUARTER

Official Common Council Minutes of November 5, 2012

**CLAIMS FILES OPENED**

July 1, 2012-September 30, 2012

<u>Adverse Party</u>	<u>Date of Loss</u>	<u>Action/Cause of Claim</u>	<u>Amount in Controversy</u>	<u>Disposition of Matter</u>
Gaspare Costanzo	6/25/12	Hit Pot Hole on Washington Street	\$1,923.09	Open
William Bogle	6/25/12	Partial foot amputation by concrete barrier	Unknown	Open
Amanda Smith	8/1/12	Vehicle damage/parking deck Cannon Street	\$1,233.27	Open
Abderrahman Berrada	8/1/12	Vehicle damage/parking deck Cannon Street	717.19	Open
Susan Von Elm	7/4/12	Personal injury on Kitterage Place	\$500K +	Open
Maureen Gardner	9/18/12	Tree branch fell on vehicle/Hooker Avenue	Unknown	Open

**Claims Paid**

None

**TOTAL**

**\$00.00**

Official Common Council Minutes of November 5, 2012

TRAFFIC TRIALS-CITY COURT  
July 1, 2012-September 30, 2012

JULY 12, 2012	REVENUE RECEIVED	\$2325.00	60 TRIALS
JULY 16, 2012	REVENUE RECEIVED	\$500.00	9 TRIALS
JULY 20, 2012	REVENUE RECEIVED	\$425.00	7 TRIALS
JULY 30, 2012	REVENUE RECEIVED	\$1,105.00	10 TRIALS
AUGUST 1, 2012	REVENUE RECEIVED	\$25.00	1 TRIAL
AUGUST 3, 2012	REVENUE RECEIVED	\$956.00	28 TRIALS
AUGUST 7, 2012	REVENUE RECEIVED	\$1,170.00	26 TRIALS
AUGUST 9, 2012	REVENUE RECEIVED	\$1,520.00	24 TRIALS
AUGUST 13, 2012	REVENUE RECEIVED	\$1,025.00	29 TRIALS
AUGUST 14, 2012	REVENUE RECEIVED	\$2,400.00	42 TRIALS
AUGUST 16, 2012	REVENUE RECEIVED	\$1,350.00	28 TRIALS
AUGUST 20, 2012	REVENUE RECEIVED	\$2,070.00	28 TRIALS
AUGUST 27, 2012	REVENUE RECEIVED	\$1,645.00	27 TRIAL
AUGUST 28, 2012	REVENUE RECEIVED	\$4,250.00	58 TRIALS
AUGUST 30, 2012	REVENUE RECEIVED	\$1,475.00	23 TRIALS
AUGUST 31, 2012	REVENUE RECEIVED	\$1,500.00	19 TRIALS
SEPTEMBER 4, 2012	REVENUE RECEIVED	\$1,575.00	28 TRIALS
SEPTEMBER 6, 2012	REVENUE RECEIVED	\$1,300.00	21 TRIALS/13 NO SHOW
SEPTEMBER 7, 2012	REVENUE RECEIVED	\$2,180.00	19 TRIALS/7 NO SHOW
SEPTEMBER 10, 2012	REVENUE RECEIVED	\$3,275.00	29 TRIALS/9 NO SHOW
SEPTEMBER 11, 2012	REVENUE RECEIVED	\$2,550.00	25 TRIALS/8 NO SHOW
SEPTEMBER 13, 2012	REVENUE RECEIVED	\$3,025.00	26 TRIALS/12 NO SHOW
SEPTEMBER 14, 2012	REVENUE RECEIVED	\$3,545.00	25 TRIALS/10 NO SHOW
SEPTEMBER 18, 2012	REVENUE RECEIVED	\$1,990.00	20 TRIALS/13 NO SHOW
SEPTEMBER 20, 2012	REVENUE RECEIVED	\$2,535.00	23 TRIALS/11 NO SHOW
SEPTEMBER 21, 2012	REVENUE RECEIVED	\$2,980.00	27 TRIALS/6 NO SHOW
SEPTEMBER 24, 2012	REVENUE RECEIVED	\$3,020.00	22 TRIALS/10 NO SHOW
SEPTEMBER 27, 2012	REVENUE RECEIVED	\$2,100.00	30 TRIALS/9 NO SHOW
SEPTEMBER 28, 2012	REVENUE RECEIVED	\$2,945.00	27 TRIALS/6 NO SHOW
	<b>Total Revenue:</b>	<b>\$56,761.00</b>	

2012 Quarterly Reports

Department	Third Quarter
<b>Buildings &amp; Grounds</b>	
City Hall	Unclogged public bathrooms; worked on A/C problems; changed fan belts and filters, greased bearings; renovated computer room; maintained exhaust fans (tightened belts and replaced as needed, greased bearings); met with contractors for A/C issue; discarded 50 boxes from the penhouse; moved furniture for various divisions; resolved elevator issue.
Firehouses	Maintained roof top A/C units at 505 Main Street (changed filters, belts and kept the gears greased); arranged for pest control at Hooker Avenue Firehouse and tried to determine where roof leak originated; repaired plumbing at Clover Street Firehouse (unclogged sewer drain for the bathroom); removed three raccoons stuck in dumpster at 505 Main Street.
Police Division	Unclogged urinals in cell blocks and repaired plumbing; cleaned up after prisoners; sprayed for bee's nest under picnic tables at Juvenile Dept.; checked outside spigot and for membrane leak for Training Room.
City Court	Painted offices, moved furniture and discarded boxes; installed wall mount hand sanitizer.
DPW Compound	Prepared employee timecards; installed breakway connection for diesel pump; repaired plumbing issues with DPW buildings; repaired doors jams in Ready Room.
Abandoned Buildings	Secured 20 buildings
Winterize/Unwinterize	N/A
Miscellaneous	Painted Benny's 10th Inning; added 20' section on to boat dock at Waryas Park; striped street after paving project (double yellow, stop bars, crosswalks, arrows); striped for school stencils and stop bars and crosswalks in the area of schools; maintained City pools (ordered chlorine, backwashed the pools, repaired stair into pool and repaired ladders; corrected plumbing problems, drained pools and winterized for following year); repaired bus shelter.
Walk Throughs	Central Hudson, pest control and American H/V
Work Orders	112

Official Common Council Minutes of November 5, 2012

Department	Third Quarter
Street Maintenance	
Snow Events	N/A
Pot Holes	Patching from July to August when not milling and paving
Excavations Repaired	Repaired 15 excavations and 5 drainage problems.
Oil Spills Complaints	0
Top Soil Complaints	
Graffiti Complaints	Machine out of service due to lack of funds to repair
Compost Area	24 hours pushing compost and turning piles.
Others	Milled and paved 21 blocks; patched pot holes for the 4 of July Parade; top soil behind paving project; resolved drainage problem and patched trouble spot (work order); installed Grist Mill at Hoffman House; assisted Buildings & Grounds with stripping streets; cleaned DPW yard in preparation for DEC inspection; turned piles and pushed compost into rows; assisted Sewer Dept. with installation of pre-cast catch basin at Spratt Park; assisted electrician in removing damaged light poles, installing new light poles and setting up work zones; repaired damaged guard rail; watered flowers in the parks; assisted with installation of new section of boat dock at Waryas Park; set up work zones for Tree Dept. on west bound arterial; prepped the area and assisted with playground equipment at King Street Park; put out barricades for block parties and for different events; backfilled around WPCP due to undermined condition from rain storm; placed portable stop signs as needed.
Work Order Complaints	143

Official Common Council Minutes of November 5, 2012

Department	Third Quarter
<b>Sign Department</b>	
Street ID	12
Ordinance Change	2
New Signs	106
Sign Replacement	60
Faded Sign Replacement	47
Signs Straightened	12
Mark Out Request	15
Parking Lots	N/A
Cars & Trucks	8
Signs Made	166
Other	<p>Set up and removed barricades for events and emergency situations; set up and removed portable stop signs; set up and removed construction signs for work zones; picked up supplies; researched code book for ordinances in question; laid out area for new sign locations needed and wanted; removed downed signs and trip hazards; responded to complaints from Police and Corporation Counsel and rectified same; made name plates for personnel; coated faded signs with high intensity reflective material to reuse aluminum (46); obtained quotes for materials and ordered same; removed signs and put downed sign posts back into inventory for reuse; cut bent and damaged sign posts into drive posts (stubs); researched Fed MUTCD new standards information; prepared time and material list for sign replacement after accidents; trimmed trees for sign placements; responded to ordinance conflict.</p>

Official Common Council Minutes of November 5, 2012

Department	Third Quarter
<b>Tree Department</b>	
Tree Planting	N/A
Tree Removal	30
Tree Trimming	213
Stump Removal	15
Banner and Flags	Replaced flags at Waryas Park, Civic Center, Spratt Park and lowered them as necessary
Christmas Decorations	N/A
Christmas Trees	N/A
Work Order Complaints	202
Others	Assisted with milling and paving project this year and trimmed for paving project; assisted with creek clean up (Fitchett, Brookside, Verazzano, Pershing, Dongan Square, Family Partnership, N. Hamilton behind Dutchess County Jail, Malcolm X Park, Winnikee, Children's Museum, 505 Main St., and DPW compound); removed bee hives; assisted Sanitation Dept. with trailer driver when needed; assisted Recreation with clean up; cleared City streets after storm; trimmed trees and brush for signs and stop signs.

Official Common Council Minutes of November 5, 2012

<b>Department</b>	<b>Third Quarter</b>
Utility Markouts	299 markouts
Electric Department	187 work order complaints
Recreation Department	15 completed work orders
Sewer Department	85 completed work orders
Water Department	174 completed work orders; tagging & banning of hydrants
Dispatch Office	25 completed work orders
Sanitation Department	58 completed work orders
Violations (regular)	259 daily violations billed at \$19,536.33
Violations (Abandoned and/or Vacant Properties)	62 ABV violations billed at \$6,864.71

Building Department - 3rd Quarter 2012

Description	Count	Amount
CO Searches	118	13,075.00
Property Inspections	16	1,150.00
Electrical Licenses	9	1,835.00
Plumbing Licenses	33	4,950.00
Gas and Oil Licenses	99	23,175.00
Demolition Permits	10	2,406.30
Building Permits	315	56,271.75
Reciprocal and Special Permits	4	1,100.00
<b>Total</b>	<b>604</b>	<b>\$103,963.05</b>
Freedom of Information Inquiries	116	
Complaints Received	172	

**Community Development  
Quarterly Statistics and notes**

**Community Development Block Grant (CDBG)**

	# of Applications	# Funded	\$ Requested	\$ Recommended
Public Service	18		\$235,418	
Infrastructure				
City Projects				

CDBG Action Plan yet to be prepared by this reporting.

**Housing Opportunities for People with Aids (HOPWA)**

	# of Applications	# Funded	\$ Requested	\$ Recommended
2013 HOPWA RFP's not due until October 5.				

**FAÇADE GRANT**

# of Applications	# Approved	\$ Requested	\$ Approved	\$ Paid out this qtr
2	2	\$14,845	\$14,845	\$7,345

**Economic Development Loan Fund (EDLF)**

# of Applications	# Approved	\$ Requested	\$ Approved	\$ Paid out this qtr
1	1	\$50,000		

**Business Rental Subsidy Grant**

# of Applications	# Approved	\$ Requested	\$ Approved	\$ Paid out this qtr
Program no longer available				

NOTES:

Section 8

Quarterly Statistics

YOUCHERS	July	August	September
Tenant Based	654	651	652
Total Issues	654	651	652
Total Allocation	666	666	666
Housing Assistance Payment	\$ 390,968.59	\$ 388,045.20	\$ 386,044.25

UTILIZATION	July	August	September
Waiting List at start of quarter	581		
# Canvassed by Letter	0	31	32
# Responses and Interviews Conducted	0	6	13
# of Vouchers Issued	9	5	6
Waiting List at end of Quarter			550

We have recently resumed processing and leasing up applicants on the current waiting list.

INSPECTIONS	July	August	September
ANNUALS	44	53	78
COMPLAINTS	4	0	3
RE-INSPECTION	14	18	12
INITIALS	16	14	16
TOTAL	78	85	109

LEASE APPROVALS	July	August	September
RECEIVED	17	21	23
INSPECTED	18	14	16

RECERTIFICATION/CHANGES	July	August	September
ANNUALS	35	51	76
INTERIM ADJUSTMENT	26	31	39
NEW LEASE UPS	6	5	4
TOTAL	67	87	119

2012 FAIR MARKET RENT	STUDIO	1BR	2BR	3BR	4BR
TENANT BASED	\$ 883.00	\$ 1,038.00	\$ 1,272.00	\$ 1,559.00	\$ 1,661.00

**Planning - 2012 - 3rd Quarter**

**Planning Division Statistics and notes**

**Applications**

Site Plans	10
Extension of Time for Site Plan/Subdivision Validity	
Subdivisions	1
Special Permits	
Facades	
Signs	18
SECORA	
Area Variances	2
Use Variances	1
ZBA Interpretations	

<b>REVENUE</b>	
Signs	5,100.00
Site Plans	8,486.00
Special Use Permits	0.00
Variances	2,450.00
Subdivisions	2,800.00
<b>TOTAL REVENUE</b>	<b>\$18,836.00</b>

Grants:	Description:
Restore NY with Empire State Development Corp.	The site plan for 23 Academy St was approved by the Planning Board in January 2010. Both the State and the City have signed the contract and the City and the Applicant signed a separate contract. The applicant is working with the Building Department to ready the paperwork for a building permit and variances requested from the state.
Transit Oriented Development at Poughkeepsie Station Grant	Transit oriented development study completed in December 2011, with final paper work submitted to the State to close out the grant in May 2012.
Waterfront & Lower Main Street Corridor Planning Grant	The consultants for this project have been working with and meeting with the Development Department on a regular basis submitting draft reports and plans which will eventually be presented at a public meeting.
Downtown Economic Revitalization Grant	City waiting for results of Waterfront & Lower Main Street Corridor Planning Grant to assess how best to implement the grant.
Southern Waterfront Multi Use Path (Hinckley FHWY Appropriation)	The project has been fully executed and is on the TIP.
The USDA Southern Waterfront Tree Planting Grant	Fulfilled the annual reporting requirements. This grant will proceed when the remediation and development of southern waterfront is completed. Nothing new as of September 30, 2011. City applied for extension of time for this grant.

**Other Projects and Activities:**

**Shade Tree Commission:** Held monthly STC meetings, which include site plan reviews, ongoing revisions to the City tree ordinance, on-going revision of bi-annual tree planting list for DPV, as well as providing staff support for a variety of other urban forestry initiatives and tree-related meetings and events. STC held an Arbor Day tree planting ceremony at Adfiance Memorial Library.

**WAC** met in November and were updated on all City grants concerning the waterfront. They also discussed the Dutton project with Lou Kaufman, who submitted the latest revision of the FEIS in March 2012

**BRAC:** City has submitted changes to the redevelopment plan to now have the regulating authority hold a public sale of the base. The changes in the plan have been accepted by HUD and the Army, which is completing their paperwork to move ahead with the public sale.

**Save-A-Lot/12 N. Hamilton St:** All conditions of the Planning Board's site plan approval issued in October 2011 have been met, and a revised site plan was submitted to the City. Construction plans were submitted along with a Building Permit application in June. Application is currently under review.

3rs Quarter 2012  
2012 vs 2011  
July-Sept

**Comparison of Uniform Crime**

	2012	2011	CHANGE	% CHANGE
MURDER	2	1	1	100%
RAPE	4	5	-1	-20%
ROBBERY	19	20	-1	-5%
ASSAULT	76	49	27	55%
<b>TOTAL VIOLENT CRIME</b>	<b>101</b>	<b>75</b>	<b>26</b>	<b>35%</b>
BURGLARY	77	75	2	3%
ATT. BURGLARY	6	5	1	20%
LARCENY UNAUTHORIZED USE OF MV	237	254	-17	-7%
MV THEFT	2	3	-1	-33%
8	12	-4	-33%	
<b>TOTAL NON VIOLENT</b>	<b>330</b>	<b>349</b>	<b>-19</b>	<b>-5%</b>

**Comparison of Arrests and Calls**

	2012	2011	CHANGE	% CHANGE
ARRESTS	491	525	-34	-6%
CALLS	ATTACHED	ATTACHED	ATTACHED	ATTACHED

**Comparison of Tickets**

	2012	2011	CHANGE	% CHANGE
PARKING	4953	5468	-515	-9%
MOVING	1522	2023	-501	-25%
ORDINANCE	280	735	-455	-62%
<b>TOTAL</b>	<b>6755</b>	<b>8226</b>	<b>-1471</b>	<b>-18%</b>

**X. UNFINISHED BUSINESS:**

**Councilmember Boyd:** I'll make it very quick. First Quarter and Second Quarter Reports needed corrections. I made a comment that these needed to be done. We have not received the corrections for these quarters.

**Mayor Tkazyik:** I believe the Acting City Administrator has given those to my Administrative Assistant to make those and provide the appropriate copies to the Council with the amended corrections.

**Councilmember Boyd:** Do you have any idea when we'll be getting them?

**Mayor Tkazyik:** Probably get them at your next meeting. It takes a lot to get all this detail from them to give you for the quarterly report, but we'll get those amendments to you.

**Chairwoman Johnson:** Any other unfinished business?

**Mayor Tkazyik:** I do have one piece of unfinished business – it's sort of new business, but really unfinished business. We were informed, and I wanted to make the Council aware, I met with representatives from Save-A-Lot Supermarkets from Moran Foods, Inc. and they gave the City notice that they would no longer continue with the proposed development project at the Crannell Street lot. The delay with the New York State D.O.T. with the curb cut process, we were informed by them that corporate did reevaluate the project here in Poughkeepsie and they decided not to move forward. Remember, this was going to be a corporate store, not a franchise store. This was a major undertaking on their part. However, some good news along the way. Some of the members of the group who sort of brought Save-A-Lot to the City have expressed interest still in that site for future possibilities.

**Chairwoman Johnson:** Such as...?

**Mayor Tkazyik:** Other supermarkets that may be interested. I think that the window is still open.

**Chairwoman Johnson:** So, in other words, that particular property, we're still looking for that supermarket.

**Mayor Tkazyik:** That is still a prime location amongst other supermarket corporations, because it's right off the Arterial to develop a project. However, Moran Foods, Inc. Save-A-Lot has given the City notice that they are not going to pursue the project. I wanted to bring it to the Council's attention.

**Chairwoman Johnson:** Maybe we can look at our buddies at Shop-Rite.

**Mayor Tkazyik:** We'd love to get a major chain in the city, but we don't have the square footage they want. I'd love to have Shop-Rite. But, we'll keep pursuing.

**XI. NEW BUSINESS:**

**Councilmember Mallory:** Just one thing, Madam Chair. I'd like to thank the Mayor for expressing exactly what happened with the shelter, because I was hearing from either constituents or others from the not-for-profits that expressed the concern that why wasn't it in the city? So, I want to thank you for going on record pointing to it should directly be pointed to – the County.

**Chairwoman Johnson:** I believe the Mayor and I had that discussion because when I saw that I said that we really had to do something. It just wasn't feasible; I was very upset because our families had to travel all the way to Beacon. Why can't they go to the Salvation Army, which is within walking distance, centrally located. That's where we normally send people when we have fires and other emergencies.

**Councilmember Mallory:** We've sent people to the Civic Center in the past.

**Chairwoman Johnson:** In the future, is that something we really don't have any control over?

**Mayor Tkazyik:** Again, with the resources that get deployed from the County through the State to the Red Cross, wherever those resources are going to be set up, what the Red Cross can handle is where they're going to select but make it known that how we were displeased about the decision.

**Chairwoman Johnson:** Is there any type of churches or any other type of...

**Mayor Tkazyik:** The problem is, that you have to have an organized organization. When you declare an emergency or declare shelters there are certain protocols that must be followed to cities and counties to provide certain accommodations. A lot of it could be mental health needs, medical needs and toilets per person. The Red Cross was established at both sites. All resources were given there, unfortunately, at a school.

**Chairwoman Johnson:** We have vacant schools and vacant buildings here too. I would love to see maybe Hudson River Housing or some other organizations that already deal with the homeless...

**Mayor Tkazyik:** Again, any help that the council members could...write to the County Executive or write to the Legislators saying that you were displeased. I did get a call from Supervisor Tancredi in the Town [of Poughkeepsie] because the Town shares a lot of the interaction with homeless population and the shelters and he was very upset that it was not a centralized location in Dutchess County.

**Councilwoman Johnson:** So, his people had to go to Beacon?

**Mayor Tkazyik:** Yes, if they had the opportunity to get there.

**Chairwoman Johnson:** That's what I mean; that's far.

**Mayor Tkazyik:** And, they wanted them to pay, after displacing them.

**Councilwoman Johnson:** Oh, my goodness. Any other new business?

**Councilmember Perry:** I just want to ask you, Mr. Mayor, you mean to tell me there's nothing in the entire City of Poughkeepsie for our population here that can house anyone in a distress situation like that? We have to go to Beacon and Red Hook and everywhere else that we normally don't go to?

**Mayor Tkazyik:** We do have those plans in place in places that we work with, such as the Civic Center and the Salvation Army. However, the resources to run those shelters was not provided to the City. That's the issue.

**Councilmember Perry:** Were the resources available to the other places, just not to the City?

**Mayor Tkazyik:** That's correct.

**Councilmember Perry:** Do you have any reason that that didn't happen? Do you have any knowledge of anything...

**Mayor Tkazyik:** That's a question to ask with the County Executive and the Dutchess County Emergency Management Team. Why Beacon was selected.

**Councilmember Perry:** Wanted to know why the City was not selected, since we have schools closed, just to be closed. This is nonsense, I never heard of such nonsense. So, our people in the City, with no transportation would have to walk to Beacon? This is outrageous; this is unbelievable. We should do something about opening our schools. We have plenty of schools and that the people pay taxes for these schools. This is unreasonable.

**Councilwoman Johnson:** The Mayor and I were very upset. We have everybody in the City of Poughkeepsie. This is the melting pot.

## **XII. ADJOURNMENT:**

A motion was made by **Chairwoman Johnson** and **Councilmember Rich** seconded the motion to adjourn the meeting at 9:40 p.m.

**Dated:** February 6, 2013

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 1, 2012 at 6:30 p.m.

**Respectfully submitted,**

**City Chamberlain**



**COMMON COUNCIL MEETING**

Common Council Chambers

Monday, November 5, 2012

6:30 p.m.

*5:30 p.m. Public Hearing regarding  
proposed 2013 Budget*

*6:30 p.m. presentation by Wastezero*

**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 CHAIRWOMAN JOHNSON, Resolution R12-74, setting an additional public hearing for the 2013 preliminary budget.**
- 2. FROM CHAIRWOMAN JOHNSON, Resolution R12-75, appropriation of \$5000.00 for the retention of an accountant for the Common Council.**

3. **FROM COUNCILMEMBER MALLORY**, Resolution R12-76, opposing the proposed sales tax cap by Dutchess County.
4. **FROM COUNCILMEMBER PARISE**, Resolution R12-77, providing for expanded hours of operations for the Ice House Restaurant.

**IX. ORDINANCES AND LOCAL LAWS:**

1. **FROM COUNCILMEMBER PARISE**, Ordinance O-12-12, amending park hours for Waryas Park.

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

5. **FROM GINO'S PIZZA AND RESTAURANT**, a notice of intent to renew their Liquor License.
6. **FROM MUHAMMAD S. KHURSHID**, a notice of claim sustained on July 25, 2012.
7. **FROM LAWRENCE E. WONDERLY**, a notice of claim sustained on August 1, 2012.

**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT:**