



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, October 3, 2011 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

**7 Present, 1 Absent
Chairman Klein Not Present
Vice Chairman Herman stepping in.**

II. REVIEW OF MINUTES:

CCM 2-7-11						
			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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

CCM 3-7-11						
			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"/>
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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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

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 – A couple of weeks ago I spoke with the Mayor and City Administrator about an issue with the Fallkill Creek. They both did their job, the DPW has failed. The dam is still built up between Malcolm X Park and the School. The last rain we had there was flooding in Malcolm X Park; I do believe that the DPW needs to get this taken care of quickly. Secondly, I called the animal warden after my dog got out of the yard when the fence went up from flooding. The dog has been missing now for a week; every time we call the Animal Warden's number the mailbox is full. I am an animal lover I take care of my animals and I do expect the dog warden to do his job. I believe you heard me at the crime victims meeting; we need to do something quickly with the kids. When parents are afraid of their kids they won't give the adults the respect they need. This is where the crime is going to start. The kids need something given to them to keep them off the street. If we don't provide it soon we will have more murders, more drug dealings, and more gangs right on down the line. It is up to this council to find something for these kids. There are 4,500 kids in the school district, and Dr. Wilson failing very rapidly. Something needs to be done now, and I am looking to you to do it.

Constantine Kazolias 47 Noxon Street – First of all when this new budget comes out, I have some ideas how to spend some money. Second of all, I found out with Hurricane Irene, I feed homeless cats; the SPCA is now euthanizing animals. Today I attended the Supreme Court hearing for Pagonos, you know I support Mrs. Johnson but I was the only one there that wasn't subpoenaed except the reporter. They refused to open that absentee ballot, it should have been opened, and she was 98 years old. I have always said about this country that it is the most immoral in the world but does everything legally. You are afraid of a 98 year old woman? I saw democracy not in action today, and I will say that whole heartedly. For the recode I am bipartisan. I support Mrs. Johnson and Mr. Tkazyik. I read today in the Post, the 2004 State Exams for schools were fixed. I have always said education is a jobs program and I mean it. I wish you all a lot of luck. Money is a big issue and so is the 2% cap.

V. MAYOR'S COMMENTS

Mayor Tkazyik – Council Chair Klein was unable to be with us this evening, his son was rushed to the hospital in Washington at School. He needed to

attend to those family matters. We will keep his son, Benjamin in our prayers. Also would like to welcome those high school students here that are participating in the government class at school. It is encouraging to see you all here and if you have any questions my door is open to you. The council along with myself and the police department attended the Academy Street Partnership meeting last week. It was a very productive attended by many residents voicing their concern about violence and things in the neighborhood. The police department is responding to those neighborhood concerns. We are working with state and federal law enforcement agencies. They are here now, and they have been here, and we are working with them hands on to collectively combat the crime that is plaguing many of our streets. We will also be collaborating with Councilwoman Flowers to address the concerns on Winnikee Avenue. That activity was among two family members and unfortunately ended in gun violence. It is something that we will not tolerate nor is it acceptable. We are continuing to work every day and it is something that the city is tackling head on. DPW has had a hard time dealing with the street flooding; we have gotten countless calls about the flooding and water coming into their homes. We will dedicate resources where they are needed most. The DPW team is working very diligently on that. We have been collaborating with Councilmen Herman and Klein for Southside issues as well. We have the FEMA disaster recovery center here in the Crannell Street lot. They were here yesterday; they will be here tomorrow and the next day. Business owners need to answer questions. We also have other state agencies for those who need to seek assistance as well as the small business administration for those who need to seek loans. Councilwoman Flowers and I participated there this afternoon and visited the site. I want to thank the county for making the City of Poughkeepsie one of the two sites in Dutchess County to have a disaster recovery center, the other is in Dover. But they will be moving to other counties. We received a \$10,000 donation from the McCann foundation to make improvements to Pulaski Park. They heard of the interest the city was seeking for the State grant to make improvements at Pulaski Park. We had the Kids Expo this past weekend at Waryas Park, and I want to thank everyone who came together to make it a successful weekend. Additionally we had the taste of Little Italy Event on Sunday and we had 3000 people on our streets. Great events to promote local business.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Assistant Chairman Herman – None

VII. MOTIONS AND RESOLUTIONS:

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

Asst. Corp. Counsel Ackermann – Introduces the resolution as a request from Milanese Restaurant seeking the council waive the 30 day requirement for the liquor authority the nuisance committee had an opportunity to review the renewal application and have no objection.

Councilwoman Solomon – This kind of resolution come before us often and it always for a restaurant that is never a nuisance, it is one that we want in our city. Why do we waive a 30 day notice?

Asst. Corp. Counsel Ackermann – The liquor authority is now sending out notices reminding the businesses to renew with an application. In the case here, the renewal application was sent to their former attorney who no longer represented them and it was only a couple weeks before the application was due. And they did not have the 30 days to get that together before the renewal opinion.

**R-E-S-O-L-U-T-I-O-N
(R-11-81)**

INTRODUCED BY COUNCILMEMBER PARISE

WHEREAS, SANTINO MILANESE d/b/a MILANESE RESTURANT AND LOUNGE has notified the City of Poughkeepsie of its intent to renew is liquor license for the premises known as 115 Main Street, Poughkeepsie, New York; and

WHEREAS, New York State Alcoholic Beverage Control Law Section 64 requires every applicant, whether new or existing, to notify the municipality of their intent to file an application or renewal with the State or obtain a waiver from the municipality; and

WHEREAS, the request been reviewed by the nuisance committee and has no objection to the application of SANTINO MILANESE d/b/a MILANESE RESTURANT AND LOUNGE, and has had sufficient time to investigate the proposed renewal; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie by copy of this resolution to the New York State Liquor Authority hereby waives the notice requirement pursuant to NYS ABC § 64 for SANTINO MILANESE d/b/a MILANESE RESUTURANT AND LOUNGE, and acknowledges its intent to renew its liquor license.

SECONDED BY COUNCILMEMBER MURPHY

R-11-81			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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

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

Asst. Corp. Counsel Ackermann – Introduces the amendment to the ordinance as a request from Chairman Klein, it is to amend a traffic control device at the corner of Cannon and Market Streets. Currently, there is a no turn on red at anytime from Cannon onto Market, the amendment will limit the hours to 8am to 6pm, Monday through Friday. The police department has no objection to it. **(There is a mistake in the title pointed out by Councilman Mallory, it should be 6pm and not 4pm. There is no need for amendment as per counsel since it is correct in the ordinance section 2 as seen below)**

**ORDINANCE
O-11-20**

ORDINANCE AMENDING CHAPTER 13 ENTITLED “MOTOR VEHICLES”, SECTION 13-180.1 ENTITLED NO RED TURN ON RED LIGHT, NO TURN ON 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 4:00 p.m. MONDAY THROUGH FRIDAY; OF THE CODE OF ORDINANCES OF THE CITY OF POUGHKEEPSIE.

INTRODUCED BY COUNCILMEMBER PARISE

Section 1. Section 180.1(a) of the Code of Ordinances of the City of Poughkeepsie is hereby amended by the following deletion:

After signs bearing the legend “No Turn of Red” are erected, right hand turns on a red traffic signal, as provided in the Vehicle and Traffic Law of the State of New York shall be prohibited at the following intersections:

~~[Cannon Street and Market Street intersection]~~

Section 2. Section 180.1(c) of the Code of Ordinances of the City of Poughkeepsie is hereby amended by the following addition:

After signs bearing the legend “No Turn of Red between the hours of 8:00 a.m. and 6:00 p.m. Monday Through Friday” are erected, right hand turns on a red traffic signal, as provided 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:

Cannon Street and Market Street intersection

Section 3. This ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER MURPHY

O-11-20			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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM LEROY E. ROUSE**, a notice of property damage sustained on August 29, 2011. **Referred to Corporation Counsel**
2. **FROM CRAVE RESTAURANT & LOUNGE, INC.**, a notice of intent to renew their Liquor License. **Referred to Nuisance Committee**
3. **FROM SOUL DOG**, a notice of intent to renew their Liquor License. **Referred to Nuisance Committee**
4. **FROM SANTINO MILANESE d/b/a MILANESE RESTAURANT AND LOUNGE**, a notice renew its Liquor License. **Referred to Nuisance Committee**

X. UNFINISHED BUSINESS:

None

XI. NEW BUSINESS:

Mayor Tkazyik – Would like to inform the council the budget will be released October 14th at noon. We will have a short introduction for the council prior to the noon announcement to the city. We will be reaching out to you to schedule that. We have been working very diligently through the departments; this is one of the most challenging budgets I have seen. Putting together the demands of unfunded mandates and the rise in pension costs and retirements, trying to balance all of that and maintain the quality of life and public safety that we all enjoy. It is quite challenging along with Governor Cuomo’s mandate and legislatures mandate of a 2% cap. We are

mandated not to go over a 2% levy. One thing that I can say on a positive note is that working together here in city hall over the last 4 years we have not increased the levy by that only 1% or less the last 4 years. The city of Poughkeepsie has set the bar for what the state is now mandating. We all know what tax payers are going through and bearing on. Tough decisions will have to be made in putting this all together. I look forward to collaborating with the council, department heads, and public as we move through the budget and budget review sessions.

Councilwoman Solomon – Autumn in the Park will be October 15th, and I encourage all to come and participate. We will have a pony, clowns, even a cow all kinds of activities. Also, one of my constituents has already received her FEMA support, and that is extraordinarily fast.

Councilman Parise - This Sunday is the Pulaski Day parade and celebration. It will kick off at 19 N. Bridge Street, the Polish Club at 1 pm, and marching up to Pulaski Park. It is free admission and we will have the Polka Family Band playing at the Polish Club.

XII. ADJOURNMENT:

A motion was made by Councilmember Solomon and seconded by Councilmember Parise moved to adjourn meeting at 6:55 p.m.

Dated:

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 3, 2011 at 6:30 p.m.

Respectfully submitted,

Deputy City Chamberlain