



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, October 17, 2011 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All present

II. REVIEW OF MINUTES:

Public Hearing of 2-28-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CCM 2-28-11						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

ADD

VII. MOTIONS AND RESOLUTIONS:

- 3. FROM ASSISTANT CORPORATION COUNSEL ACKERMANN, Resolution R11-85, setting the public hearing for the Mayor's 2012 preliminary budget.**

REMOVE:

VIII. ORDINANCES AND LOCAL LAWS:

- 1. FROM ASSISTANT CORPORATION COUNSEL ACKERMANN, Ordinance O-11-21, amending parking on Main Street between North Cherry and Clinton Square.**

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

Ken Stickle 118 Catherine Street – Riding by Mansion Square Park you notice on the N. Hamilton side there is a very large branch that has come down. What are we waiting for, a branch coming down killing something? We are the ones that say you can't cut the trees? This is the time of year you will see the trees starting to die at the top; we have a lot of dead in the trees. I don't know the city's financial end is on damages, I know a lot of people put in claims. We need to get the crew out and get these trees cut because someone in killed or seriously injured. I know the budget is tight. It will help homeowners seeing their taxes go down, without losing services. Sidewalks, streets, and trees are things the city really has to take care of and I am hoping we can do something quick.

V. MAYOR'S COMMENTS

Mayor Tkazyik – This past Friday the 2012 preliminary budget was presented for your review and deliberation. There will be 3 review sessions, Monday the Nov. 14th at 6pm, Tuesday Nov. 15th at 6pm, and Wednesday Nov. 16th at 6pm. If more review is needed we will make the necessary arrangements. Would like to make aware that FEMA has made a second stop in Poughkeepsie, they will be in the Cranell Street lot today tomorrow and Wednesday from 8am to 8pm. We are grateful to have such a presence in the City of Poughkeepsie. Also the festival of lights will be Friday Dec. 2nd around 6pm, and we look forward to working with the Bardovon and the River District who sponsor the event. We will all be there to bring in the cheer and celebrate downtown and its accomplishments. I look forward to working with

everyone on the 2012 budget with everyone. Also before you tonight is the sale of 40 & 42 Cottage Street, the project has the assistant of restore New York funds and working with Nubian Directions and the sale of this property will bring the funding source to completion and bring new life and transformation to the Cottage Street neighborhood.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Klein – Thanks the council for being understanding of my recent absence. Attended the Poughkeepsie High School homecoming game, it was exciting and a great event. Downtown is an exciting place, someone I spoke with told me they had trouble getting a reservation at the Artists Palate. It is a note of vibrancy and vitality that is welcome and note worthy in this city. The city is a destination with places to go to and it enhances our profile.

VII. MOTIONS AND RESOLUTIONS:

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

Asst. Corp. Counsel Ackermann – Introduces the sale and SEQRA resolutions for 40 & 42 Cottage Street. The council had previously authorized the sale of those along with other properties in 2008 it became evident that the proposed purchaser was not going to be able to close on those properties. Since that time the city has moved to reoffer for sale those properties starting with Nubian Directions purchasing some properties on Winnikee and Cottage Streets. The city put out an RFP for these 2 properties some time ago the city received an offer from LCS facility group intends to purchase these properties rehab them into office space, expand their business and store equipment. There is some restore N Y money, it is a timeliness issue as we did receive one extension until this December we may be able to get until next December, but it is critical that we get this moving so that the restore NY monies are available.

Councilwoman Solomon – Asks why this is confidential?

Asst. Corp. Counsel Ackermann – There is an offer associated with this. There is financial data that has been presented to the council so that they can see the creditworthiness of the developer, which is confidential data. What I have been trying to do for the council benefit is to give more information so that the council can make a more informed decision about the purchase but with that there is more confidential data on there and that is also a reason.

Councilwoman Flowers – The properties are in the 5th ward, and they have done a fantastic job with 36 Cottage Street. I am impressed with the development and admire that LCS wants to take over the building next to it. It will revitalize the area and make improvements there. I would appreciate the council to support it.

Councilman Mallory – Would also like to echo the support for the property purchase. Across the street is the 3rd ward and I am appreciative of the effort moving forward. Is it normal to tie restore NY funds to along a particular street?

Mayor Tkazyik – It is not ideal but it is something that the previous administration, but that is the way it was established in 2007 and we have to stay within those regulations.

Councilwoman Johnson – Asks if the property was put out to bid.

Asst. Corp. Counsel Ackermann – An RFP was done 45 to 50 days ago. There was a 30 day period for the city to receive bid proposals, there was an open house, it was and still is on the website. LCS was the only bid on the property.

Mayor Tkazyik – Nubian Directions purchased the other 2 properties that are able to receive Restore NY funds.

Chairman Klein – This is another piece of the puzzle to making a city vital; this is an expansion of the private sector, the purchase and revitalization by the private sector and putting the buildings to good use, provide employment. It reflects the importance of the private sector in a city and I encourage the council to support this proposal.

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-11-82)**

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of certain properties now owned by the City of Poughkeepsie known as 40 Cottage Street and 42 Cottage Street, City of Poughkeepsie, County of Dutchess, State of New York; and

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

WHEREAS, Title 6 NYCRR, Section 617.6 specified that an agency will be the lead agency when it proposes to undertake or receives an application for funding or approval of a Type I Action that does not involve another agency; and

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

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

Official Minutes of the Common Council Meeting of October 17, 2011

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

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

SECONDED BY COUNCILMEMBER PARISE

R-11-82			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**RESOLUTION
(R-11-83)**

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the City of Poughkeepsie has previously taken title to premises known as 40 Cottage Street (6162-71-324229), and 42 Cottage Street (6162-71-336235), in the City of Poughkeepsie by reason of unpaid real property taxes; and

WHEREAS, the above mentioned properties have been offered for sale by the City in accordance with the policy for the sale of City owned property; and

WHEREAS, an offer has been received from LCS FACILITY GROUP to purchase these properties for the sum of \$150,000; and

WHEREAS, the City of Poughkeepsie having considered the City's policy for the sale of City owned properties, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from LCS FACILITY GROUP is the most favorable of the offers presented and that it is in the best interests of the City of Poughkeepsie to approve such offer so that the premises may be returned to the tax rolls; and

NOW, THEREFORE,

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

RESOLVED, that the offer from LCS FACILITY GROUP to purchase premises known as 40 Cottage Street (6162-71-324229), and 42 Cottage Street (6162-71-336235) in the City of Poughkeepsie for the sum of \$150,000 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel and the Director of Property Development shall deem appropriate; and be it further

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

- A. the conveyance of title and the payment of the purchase price shall take place within ninety days of the date of this resolution, unless the Corporation Counsel shall grant such extension as she deems appropriate;**
- B. Purchaser shall obtain a building permit in conformity with the proposed redevelopment plan submitted to the City within six (6) months of the date of closing of title;**
- C. Purchaser shall obtain a valid Certificate of Occupancy for all three properties and in accordance with the development plan submitted to the City within one (1) year after obtaining the building permit;**

- D. **The transfer of title and Purchaser’s use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**
- E. **Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record, and subject to a restrictive covenant in form and substance satisfactory to the Corporation Counsel that no self-service credit or currency-operated pay telephones shall be placed on the exterior of the premises;**
- F. **Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and**
- G. **Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and**
- H. **The City has received approval for Restore New York grant money to rehabilitate 40 Cottage Street in the amount of \$142,534. The Purchaser will be eligible for reimbursement of qualified expenses as outlined in the grant application provided that the Purchaser is in compliance with this sale resolution.**

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor, the Director of Property Development 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 PARISE

R-11-83			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Asst. Corp. Counsel Ackermann – Introduces the resolution as a tax proceeding settlement. This dates back to 2003, each year the property owner has filed a petition in Supreme Court to reduce their assessment. I met with the attorney that started to handle this back in 2003; the settlement is favorable to the city. No refunds, but going forward the assessor is on board with it. It is in ongoing litigation, and I will not get into details but the council is asked to favorable support this settlement. There are no refunds this is for going forward.

Councilwoman Solomon makes a motion and is seconded by Councilman Herman to go into executive session.

Councilman Herman makes a motion and is seconded by Councilman Parise to resume the rules.

**RESOLUTION
(R-11-84)**

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, there are now pending in Dutchess County Supreme Court tax review proceedings commenced in the years 2003-2010 by Eckerd Corporation/Rite Aid Corporation concerning certain parcels of real property in the City of Poughkeepsie known as 709-719 Main Street seeking a reduction in the tax assessment rolls for the 2003-2010 assessment year; and

WHEREAS, the City Assessor and Corporation Counsel recommend that settlement of these tax review proceedings on the terms and conditions set forth herein below;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves the settlement on behalf of the City of Poughkeepsie of the tax review proceedings by Eckerd Corporation/Rite Aid Corporation bearing Dutchess County Index(s) No. 2003/3799, 2004/3236, 2005/3508, 2006/3860, 2007/4128, 2008/5249, 2009/5067, 2010/4850 and by reducing the assessments as set forth in the Consent Judgment annexed to this Resolution; and be it further

RESOLVED, that the Mayor, the City Administrator, the Commissioner of Finance, the City Assessor and the Corporation Counsel are hereby authorized to take all action necessary and appropriate to effectuate the terms of this Resolution including but not limited to the execution of a Stipulation, the obtaining of an Order from the Dutchess County Supreme Court embodying the above settlement and a refund or crediting of tax payments all in accordance with the above authorized settlement.

SECONDED BY COUNCILMEMBER PARISE

R-11-84			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Asst. Corp. Counsel Ackermann – Introduces the resolution as setting a public hearing for review of the proposed 2012 budget, in accordance with local law. Set for Monday, November 21st at 6pm, prior to a regularly scheduled meeting.

Councilwoman Flowers – Will not be able to make the meeting that day, out of town.

**RESOLUTION
(R-11-85)**

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the Common Council has received the Mayor’s proposed 2012 budget for the City of Poughkeepsie and the budget message from the Mayor; and

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

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

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie shall hold a public hearing to receive comment from the public concerning the proposed 2012 budget

on Monday, November 21, 2011 at 6:00 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 PARISE

R-11-85			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

Pertaining to removed ordinance: Asst. Corp. Counsel Ackermann – Tells the council this item has been removed. There is some concern from the police department to a sight distance issue when exiting 505 Main Street. We are trying to alleviate that issue, however it is complicated there are businesses there, and we already took away 1 parking spot because of the 20 foot rule in front of a Fire House. As soon as we can come up with an acceptable solution we will bring this forward again.

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

Asst. Corp. Counsel Ackermann – Introduced the ordinance amendment as a parking change on Reynolds Avenue, at the request of Councilwoman Johnson in the 7th ward. It would add a permit district onto that street. There are some no parking zones in existence; it would be limited to 2hr parking unless you have a permit every day of the week except holidays.

Councilwoman Johnson – There have been some issues over there. Reynolds Avenue is an unusual street, it is only 1 street and is behind the Associated Supermarket parking lot and there is only one side of the street parking and the parking is very limited. There is a safety problem over there because the residents cannot back out of their driveways because of commercial vehicles. At their request for safety reasons, they requested this ordinance.

ORDINANCE AMENDING §§13-126 OF THE

**MOTOR VEHICLES AND TRAFFIC ORDINANCE
CONCERNING VARIOUS PARKING REGULATIONS**

(O-11-22)

INTRODUCED BY COUNCILMEMBER HERMAN

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

SECTION 1: Section 13-126(1) (b) of the City of Poughkeepsie Code of Ordinances entitled “The following on-street parking permit districts are hereby created:” is hereby amended by the addition of following district: “District 6: **South side District**”

Street	Side	Description	Parking Regulation	Time Regulation
Reynolds Avenue	South side	Subject to § 13-180 concerning end-zones	Two-hour and Permit parking	Sunday-Saturday Except Holidays

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

SECONDED BY COUNCILMEMBER PARISE

Bold denotes ADDITION.

O-11-22						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	Councilmember Murphy	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

Asst. Corp. Counsel Ackermann – Introduces the ordinance amendment as a traffic device change for the intersection of Hooker and Grand Avenues, at the request of Councilman Herman in ward 8. There have been issues of traffic backing up at that

intersection especially during particular times. What this would do is limit the no turn on red at that intersection to school days only, the hours 7am to 6pm. The current ordinance reads Monday through Friday. This will alleviate the traffic on days when school is not in session.

Councilman Herman – Ever since the traffic light went in at Wilbur Blvd., there is constant congestion of traffic backed up well past Wilbur and Kingston. When there is no school or during the summer months it has always been a problem. I think it will alleviate some of the congestion on Hooker.

**ORDINANCE AMENDING CHAPTER XIII, SECTION 13-180.1 OF
THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED “NO TURN ON RED LIGHT; NO TURN OR RED LIGHT
BETWEEN 8:00 A.M. AND 4:00 P.M., MONDAY THROUGH FRIDAY; NO
TURN ON RED LIGHT BETWEEN 8:00 A.M. AND 6:00 P.M., MONDAY
THROUGH FRIDAY”**

(O-11-23)

INTRODUCED BY COUNCILMEMBER HERMAN

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

SECTION 1: Section 13-180.1(d) of Chapter 13 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following addition/deletions:

Section 13-180.1(d)

After signs bearing the legend “No Turn on Red, **School Days**, Between the Hours of 7:00 a.m. and 6:00 p.m.; Monday through Friday,” are erected, turns on red traffic signal, as provided for in the Vehicle and Traffic Law of the State of New York, shall be prohibited at the following intersections during the above hours and days:

Hooker Avenue and Grand Avenue

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

SECONDED BY COUNCILMEMBER PARISE

O-11-23			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Murphy	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Underlining and Bold indicates ADDITION.
~~[Brackets and Strikethrough]~~ indicate DELETION.

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM THOMAS SCHIRRIPA**, a notice of intent for Log Cabin to renew its Liquor License. **Referred to Nuisance Committee**
2. **FROM SEAN GRANT**, a notice of personal injury sustained on July 21, 2011. **Referred to Corporation Counsel**
3. **FROM THOMAS F. STURGESS AND BERNICE STURGESS**, a notice of personal injury sustained on September 11, 2011. **Referred to Corporation Counsel**
4. **FROM TRACY DURHAM**, a notice of property damage sustained on September 1, 2011. **Referred to Corporation Counsel**
5. **From Mayor John Tkazyik**, quarterly report for the second quarter April 1st Through June 30th 2011 for review and deliberation.

X. UNFINISHED BUSINESS:

Councilman Mallory – Asks if the city is still accepting complaints or issues about sidewalk trips and falls. **The City Administrator states that the city always accepts complaints.**

Councilwoman Solomon – States that a good time was had by all at Autumn in the Park even though we had a cow that jumped out of its pen 3 times, it was very active. **Councilwoman Flowers agrees.**

XI. NEW BUSINESS:

Councilwoman Johnson – Wants to know when the city will get an animal warden. Additionally, has a problem with DMC doing the paving. States that the work is substandard and assures the council that the aprons they have done in the 7th ward haven't lasted a year. They have holes in them, they are crumbling. They seem to be mixing materials with rocks and as much as an apron costs they should last more than a year.

Asst. Corp. Counsel Ackermann – The issue with the animal warden is that the list from the county is no longer good. They are in the process of interviewing people now. We had a temporary animal warden who worked for the Town of Poughkeepsie; she has left the town and city and now both jurisdictions are without an animal warden. The hiring process may take 30 days, but it is going on now. We can speak to the town about doing a joint town city animal warden. We have no agreement with either Hyde Park or otherwise, the previous animal warden was in agreement and taking the animals to Arlington. We have an officer on restricted duty now doing an audit looking into ways to save on the animal program. **The Mayor states that is being reviewed right now and the Mayor is looking into making the transition to Arlington, which we think will be in good savings to the city. The previous warden was hired and then quit. We have to follow civil service protocol and Captains Millard and Pape are going through the interview process now. The dog warden is a tough job and it is a tested position. Also that she should bring her paving concern to Administrator Long and Commissioner DuPilka.**

Chairman Klein – Asks that Mr. Long meet with Councilwoman Johnson on the paving matter. **Mrs. Johnson brought some of these aprons to our attention, the engineering department met with the contractor. The main issue was that someone used road salt on non-settled concrete and so there were some dimple effects. The engineering department has been reviewing their work and it meets the qualifications and specifications.**

Councilman Parise – States about the aprons done in the first ward and the residents as is he very satisfied with them. They were done last year.

Councilwoman Johnson – Lastly at the ASAP community meeting I brought to the attention of Capitan Pape about the fighting of hundreds of kids on Manitou Avenue and Hamilton at 3. I am even afraid to come out of my own house, this happens around 3 everyday. I want to see a police car there, I want the kids that are fighting picked up and brought somewhere, their parents pick them up, suspended from school, anger management classes, and community service. That is what I want, because it is these kids that when they grow are out here shooting causing mayhem and mischief on the city streets. **Mr. Long will speak to Captain Pape on the issue.**

Councilwoman Solomon – States that she is the only member of the council who attends the library events and wants to remind everyone that the library is one of the main institutions in the city. Tonight they had the Adriance Honors awarding the volunteers there. What makes this city a city is we have a fine library and it deserves our support. I hope to see more of the council at library events.

Chairman Klein – States that he has been to many of the events and has fond memories of his youth doing schoolwork there.

Mayor Tkazyik – The library district voted to supersede the tax cap, they have a 4% increase on the ballot November 8th. They were one of the local municipalities to go over the tax cap. They took the 2/3rds majority vote to go over. **City Administrator Long tells the council it will take a super majority vote and not 51% for that to pass.**

XII. ADJOURNMENT:

A motion was made by Chairman Klein and seconded by Councilmember Herman moved to adjourn meeting at 7:25 p.m.

Dated:

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 17, 2011 at 6:00 p.m.

Respectfully submitted,

Deputy City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers

Monday, October 17, 2011

6:30 p.m.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

III. REVIEW OF MINUTES:

**Public Hearing of February 28, 2011
Common Council Meeting of February 28, 2011**

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 ASSISTANT CORPORATION COUNSEL ACKERMANN, SEQRA Resolution R11-82, and Sale Resolution R11-83, authorizing the sale of City-owned property located at 40-42 Cottage Street.**
- 2) FROM ASSISTANT CORPORATION COUNSEL ACKERMANN, Resolution R11-84, approving a settlement of a tax certiorari proceeding for Rite Aid Corporation, 709-719 Main Street.**

IX. ORDINANCES AND LOCAL LAWS:

- 1) FROM ASSISTANT CORPORATION COUNSEL ACKERMANN, Ordinance O-11-21, amending parking on Main Street between North Cherry and Clinton Square.**

- 2) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, Ordinance O-11-22, amending parking permit district to include Reynolds Avenue.
- 3) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN**, Ordinance O-11-23, no turn on red for South Grand and Hooker Avenue.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

6. **FROM THOMAS SCHIRRIPA**, a notice of intent for Log Cabin to renew its Liquor License.
7. **FROM SEAN GRANT**, a notice of personal injury sustained on July 21, 2011.
8. **FROM THOMAS F. STURGESS AND BERNICE STURGESS**, a notice of personal injury sustained on September 11, 2011.
9. **FROM TRACY DURHAM**, a notice of property damage sustained on September 1, 2011.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT:

