



# THE CITY OF POUGHKEEPSIE NEW YORK

## COMMON COUNCIL MEETING MINUTES

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Monday, October 17, 2016 6:30 p.m.

City Hall

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### 6:15 p.m. Mayor Rolison 2017 Budget Message



## BUDGET MESSAGE

October 14, 2016

Dear Honorable Members of the Common Council, and to our Taxpayers and residents, to our local business owners and our non-profits, to our faith-based organizations and to all the stakeholders in the Great City of Poughkeepsie, GREETINGS:

Pursuant to Article XIV of the Administrative Code, I hereby submit the 2017 Preliminary Budget for the Common Council's deliberation and action. With a proposed total appropriation of \$85,125,976, and a General Fund appropriation of \$49,571,320, this budget addresses structural and long-standing fiscal problems – first by further trimming expenses and restructuring, secondly by adjusting unrealistic revenue lines that have been adopted in prior budgets, and then, as a necessary last resort, raising taxes. This budget places us on a multi-year path to financial recovery which will take time, careful planning, and extraordinary execution and implementation. We no longer have the option of passing on difficult choices, and we must now live within our means.

### *The First Nine Months.*

In my first nine months in office we have performed an in-depth fiscal analysis. We have convened the City's first "Fiscal Advisory Group", which has met weekly over these months to dig deeply into every aspect of City finances. We have thoroughly reviewed, with the help of outside subject matter experts who either volunteered their time, or were grant-funded, the last eight years of financial records in order to fully understand what has led to our current, cumulative, fund-balance deficit of more than \$12 Million Dollars. We have been accepted as a "client" of the State's "Financial Restructuring Board", which opens the doors to technical, advisory, and financial aid which we hope will play a pivotal role in our fiscal recovery. We have implemented a quarterly financial reporting mechanism, and plan to improve on that by switching to a monthly reporting system in the coming year. As the State Comptroller's Office has opined,

the failure of prior administrations to report to the Common Council regularly on the financial condition of our City has been one of the contributors to our present crisis. Another has been the repeated failure, over many years, to budget anticipated revenues accurately.

*The Exhaustion of Our Fund Balance & the Financial Restructuring Board.*

In the past Mayors have proposed, and the Common Councils have adopted, appropriations from fund-balance to mitigate projected budget gaps, and to reduce or eliminate potential tax increases. That is no longer possible because today our unassigned fund balance is an astounding \$12.6 Million in the red. This is the calamity which we must face together and it is a burden our taxpayers cannot shoulder alone. In other words, because prior year's budgets were unrealistic and failed to raise sufficient revenue to pay for City operations, we long ago exhausted our reserves – and yet the City continued to spend.

I am pleased to report to you today that we are continuing to work hand-in-hand with the State's Financial Restructuring Board, and we are working toward realizing an aid package which will help stabilize our finances. This effort strategically targets cost-cutting initiatives which are beyond our sole ability to manage, such as shared services with our State or County partners, and it targets areas where – given help with infrastructure, technology, or personnel costs – we can leverage increases in non-tax revenue for the long term. I am confident that we will be granted the help we need – but the greatest challenge to any request for help is the need to demonstrate to others that we have, really, begun the process of governing for outcomes that are realistic and therefore achievable. This budget accomplishes that, and so it bolsters our call for help by telling our partners at the State, in County government, and indeed throughout the region that the City of Poughkeepsie has turned the corner and is on the road to a meaningful recovery.

*A Necessary Tax Increase – No Increase to Water, Sewer or Sanitation*

Quite clearly, previous budgets have been so far out of structural balance that even after cutting \$1.7 Million from departmental requests, a sizeable deficit remains that needs to be filled through an unavoidable tax increase. A homestead rate of \$13.0655 and a non-homestead rate of \$16.5832 per \$1,000 of assessed valuation is required to close our budget gap - even after trimming expenses by an additional \$1.7 Million dollars, in order to adopt a balanced budget. This budget increases the tax levy by 16.51%, from \$19,919,106 to \$23,207,352, with a total appropriation of \$85,125,976 and a General Fund appropriation of \$49,571,320, an increase of \$1,406,826, or 2.92% from the 2016 General Fund appropriation of \$48,164,494.

Fortunately we are able to hold the line on all our user fees (water, sewer and sanitation) and no rate increases are proposed. We will work throughout the coming year to find further efficiencies and plan well for coming infrastructure costs, so that our residents do not see sudden and unexpected spikes of these fees in coming years.

*Key Factors Driving the Budget.*

Over the last six years the City, like all others, has experienced rising health care costs, and rising costs of required contributions to our pension fund. Other post-employment benefits which the City committed to years ago, continue to drive costs upward. Salary increases and employee benefits from collective bargaining agreements, which were previously negotiated and rising debt-service costs all are contributing factors as well. Even with historically low interest rates, more borrowing means higher overall debt-service cost. Next week I will submit to the Common Council a Resolution de-authorizing millions of dollars in previously approved debt-issuance, and I urge the Council to adopt that resolution swiftly. Moving forward, we will borrow only for approved and necessary capital projects, or to refinance or restructure existing debt on favorable terms. Debt management, like the budget itself, is an area vital to our hopeful future.

*With a Little Help from our Friends.*

We have strong support from our legislative partners. This partial list of new grants our City has received or will receive very soon is nearly \$2 Million. It includes money to attack blight and

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vacant “zombie” properties and critical funds for new police and fire vehicles. This commitment to our recovery tells us what we need to know. It tells us we are not in this alone. It tells us that decision-makers around the State are gaining confidence in our City

Zombie Property oversight- \$150,000- State of N.Y.  
Fire Engine- \$500,000- Sponsor: Assemblyman Skartados  
Fire Ladder- \$500,000- Sponsor: Assemblyman Skartados  
Park Improvements- \$150,000- Sponsor: Senator Serino  
911 Dispatch Study- \$75,000- Dutchess County Shared Services  
DPW Staffing Study- \$75,000- Dutchess County Shared Services  
City Hall- Cooling Tower- Sponsor: Assemblyman Skartados  
Police Vehicles- \$150,000- Sponsor: Senator Serino  
Police Vehicles- \$125,000- Sponsor: Assemblyman Skartados  
\$300,000 SNUG, Anti-Gun Violence Initiative- Sponsor: Assemblyman Skartados  
\$130K Dutchess County for Finance Review  
\$50K Dyson Foundation

I thank all whose faith in our great city is so constant, and I thank all our citizens for their understanding the urgent need that we make these tough choices now, while we can.

*More Work to be Done.*

The partnership I have established with our Common Council since the first of the year is the type of partnership we need to meet these difficult challenges. I have said to the Common Council that even though I am delivering this preliminary budget, I am not really letting-go. I and my administration will continue to work with the Council as adjustments may be made which build on this preliminary plan.

There is good reason to see this budget as a turning point for our City: Property values, which declined by 20% between 2010 and 2016, have stabilized this year. Close to \$1 Billion in new development is underway, including the \$500 Million expansion of Vassar Brothers Medical Center. Here at City Hall work is underway on a pivotal change-effort that encompasses important components such as “shared services” with the County, increased grant-seeking efforts, and transit-system restructuring. In the new-year we will begin a comprehensive review of our Department of Public Works, we will restructure and centralize our parking administration function, and we will seek refunding opportunities on existing debt in order to lower our debt-service costs.

Recognizing the deficiencies of the past is the first step towards realizing our vision for the future. This budget is a course correction and the only way forward if our goal is renewed fiscal stability, the resolution of long-expired labor contracts, the attraction of new investment, and an increased level of inter-governmental support – all of which are within our grasp.

Thank you and God Bless the Great City of Poughkeepsie.

Robert G. Rolison  
Mayor  
Poughkeepsie, New York

**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL- All Present**

**II. REVIEW OF MINUTES:**

**Common Council Meeting of September 19, 2016**

			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Young	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 McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

NONE

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

**Diane Campbell 66 Washington Street  
 Fred Thompson 66 Washington Street  
 Jolanda Jansen-Town of Poughkeepsie  
 Bob Green-Town of Poughkeepsie**

## Official Minutes of the Council Meeting of Monday, October 17, 2016

Members of the Poughkeepsie Common Council, thank you for allowing me to speak on behalf of the board of the Love Life Family Community Center. Mrs. Kimberly Green, our chairperson, regrets that she could not be with us tonight and bring this before you personally, she teaches English as a Second Language classes on Monday nights at the Adriance Library here in our great city. I am also a board member and the treasurer for the Love Life Family Community Center.

Before we can commence activities at the Montgomery street property, we have some work to do on the building.

The building itself is structurally sound, however, during the period the building has been vacant since 2009, there has been a considerable amount of vandalism and copper theft that has occurred. Copper flashing was removed around the gymnasium roof, which has allowed water to enter the building and damage the gymnasium floor. Copper pipping and wiring were removed on the inside of the building as well. Unfortunately during the incidences of vandalism and copper theft, asbestos was dislodged and has contaminated the general trash that was left inside. This is preventing us from cleaning up the trash through normal trash cleanup with volunteers and moving forward with interior repairs. Our priority is to have the roof repaired and to have asbestos abatement performed by a licensed contractor.

We have estimates for the asbestos abatement and roof repairs, and we are seeking funding for those repairs through fundraising activities and grants from foundations and corporations.

Once those items are complete, we have a three-year plan to make general repairs and seek a certificate of occupancy in order to commence community center activities that would be open to everyone, regardless of race, color, gender, religion, sexual orientation and national origin, commensurate with established law. Right now our work is focused on keeping the grounds mowed and clean in order to host activities in the yard and parking lot. Central Hudson has been able to restore power to some of the area lights on the property, which will help to deter graffiti.

As you can see, money that we would spend on water bills incurred by the YMCA, now recorded as tax liens on the property will inhibit our moving forward with repairs. The common council previously passed a resolution to waive those liens if certain performance criteria were met by the community center, but was vetoed by the former mayor. Chairperson Green has made numerous requests via email and personal contacts with Councilman Young, our Common Council representative, to revisit this matter, which have gone unanswered. Tonight we are appealing directly to the common council for relief. We are not asking for funding from the city tonight, we only ask the city to grant us the same consideration as was shown to us the last time this matter came before you.

Robert Green,  
Board Member and Treasurer,  
Love Life Family Community Center  
35 Montgomery Street, Poughkeepsie, NY

**Carol Kozlowski 50 Hoffman Street**  
**Mary Whitted**  
**Curtis Whitted**  
**Nora Culhane**  
**Patricia Street 144 South Avenue**

**Seth Delroce 7 Reservoir Street**  
**Ken Stickle 118 Catherine Street**  
**Nancy Cozean**  
**Damon Crumb 73 Mansion Street**

October 17, 2016

Good evening,

I want to update you all on what I have learned about the status of the Violation Notice 2016-0182, Air System for 85 Civic Center Plaza. On September 13<sup>th</sup>, the Zoning Board of Appeals upheld the Violation and provided ways to abate the Violation – tear it down or go to Planning Board to get Site approval to move it somewhere else. They had 30 days to comply. That was last Friday.

It is still running today and Page Park Associates has not gone to Planning to be on their agenda for tomorrow night's meeting. It is my understanding that one or more meetings have taken place between Gary Beck, the Building Department Manager and Senior Inspector, and the Page attorney, Richard Cantor. These meetings are not recorded, so details of them are not available to anyone beyond these two. According to our City's attorney on this issue, Richard Olsen, it may have to do with moving the air handler to the roof, thus avoiding a site plan approval, and only needing a permit and inspection. If this is true, they would then get an additional 6 months to start the work and up to 2 years to complete it!!

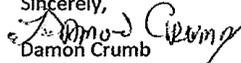
It has been one year since all this started. The machine was fully on line over 6 months ago. Violations were filed against them back in April. To date no permits have been properly issued or paid for, no inspections have been done or paid for, and no fines for Violating City ordinances have been issued or paid for. Instead, Page Park Associates has been operating in continued violation with impunity. They have turned our Historic District into a warehouse zone, running this machine at 71 decibels day and night, decreased our property values and made our properties unfit for habitation as residences.

Worse, Dr. Burgio, following in the tradition of Dr. Basile, who lived and worked from 73 Mansion St. for over 50 years, bought the house as a historic residence and to serve as a medical practice focused on youth psychology. Because of the noise she is going to have to sell the property and move her practice. Even with all windows closed, the noise level inside is still near the maximum 50 decibels allowed in our City code. She can neither work with patients nor do the research needed to help them under these conditions. When she bought the house, this system was not there.

Since it now looks like it could take another two years to get a resolution, our remaining questions are:

- 1) Who is going to lead the fight to see our City Ordinances are followed correctly?
- 2) Who is going to see that permits and inspections are equal for all residential and commercial property (not back room agreements that are not part of public documents)?
- 3) Why can't the Violation Notices be enforced effective immediately?
- 4) Why can't City Noise Ordinances be enforced?
- 5) Who is going to pay for Dr. Burgio's property value loss and medical practice loss?
- 6) Who is going to pay for Dr. Burgio's necessary costs of relocation?
- 7) What will the publicity about this do to other Violation enforcement attempts and perception of how things are done in this City?

After a year of trying, I really was hoping for a more supportive City Administration, creating a better outcome for everyone in this City. Will anyone in our administration speak up, stand up to change the direction this is all headed, before it is too late?

Sincerely,  
  
Damon Crumb

Official Minutes of the Council Meeting of Monday, October 17, 2016

September 27, 2016

City Administrators and Councilpersons,

I am writing today to all of you, in the hope that at least one of you clearly knows the status of the Violation and Abatement Notice for the air handling system installed and operating at 85 Civic Center Plaza (2016-0182). On September 13, 2016 the Zoning Board of Appeals upheld this Notice without exemption after the appeal by Page Park Associates.

That was over two weeks ago. As of last Friday, 9/23, the upholding of this Notice had not been made public or copies distributed to the City Administrator, Corporate Council, Common Council or Mayor's office. City Ordinance requires it within 10 days of the decision. This was per calls I have made to all of these offices. The evening of the ruling, I made a personal request of our Corporate Council and Greg Bolner to receive a copy of the ZBA ruling and still have not received it myself.

This week I have called all the above offices again and have had no replies. I find this not only wrong as a service to a resident of our City, but offensive on a personal level. I have worked hard to see that a major Zoning issue has been dealt with fairly and openly.

I would, if I could, come directly to your offices. Unfortunately, I had to undergo major surgery on 9/14 and was recovering in the hospital for 5 days afterwards. Now I am recovering at home. Since I am unable to walk without assistance, I must use our 1<sup>st</sup> floor parlor as my primary recovery room. Yes, that is directly across the street from this air handling system Violation. Yes it is still running virtually 24/7. Yes it is still 71 dB on our front porch. Yes it is still 48 dB inside our parlor with the thermal pane windows closed. And yes, the emergency generator is still also running EVERY week on Saturdays at 7 PM, not the once per month as promised by the Page attorney and per our City code.

Sorry, but this has now become personal. Before it was just wrong, illegal and somewhat arrogant on the part of Page Park to have installed this without Planning, Zoning or Building approvals, permits or inspections. NOW this is also directly affecting my health. Try sleeping with this sound all day and night. Try not being able to open your windows to get fresh air. This is affecting my recovery and will have consequences.

All I am asking is for someone to enforce the Abatement. First turn it off, then tear it down. Our City can live with the eyesore and safety hazard a few more weeks, but the noise has got to stop!!!

Who has got this and who can/will call me to let me know the next steps and time line?

Sincerely,



Damon Crumb

73 Mansion St, Poughkeepsie, NY 12601

845-287-3014

**Helen Clauson 60 Academy Street**  
**Laura Van Ackley-(Ex Director of St. Simeon)**  
**Ray Fitzmorris 309 Second Mile Drive**  
**Rosemarie McCaffery 314 Second Mile Drive**  
**Jennifer McFray-Executive Director St. Simeon**

**Frank Clarke 406 Second Mile Drive  
Earl Brown Merritt Road  
Peter Bernard-Scenic Hudson**

**Scenic Hudson, Inc.**  
One Civic Center Plaza, Suite 200  
Poughkeepsie, NY 12601-3157  
Tel: 845 473 4440  
Fax: 845 473 2648  
email: info@scenichudson.org  
www.scenichudson.org



**Statement of**

**Peter Barnard, AICP  
Urban Designer  
Scenic Hudson, Inc.**

**Memorandum of Understanding (MOU)  
Between City of Poughkeepsie and Metropolitan Transit Authority (MTA)  
for Waterfront Transit Oriented Development**

**City of Poughkeepsie  
Common Council**

**October 17, 2016**

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My name is Peter Barnard. I am the Urban Designer at Scenic Hudson, and a resident of the City of Poughkeepsie's Second Ward. Scenic Hudson has been in Poughkeepsie for over 25 years, and we currently employ more than 50 people in our offices on Main Street. We are committed to the city's success and vitality, and have been an active partner in realizing the City's goals. We are currently working on projects with the City along the waterfront, on the north side and in the Central Business District.

Scenic Hudson strongly supports the proposed Memorandum of Understanding (MOU) between the City of Poughkeepsie and the Metropolitan Transit Authority (MTA). This document is a critical next step in implementing the Poughkeepsie Waterfront Redevelopment Strategy and Waterfront Transit Oriented Development zoning. We believe that it is critical that the City adopt the MOU not only to maintain momentum on both private and public investment along the City's waterfront, but also as a signal to other State agencies and Authorities that the City is a willing partner in healing the 40-year old scars created by urban renewal.

The proposal before the Council tonight is the first step in attracting a developer for properties owned by the City and MTA surrounding the Poughkeepsie Train Station. Much of this land was cleared as part of urban renewal in the late 1960s, but has only served as surface parking lots for over 40 years. Adopting the MOU would allow the City and MTA to develop a document that would invite potential developers to propose projects that would add housing, jobs and additional parking around the Train Station while turning tax-free lots into revenue-generating properties. This process will complement the State grant applications the Council unanimously supported this summer that would redesign the public open space along the river and Fall Kill. Combined, these investments in parks and Transit-Oriented Development projects will improve public access to the Hudson River and create the kind of vibrant waterfront the City has established as a goal.

An additional benefit of the MOU is that it will signal to other State agencies that the City is serious about addressing other problems created by urban renewal. A prime example is the east and westbound arterials. Construction of these highways destroyed hundreds of homes and cut the

downtown off from the surrounding neighborhoods. The Main Street Economic Development Strategy (Main Street Strategy) calls for changes to these roads that would reverse much of this damage and improve the quality of life for residents of both the north and south sides. The City will need to work closely with the New York State Department of Transportation (NYSDOT) to make these desired improvements, and they may not prove to be a willing partner if they feel the City is not serious about tackling similar large-scale planning issues. Adopting the MOU will demonstrate to NYSDOT and others that the City is serious about its recent planning efforts and wants to see broad improvements across Poughkeepsie.

Approving the MOU will lead to new investment that will help create jobs for City residents, while providing them with engaging places to go and things to do. The provisions in this document and the adopted Waterfront Strategy will protect public space and access along the river, and indicate to private developers, public funders, and community members alike that Poughkeepsie is in control of and has a shared vision for the future of the city. Furthermore, signing the MOU will signal the City's intent to repair the scars of Urban renewal to other agencies, such as NYSDOT.

We urge the Council to approve the Memorandum of Understanding. The time to act is now, and Poughkeepsie's future depends on you.

Thank you.

**Steven Plank 17 Carroll Street**  
**George Brindle-8 Mansion Street**  
**John Barone 28 Corlies Avenue**  
**Bill Dykus 98 South Hamilton Street**  
**Constantine Kazolias**

**V. MAYOR'S COMMENTS:**

**Mayor Rolison** take the opportunity to thank the former Acting City Administrator, current Police Chief, Ron Knapp. Just because there were discussion about the county tonight, Mr. Knapp will be staying on in a part-time position, paid for by Dutchess County. Also wanted to recognize, Deborah McDonnell, the new City Administrator.

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

**Chairman Petsas** stated that his position on the buses, whether there were three people in this room, or fifty, he will continue to say the same thing, that they should be maintained by the city. We should be looking for ways to improve their service, not merge it. With the YMCA, something will get put under presentation for the next meeting. There is no question that this thing has been played out for far too long, and there is a need to get that moving. Wanted to welcome, on behalf of the council, the new City Administrator, Deborah McDonnell, to her first night here. Stated that they have high expectations, and faith that you're going to meet them, and together get the city rolling, again. Finally, next Wednesday the budget review sessions will begin a session for the council, starting at 6:00 p.m. The other dates and times will be released after next Wednesday. Has a list that the democratic majority wishes to see.

**VII. MOTIONS AND RESOLUTIONS:**

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



The City of Poughkeepsie  
New York

Robert G Rolison  
Mayor

Marc S Nelson  
Commissioner of Finance

COMMUNICATION TO THE COMMON COUNCIL

October 12, 2016

RE: Proposed Local Law Authorizing the City to Exceed the Statutory Tax Cap.

TO: Chairman Chris Petsas & Members of the Common Council

FROM: Marc Nelson, Commissioner of Finance

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Attached hereto, please find a proposed resolution introducing a Local Law allowing the City to exceed the statutory tax cap.

General Municipal Law requires that a municipality pass a Local Law prior to the adoption of a budget that exceeds the tax cap. Given the time constraints required to adopt a Local Law, the council should take the necessary steps to accomplish this now.

The passage of the local law allows - but does not require - the City to exceed the cap.

Thank you for your consideration.

**RESOLUTION INTRODUCING LOCAL LAW  
AND PROVIDING FOR PUBLIC  
NOTICE AND HEARING  
(R-16-83)**

**INTRODUCED BY COUNCILMEMBER CHERRY**

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

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

**BE IT FURTHER RESOLVED** that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o’clock P.M., on November 7, 2016; and

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

**SECONDED BY COUNCILMEMBER JOHNSON**

<b>R16-83</b>			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Young	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 McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**STANDARD WORK DAY AND REPORTING RESOLUTION  
(R16-84)**

**INTRODUCED BY COUNCILMEMBER CHERRY**

**BE IT RESOLVED**, that the City of Poughkeepsie hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Registration Number	Standard Work Day (hrs/day)	Term Begins/ Ends	Participates in Employer's Time Keeping System (Y/N)	Days/ Month (based on Record of Activities)
Councilmember 1 <sup>st</sup> Ward	Christopher Petsas	N/A	7.0	1/1/16-12/31/17	N	9.9
Councilmember 2 <sup>nd</sup> Ward	Mike Young	61317624	7.0	1/1/16-12/31/17	N	9.67
Councilmember 3 <sup>rd</sup> Ward	Lorraine Johnson	N/A	7.0	1/1/16-12/31/17	N	Unreported
Councilmember 4 <sup>th</sup> Ward	Lee Klein	38055711	7.0	1/1/16-12/31/17	N	5.86
Councilmember 5 <sup>th</sup> Ward	Anne Perry	N/A	7.0	1/1/16-12/31/17	N	6.72
Councilmember 6 <sup>th</sup> Ward	Natasha Perry	50673433	7.0	1/1/16-12/31/17	N	Unreported
Councilmember 7 <sup>th</sup> Ward	Randall Johnson II	60539699	7.0	1/1/16-12/31/17	N	29.38
Councilmember 8 <sup>th</sup> Ward	Matthew McNamara	61253613	7.0	1/1/16-12/31/17	N	12.43
Mayor	Robert G. Rolison	N/A	7.0	1/1/16-12/31/17	N	Unreported

**SECONDED BY COUNCILMEMBER JOHNSON**

On this \_\_\_\_ day of October, 2016

Date enacted: October 17, 2016

\_\_\_\_\_  
(Signature of Clerk)

I, DEANNE FLYNN, clerk of the governing board of the City of Poughkeepsie of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 19th day of JUNE, 2014, on file as part of the minutes of such meetings, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of EIGHT (8) members, and that \_\_\_\_\_ of such members were present at such meeting and that \_\_\_\_\_ of such members voted in favor of the above resolution.

**IN WITNESS WHEREOF**, I have hereunto Set my hand and the seal of the

**CITY OF POUGHKEEPSIE**

<b>R16-84</b>						
			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Young	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 McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF POUGHKEEPSIE  
REQUESTING THE MAYOR AND COUNTY RENEGOTIATE  
THE SALES TAX AGREEMENT**

**RESOLUTION  
R16-85**

**INTRODUCED BY CHAIRMAN PETSAS, COUNCILMEMBER CHERRY  
COUNCILMEMBER PERRY**

WHEREAS, by Resolution R13-51 the City of Poughkeepsie approved an agreement with Dutchess County and the City of Beacon for the distribution of sale and use tax receipts pursuant to Section 1262 (a) of the Tax Law of the State of New York; and

WHEREAS, such agreement reduced the amount of sales and use tax allocated to the City of Poughkeepsie and capped the total distribution of sales and use taxes to the county's cities, towns and villages; and

WHEREAS, the loss of sales tax from the agreement approved in 2013 has significantly impacted the ability of the city perform basic services and has contributed to the city's negative fund balance which amounts to approximately \$11,000,000; and

WHEREAS, over these same 3 years it is believed that the County's fund surplus has now grown to nearly \$57,000,000 million of which a substantial portion is attributable to sales and use tax receipts; and

WHEREAS, the County should be obligated to return a portion of the fund balance which consists of accumulated fund balance to the cities, towns and villages including to the City of Poughkeepsie who's ability to operate has been substantially diminished by the re-negotiated Sales and Use Tax Agreement; and

THEREFORE, BE IT,

RESOLVED, that this Council request that the Mayors of the Cities of Poughkeepsie and Beacon and the County Executive re-negotiate our Sale and use Tax Agreement to provide the City with an increase in sales tax monies immediately upon passage of this resolution; and be it further

RESOLVED, that a copy of this resolution be brought to the floor of the Legislature by members of the City of Poughkeepsie delegation of Legislators; and be it further

RESOLVED, that the City of Chamberlain shall and hereby is directed to send a copy of this resolution to the legislators representing the City of Poughkeepsie and to the County Executive.

**SECONDED BY COUNCILMEMBER JOHNSON**

<b>R16-85</b>			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Young	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 McNamara	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VIII. ORDINANCES AND LOCAL LAWS:**

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

1. **FROM COMMUNITY DEVELOPMENT COORDINATOR HESSE**, a communication regarding the establishment of a Memorandum of Understanding between the City of Poughkeepsie and Metro North Commuter Railroad Company.

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
METRO-NORTH COMMUTER RAILROAD COMPANY  
AND  
THE CITY OF POUGHKEEPSIE  
WITH TECHNICAL SUPPORT BY  
COUNTY OF DUTCHESS

THIS MEMORANDUM OF UNDERSTANDING made this \_\_\_\_\_ day of \_\_\_\_\_, 2016 (“MOU”), by and among MTA METRO-NORTH COMMUTER RAILROAD COMPANY (“MTA Metro-North”), a public benefit corporation of the State of New York and subsidiary of METROPOLITAN TRANSPORTATION AUTHORITY (“MTA” and collectively referred to as “MTA Metro-North”), having its principal office located at 420 Lexington Avenue, 11<sup>th</sup> floor, New York, New York 10170 and THE CITY OF POUGHKEEPSIE (the “City”), a municipality and political subdivision of the State of New York, having its principal office at 62 Civic Center Plaza, Poughkeepsie, NY 12601, with technical support provided by the COUNTY OF DUTCHESS (the “County”), having its principal office at 22 Market Street, Poughkeepsie, NY 12601 (collectively, the “Parties”).

WHEREAS, this Memorandum of Understanding (MOU) outlines a strategic collaboration between the City of Poughkeepsie and MTA Metro-North, with the support of the County of Dutchess, and is intended to further the Poughkeepsie Waterfront Redevelopment Strategy and associated Waterfront Transit-Oriented Development (WTOD) zoning district (Exhibit A). This MOU is intended to result in the issuing of a Request for Expressions of Interest (RFEL) for developing non-park, publicly-held properties near the City’s waterfront, as outlined below; and

WHEREAS, the City owns two parcels (numbers 6062-83-789065 and 6062-75-819210) of property near MTA Metro-North’s Poughkeepsie Train Station, presently vacant or used for parking (the “City Properties”), as depicted on Exhibit B attached hereto; and

WHEREAS, MTA owns three parcels (numbers 6062-75-795184, 6062-75-762231, and 6062-75-764248) near the Poughkeepsie Train Station (the “Railroad Properties”) as depicted on Exhibit B, and which Railroad Properties are administered and operated by Metro-North as MTA’s operating subsidiary and agent; and

WHEREAS, MTA is the lessee of the property constituting the Harlem and Hudson commuter rail lines and facilities, under a long-term lease dated April 8, 1994, as amended by the First Amendment, dated June 5, 1995 (the “Harlem-Hudson Lease”), from Midtown Trackage Ventures LLC, as successor-in-interest to the Trustees of the Penn Central Transportation Company, expiring on February 28, 2274, including parcel 6061-27-794956 (portions), near the Poughkeepsie Train Station (the “Railroad Properties”) as depicted on Exhibit B, and which Railroad Properties are administered and operated by Metro-North as MTA’s operating subsidiary and agent; and

WHEREAS, the City and MTA Metro-North desire to jointly assess the feasibility of a mixed-use, transit-oriented development near the Poughkeepsie Train Station (“TOD”), and other compatible uses for the City Properties and Railroad Properties (together, the “TOD Properties”); and

August 12, 2016

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City of Poughkeepsie, County of Dutchess and Metro-North Commuter Railroad Company Transit-Oriented Development (TOD) Planning MOU

## Site Investigation

3. The City and MTA Metro-North, with support from the County, will jointly determine what information is necessary to obtain regarding the TOD Properties in order to engage the expertise of the development community in the planning process.

4. The City and MTA Metro-North, with support from the County, will jointly determine how to undertake stakeholder and community outreach to discuss and develop an RFEI for the TOD Properties.

## Request for Expressions of Interest (RFEI)

5. The City and MTA Metro-North, with support from the County, will work cooperatively using in-house staff to revise and complete a draft RFEI. Each party shall determine in its sole discretion whether it wishes to retain the services of a consultant at its own expense to assist in the preparation of the draft RFEI.

6. After completion of the draft RFEI, the City, MTA Metro-North, and the County will meet to discuss and develop the final RFEI for the TOD. The City and MTA Metro-North will determine the final RFEI and agree on a process for distribution of the RFEI and review of submittals, and which agency will take the lead on the RFEI.

## Authority

7. The City and MTA Metro-North each represent and warrant to the other that it has full power and authority to enter into and to execute this MOU and to assume and perform all of the obligations undertaken by each hereunder, subject to the limitations as provided in Paragraph 1(g) above.

8. The City, MTA Metro-North and the County will each designate an authorized representative to act on each party's behalf in connection with this MOU. The authorized representative of each party will be responsible for maintaining communication between the parties, or conferring and meeting as often as necessary to discuss significant issues. Each party shall be entitled to rely on concurrences or approvals of the other parties' representatives until such time as the parties have received notice from any other party that the authority of such authorized representative has been revoked and a replacement designated.

## Termination Rights

9. The City and MTA Metro-North will each have the right to terminate this MOU, and any obligations thereunder upon ten (10) days written notice of its intent to terminate.

## Schedule

10. The City and MTA Metro-North seek to complete the tasks contained in this MOU within one year of its signing. If the scope of work has not been completed, the parties agree to three automatic extensions of the MOU for one year each.

## Miscellaneous

11. Notices to MTA Metro-North shall be delivered or mailed to MTA Metro-North at the

September 6, 2016

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Official Minutes of the Council Meeting of Monday, October 17, 2016

City of Poughkeepsie, County of Dutchess and Metro-North Commuter Railroad Company Transit-Oriented Development (TOD) Planning MOU

IN WITNESS WHEREOF, the City and Metro-North, with the support of the County, have executed this Agreement as of the date first above written.

THE CITY OF POUGHKEEPSIE

By: \_\_\_\_\_  
Name:  
Title:

METRO-NORTH COMMUTER RAILROAD COMPANY

By: \_\_\_\_\_  
Name:  
Title:

As Provider of Technical Support:

COUNTY OF DUTCHESS

By: \_\_\_\_\_  
Marcus J. Molinaro  
County Executive

APPROVED AS TO FORM:

\_\_\_\_\_  
County Attorney's Office

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Eoin Wrafter, Commissioner of  
Planning and Development

September 6, 2016

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CCM 10/17/16  
Item IX-2

LOCAL LAW NO. 3 OF 2016

LOCAL LAW AMENDING CHAPTER 9, ARTICLE V OF THE CODE OF THE CITY OF POUGHKEEPSIE BY ADDING A NEW COLLECTION PROCEDURE FOR THE SOLID WASTE COLLECTION FEE.

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

**Section 1. LEGISLATIVE INTENT**

It is the intent of this local law to change the collection procedure for the solid waste collection fee. The City of Poughkeepsie is desirous of eliminating the solid waste collection fee as a line-item of the annual property tax bill. The solid waste collection fee is a user fee as opposed to a tax and does not belong on the annual tax bill. Additionally it leads to confusion as some residential property owners' mortgage companies refuse to pay the sanitation user fee as part of the escrow.

**Section 2. Section 9-68 of Chapter 9, Article V of the Code of Ordinances of the City of Poughkeepsie entitled "Solid Waste Collection Fee" is amended by the following additions and Deletions**

**Section 9-68 Solid Waste Collection Fees**

(a) Annual Determination of Fees.

The Mayor as a part of the budget process shall propose the fees charged by the City for solid waste collection and disposal services annually. A schedule of the annual collection fees shall be approved by the City Common Council by resolution and maintained on file in the Commissioner's office and the office of the City Clerk.

(b) Billing of solid waste collection fee. The Commissioner of Finance shall bill and collect the solid waste collection fee from the responsible property owner. The solid waste collection fee shall be due and payable on January 1, however, without penalty, a responsible property owner may elect to pay the solid waste collection fee in quarterly installments with 25% payable on or before April 30, 25% payable on or before July 31<sup>st</sup>, 25% payable on or before October 31<sup>st</sup> and 25% payable on or before December 1. ~~The solid waste user fee shall be billed for each calendar year as a separate line item on an annual real property tax bill for each assessed property subject to this Article.~~

(C) Interest on unpaid residential refuse fees. If a residential refuse fee for each improved real property is not timely paid when due, interest shall accrue on such

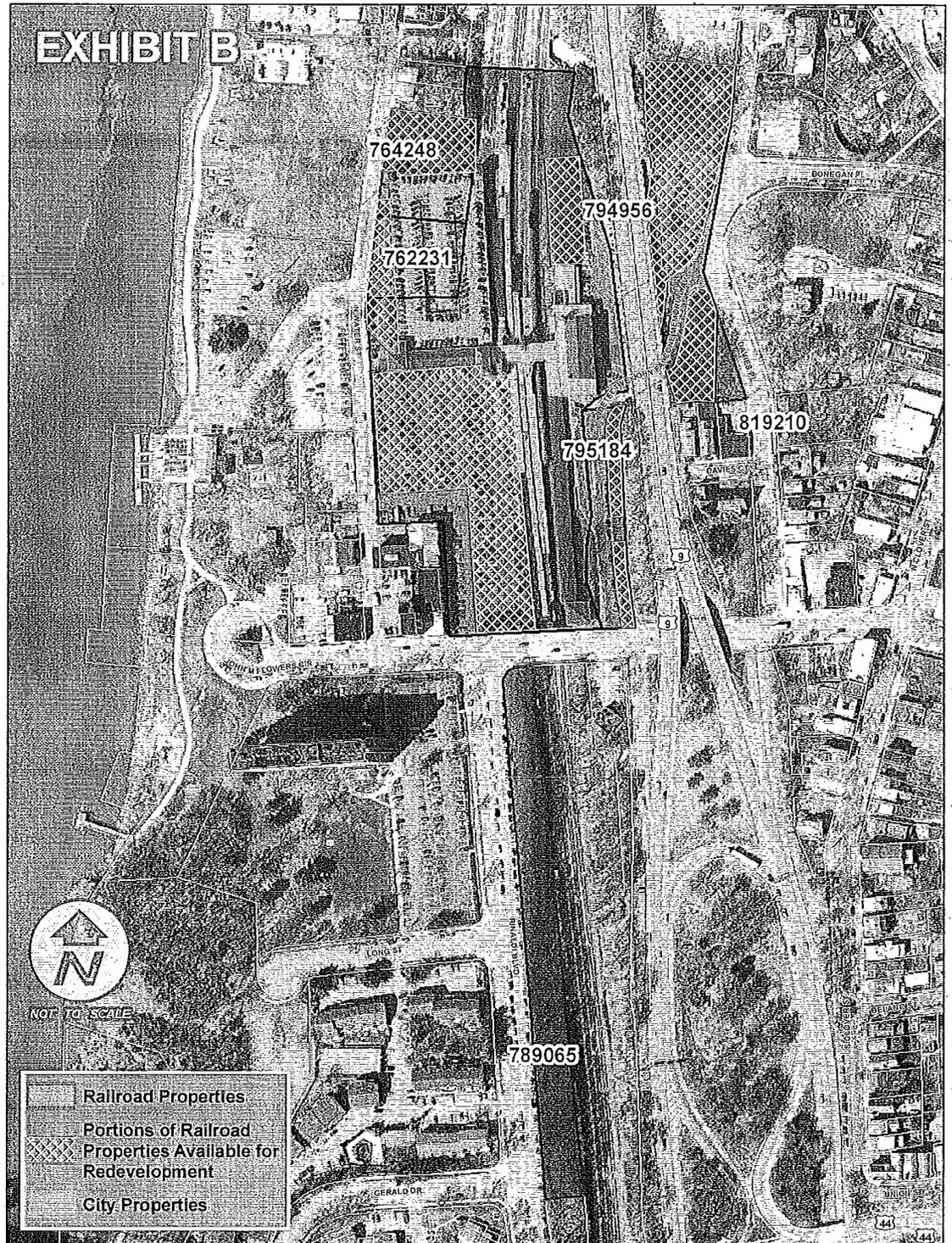
at a minimum the costs of providing the service.

**Section 3. SEVERABILITY**

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 4. EFFECTIVE DATE**

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



2. **FROM FINANCE COMMISSIONER NELSON**, a communication regarding a proposed resolution for the repeal of unused bonds authorized, pursuant to Section 41 of the Local Finance Law.



The City of Poughkeepsie  
New York

Robert G Rolison  
Mayor

Marc S Nelson  
Commissioner of Finance

COMMUNICATION TO THE COMMON COUNCIL

October 6, 2016

RE: Proposed Resolution De-authorizing Certain Debt-Issuance (bond) Resolutions.

TO: Chairman Chris Petsas & Members of the Common Council

FROM: Marc Nelson, Commissioner of Finance

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Attached please find a resolution providing for repeal of certain bond resolutions and portions of resolutions. The repeal of unused bond resolutions is authorized by Section 41 of the Local Finance Law.

Careful management of the City's debt, and best-practices in municipal finance, should involve the legislative body de-authorizing old or unused portions of authorizations. Among other things, this ensures that future borrowings are authorized by current and future Councils, and that debt cannot be increased without your specific approval. Also, the Mayor has instructed me to undertake a review of our debt, with a goal of updating our debt-management plan and taking advantage of any year-end refunding opportunities which may yield savings in our debt-service costs. As part of that process, I respectfully request your favorable action on this item.

Thank you for your consideration.

Municipal Building • 62 Civic Center Plaza • Poughkeepsie, NY 12601 • 845.451.4025 • 845.451.4027

- 3. FROM FINANCE COMMISSIONER NELSON**, a communication regarding the billing procedure for sanitation charges.



The City of Poughkeepsie  
New York

Robert G Rolison  
Mayor

Marc S Nelson  
Commissioner of Finance

COMMUNICATION TO THE COMMON COUNCIL

October 6, 2016

RE: Proposed Ordinance Amending Local Law LL-14-1 Relating to the Billing Procedure for Sanitation Charges.

TO: Chairman Chris Petsas & Members of the Common Council

FROM: Marc Nelson, Commissioner of Finance

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Attached please find a proposed Resolution introducing Local Law, entitled "LOCAL LAW AMENDING CHAPTER 9, ARTICLE V OF THE CODE OF THE CITY OF POUGHKEEPSIE RELATING TO THE BILLING OF SANITATION CHARGES"

This amendment repeals changes enacted by LL-13-04 which was adopted by the Common Council on December 19, 2013, and which amended Chapter 9, Section 68, of Article V, to require that sanitation charges be billed to users as a separate line on the annual real estate tax bill. This action will, therefore, return the City to a system of billing for sanitation as existed prior to passage of LL-13-04.

The collection of a user fee comingled with collections of real property taxes is contrary to best-practices around the country, and has proven to be a significant administrative burden to the Finance Department. Since the Sanitation Fund is a separate fund from the General Fund, extensive manual work is necessary to properly account for many transactions.

Since many property owners never see their annual tax bill because their taxes are escrowed in their mortgage, the current billing system of including sanitation charges as part of the tax bill lacks transparency, and causes confusion among escrowing companies, some of which pay the charges and some of which do not. For customers whose mortgage servicers decline to include the sanitation charges in their escrow calculations, late charges are incurred and our customers are understandably frustrated.

I believe that favorable action on this item will improve customer service, reduce our administrative burden, improve transparency and align us more closely with best-practices from an audit perspective.

Thank you for your consideration.

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4. **FROM SOBO & SOBO, LLP**, a notice of personal injury sustained by Raymond Gooden, on July 7, 2016. **Referred to Corporation Counsel**
5. **FROM JULIO HERRERA**, a notice of personal injury sustained on July 2, 2016. **Referred to Corporation Counsel**

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**X. OLD BUSINESS:**

**XI. NEW BUSINESS:**

**XII. ADJOURNMENT:**

A motion was made by Councilmember Cherry and Councilmember Johnson to adjourn the meeting at 10:04 p.m.

**Dated: November 15, 2016**

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 17, 2016

**Respectfully submitted,**

**Deanne L. Flynn  
City Chamberlain**

