



**THE CITY OF POUGHKEEPSIE
NEW YORK**

**COMMON COUNCIL MEETING
MINUTES**

Monday, October 5, 2015 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL – 7 Present, 1 Absent (Councilmember Klein)

II. REVIEW OF MINUTES:

- Common Council Minutes of June 15, 2015**
- Minutes of the Public Hearing of June 15, 2015**
- Common Council Minutes of July 6, 2015**
- Minutes of the Public Hearing of July 6, 2015 (57 Montgomery Street)**
- Minutes of the Public Hearing of July 6, 2015 (High Road Extension)**
- Common Council Minutes of July 13, 2015**

Approving Minutes			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Councilmember Klein	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Petsas	Voter	<input checked="" 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.

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

Jeff Amon 40 Prestwick Court: said the new website looks great and that it's a good step forward. Would like a little more information about the LED lights and pilot program. Wants a way to subscribe to information updates about things that individuals may be interested. Asked the Common Council for a new policy when it comes to new projects – stated that it would have saved a lot of time, speaks strongly against Commissioner of Public Works Gent.

Nora Culhane 50 Rinaldi Boulevard: working on the Middle Main Street Initiative with Hudson River Housing through AmeriCorp Vista. Mentioned the talk last meeting about the clean-up of Main Street, and asked if anything has been done. Announced that they are having a clean-up together with Changepoint Church, and asked for volunteers. Thanked the DPW for their hard work and swift response to calls.

Ken Stickle 118 Catharine Street: wants to have a full-sized garbage truck for his street, wonders why they can't have the equipment they need. He complained about trees having to be cut down and that they're diseased. Said that the city needs a new street sweeper and new garbage trucks.

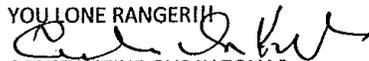
Steven Planck 25 Carroll Street: gives props to Commissioner of Public Works Gent for all his help and support in the cleanup of Kaal Rock Park. Mentioned the missing money from the sanitation fund. Would like for the common council to help solve problems with parking on Main Street. He mentioned 22 Montgomery Street being decrepit and how it needs to be fixed around. He has concerns about the leaf removal machines being down. He thinks there should be a waiver in lieu of payment for the Potter House, thinks the city needs to invest more energy into protecting the children – proposes a curfew for students during the school year.

Constantine Kazolias 47 Noxon Street: (submits a paper for the record)

SITTING ON YOUR DESKS IS THE SPOT ZONING EVALUATION FOR THE J.C.C. FROM THE T/POK WHICH WAS REFERRED TO BY THE D.C. DEPARTMENT PLANNING /DEVELOPMENT, [ZONING REFERRAL] FOR COMMENT. THE FOUR PAGE DOCUMENT, MANY OF THE TOWNS CONCERNS ARE NOTED; INCLUDING THE POTENTIAL FOR A 225 RENTAL UNIT COMPLEX BY A TAX-EXEMPT NON-FOR PROFIT ENTITY!!!!

THE POUGHKEEPSIE C.C. IS THE POLICY MAKING BODY. THOSE DUTIES ARE PROTECTING THE CITY'S VITAL INTERESTS, PLUS THEIR CONSTITUENTS WHO PAY PROPERTY TAXES. WHEN MAKING CRITICAL FINANCIAL DECISIONS THAT WILL KEEP THE BUDGET BALANCED WHICH IS A MUST AS SPELLED OUT IN THE N.Y.S. COMPTROLLER'S RECENT AUDIT REPORT. THE AUDIT REPORT 'RED FLAGGED' EXPENSES OUTPACED REVENUES. THE PROPOSED D.P.W. CONTRACT WITH A 3+% INCREASE IS DOUBLE THE 2015 N.Y.S. IMPOSED PROPERTY TAX CAP OF 1.75%. THE CITY'S PRESENT NEGATIVE DOUBLE DIGITED FUND BALANCE WILL BE EXASPERATED WHICH WILL EXPEDITE BANKRUPTCY/RECEIVERSHIP. THE 1000+ ZOMBIE PROPERTIES, TWELVE CITY OWNED, DO NOT PAY LITTLE TO NO TAXES; THEREFORE, DIGGING A DEEPER CITY FINANCIAL HOLE.

IN LOCAL POLITICAL CIRCLES, THE WORD IS IF ROLLISON BECOMES MAYOR, WHO THREW THE CITY UNDER THE BUS /A; LONG WITH C.E. MILLINARO BY CUTTING SALE TAX REVENUES TO POUGHKEEPSIE BY \$TWO MILLION /YEAR FOR TEN YEARS, THAT C.E. MILLINARO WITH HIS PHONY D.C. MUNICIPAL CONSOLIDATION FUNDING UNDER HIS EXCLUSIVE CONTROL WILL RIDE TO THE CITY'S RESCUE. THANK YOU LONE RANGER!!!


CONSTANTINE GUS KAZOLIAS

*Town of Poughkeepsie
Office of Municipal Development*

*1 Overacker Road
Poughkeepsie, NY 12603*

*845-485-3657 Phone
845-486-7885/790-4772 Fax*

June 11, 2015

VIA E-MAIL
Original Via First Class Mail

Hon. John Tkazyk, Mayor
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12602

Hon. Members of the Common Council
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12602

*Re: Hudson Valley Community Center
110 Grand Avenue
Application for Change of Zone*

Dear Mayor Tkazyk and Members of the Common Council:

The Town of Poughkeepsie has received the May 1, 2015 communication from the City Chamberlain regarding the public hearing on the Application for Change of Zone for the Hudson Valley Community Center ("HVCC") and offers the following for your consideration.

The application for a Change of Zone is accompanied by a concept plan for development of an 86 unit senior residence project, and includes a Short Form Environmental Assessment Form and a project narrative. Unfortunately, missing from the package is any information or discussion of traffic and drainage issues associated with the project. Traffic and drainage are both key issues for the Town since Park Avenue is wholly owned and maintained by the Town, and the on-site stream drains easterly into the Town eventually reaching Vassar Lake on Raymond Avenue. Also missing from the package is any evaluation of potential water supply and sewage disposal requirements and the potential need for new distribution facilities, noting the recent problems with failing water supply pipes on the nearby Temple Beth El and Hellenic Center properties.

While the Common Council may chose to re-zone the property without requiring a full site plan review that would address these questions, the "hard look" requirements of the State Environmental Quality Review Act (SEQRA) must still be met in regard to a discussion of these issues. Prior to granting any approval for a Change of Zone we encourage the Common Council to seek from the applicant additional information regarding traffic, drainage, and the adequacy of water and sewer line capacities to accommodate the project.

*Town of Poughkeepsie
Office of Municipal Development*

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As presented, the application is one where the owner believes a Change of Zone is necessary in order to attract a developer to construct a multi-residence facility the rents from which would subsidize HVCC operations. Whatever the merits of such a business plan, granting a Change of Zone without any conditions would leave the City and the Town with great uncertainty as to what the final project might actually look like. In other words, while the application talks about an 86 unit senior residential project, without conditions attached to the Common Council's approval there is no guarantee that that is what would ultimately be constructed. Accordingly, we recommend the Common Council condition any approval for a Change of Zone on the following:

1. Re-zone only that portion of the site shown on the concept plan as R4 District instead of the entirety of the existing 6.4 acre property. This could be accomplished by running the proposed zoning line along the back of the existing HVCC building and parallel to Park Avenue. It is also likely that development of the site as presented in the application will also require a subdivision of land for financing purposes, so limiting the area to be re-zoned would be consistent with the applicant's stated purpose.
 - a. Discussion: the applicant shows a concept plan for an 86 unit development. However, the maximum allowable density for the R4 District is the same for the R6 District. If the entirety of the 6.4 acre property is re-zoned the maximum residential development potential greatly increases. Assuming each of the units would be 2-bedroom the maximum density under §19-8.17(4)(b)(2) of the City zoning ordinance is calculated as follows:
 - i. $6.4 \text{ acres} \times 43,560^1 \text{ square feet} = 278,784 \text{ square feet};$
 - ii. The code requires no less than 1,200 square feet for each two-bedroom unit which works out as follows - $278,784 \div 1,200 = 232 \text{ units}.$
 - b. Since the reason for the application is to allow the development of apartments to subsidize the HVCC operations, limiting the area of the site to be re-zoned to R4 District would prevent the conversion of the entire site to a high density multi-family project, while ensuring that the HVCC building remains available for continued recreational and educational use.
 - c. As an alternative to re-zoning only the rear of the site the City could condition its approval on the filing of a Declaration by the owner that would allow for the multi-residential project only at the rear of the site as shown on the concept plan. Such a Declaration should include language giving the City rights of enforcement of its terms, and should be binding on future owners.
2. Limit the maximum residential development density to no more than 86 units.
 - a. Discussion: limiting the development density is reasonable given the application only describes an 86 unit senior residence project. It is also reasonable since the City's SEQRA review apparently is focused solely on the impacts associated with an 86 unit

1. There are 43,560 square feet in an acre.

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development as opposed to a much larger 232 unit development. If the City chooses not to limit development density to 86 units then the SEQRA review will need to be expanded to consider the 232 unit potential.

3. Restrict development of the site for any of the other uses allowed in the R4 District.
 - a. Discussion: similar to the limitation on residential density, restricting the use of the site for the other uses allowed in the R4 District is reasonable since the SEQRA review being conducted by the City does not appear to consider any other type of development. In regard to other potential development we note that the R4 District permits such things as public and private schools, cemeteries, places of worship including parish houses, nursery and preschool educational establishments including day-care centers, libraries, museums, art galleries, family day-care and group homes, and professional and business offices. Since none of those other uses appear to be considered under the current SEQRA review it would be prudent to exclude those uses as part of the Change of Zone approval. Alternatively, if the City chooses to allow those other uses, the SEQRA review would need to be expanded to consider the potential impact of development of those uses in order to meet the "hard look" requirement.
4. Require that the proposed units may only be occupied by persons 55 years of age and over.
 - a. Discussion: similar to the development density restriction, such a limitation is reasonable since that is what is stated in the application, while limiting any additional development that has not been previously examined as part of a full SEQRA review. This is important since the traffic impacts related to a senior residential project are very different from the traffic impacts of a standard multi-family project. Traffic for a senior project tends to be off-peak since many of the residents would be retired or rely on public transportation or family or friends to get around. By contrast multi-family projects tend to have many more vehicles because of working parents, teenagers and young adults each with their own transportation. Because there are more vehicles multi-family projects also need more parking which increases the amount of impervious pavement on the site and creates challenges for management of storm water.
5. Require that if the residential project is developed by a not-for-profit entity, that the project owner/sponsor make payments in-lieu of taxes (PILOT) to the City.
 - a. Discussion: many senior residential projects are constructed, owned and operated by not-for-profit corporations. This is particularly true for projects that are set up to serve a particular demographic (i.e. age 55 and over, low-moderate income families, etc.). The development of the site for high density residential purposes will undoubtedly increase demand for City services. It is only fair that the sponsor of the project pay the cost of City services by ensuring that if the owner/sponsor of the project is a not-for-profit entity that payment for services is obtained through a PILOT agreement.
6. Provide a "sunset" provision in the resolution whereby if the owner does not bring forward an application for site plan approval for an 86 unit senior residential project, and receive site plan approval, within a certain time after approval of the Change of Zone, that the site reverts to the

*Town of Dutchess
Office of Municipal Development*

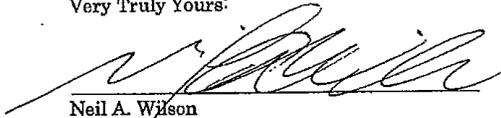
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original R2 District zoning. Five to six years would seem to be a reasonable time for the sunset provision.

Thank you for this opportunity to provide comment on this project. Please contact me with any questions.

Very Truly Yours:



Neil A. Wilson
Director of Municipal Development

NAW:me

Hon. Todd Tancredi, Supervisor, via email
Hon. Ann Shershin, Councilwoman, via email
Hon. Tracey Herman, Councilman, via email
John Weisman, Chairman, Town Planning Board, via email
James Challey, Chairman, Town Zoning Board of Appeals, via email
James Nelson, Esq., Town Attorney, via email
Paul Ackerman, Esq., Corporation Counsel, via email

Terry Clayton Wappingers Falls, NY: President of the CSEA, wanted everyone's support on the CSEA contract. He explained why this contract is important, and how it's being very fair and responsible.

Bruce Dooris 31 North Clover Street: echoes Terry Clayton's explanation, agrees with Ken Stickle about the garbage trucks and the trees, said that there's not enough manpower and not enough equipment. Doesn't think that City Administrator Bunyi's numbers are to be believed at all.

Nora Deloache 49 Carroll Street: talked about the homelessness and the unsolved homicides. Said that there is not enough funding from the DSS or privately owned organizations. Poughkeepsie needs to get more funding for all of this. There are too many homeless people in Poughkeepsie, and it's not acceptable. She's in the community and trying to make a difference, wants the council to take the time to think about all that she's said.

William Dykus 96 South Hamilton Street: thanked Steven Planck for his and his volunteers' hard work at Kaal Rock Park, Ken Stickle and Ann Perry – likes their attitude and spunk, thanks the city guys and they're the ones who are really working hard for the city, thanked Bruce Dooris as well.

V. MAYOR’S COMMENTS:

Not Present

VI. CHAIRMAN’S COMMENTS AND PRESENTATIONS:

Chairman Petsas – announced that it is Councilmember Hermann’s birthday and wished him a happy birthday. Announced an art reception tomorrow. Congratulated the IT team and everyone involved with the new website launch. Informed everyone that they had the first civilian patrol meeting. Urges his colleagues to approve the CSEA contract.

VII. MOTIONS AND RESOLUTIONS:

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

Councilmember McClinton made a motion to go into Executive Session, **Councilmember Hermann** seconded the motion.

Councilmember Hermann made a motion to resume the rules, **Councilmember McClinton** seconded the motion.

**RESOLUTION
(R-15-73)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the most recent Collective Bargaining Agreement between the City of Poughkeepsie (the “City”) and CSEA, Local 1000 AFSCME (“CSEA”) expired on December 31, 2011; and

WHEREAS, representatives of the City and the CSEA have negotiated on and settled upon certain financial terms and conditions to modify said Collective Bargaining Agreement which are set forth in the Memorandum of Agreement annexed hereto and made a part hereof, and

WHEREAS, the CSEA’s membership has ratified the terms of the settlement; and

WHEREAS, it is the desire of the Common Council to authorize and approve the financial terms of the settlement; and

WHEREAS, the 2015 City Budget must be amended to reflect the impact of the settlement, to the extent indicated in the attached schedule provided by the Finance Commissioner; and

WHEREAS, the Common Council has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617,

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council does hereby authorize and approve the proposed settlement of the collective bargaining negotiations between the City and the CSEA for a successor agreement for the period January 1, 2012 to December 31, 2017, containing the financial terms substantially in the same form and substance as set forth in the Memorandum of Agreement annexed hereto; and be it further

RESOLVED, that the Common Council does hereby authorize and approve the amendments to the 2015 City budget necessitated by the settlement and described in the schedule provided by the Finance Commissioner annexed hereto; and be it further

RESOLVED, that the Common Council does hereby authorize the Mayor to enter into a successor agreement with the CSEA, containing financial terms substantially in the same form and substance as set forth in the Memorandum of Agreement annexed hereto, and be it further

RESOLVED, that this resolution take effect immediately.

SECONDED BY COUNCILMEMBER HERMANN

R15-73			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION
(R-15-74)**

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, in accordance with Section 5.02 of the Charter of the City of Poughkeepsie, the City Administrator has presented the 2016-2020 Capital Projects Program to the Common Council; and

WHEREAS, the Common Council held its public hearing concerning the 2016-2020 Capital Projects Program on September 21, 2015; and

WHEREAS, the Capital Projects Program is considered a planning document for the City’s anticipated Capital Projects needs for the ensuing five-year period, and as such, the Program may be amended from time to time before a particular Capital Project is implemented and final project approval will be made as sources of funds are identified; and

WHEREAS, the Common Council of the City of Poughkeepsie has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617,

NOW, THEREFORE,

BE IT RESOLVED, that the 2016-2020 Capital Projects Program budget annexed hereto is hereby approved by the Common Council subject to such amendments as may be deemed necessary and/or advisable, and also subject to such further approvals as may be required by law.

SECONDED BY COUNCILMEMBER HERMANN

R15-74			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember McClinton	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 Johnson	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"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	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:

X. UNFINISHED BUSINESS:

Councilmember Johnson – thanked Commissioner of Public Works Gent and the rest of the DPW for their swift work on Lexington Ave that morning.

Councilmember McClinton – asked Corporation Counsel Ackerman about the senior building on Cannon Street and thanked him for addressing the issue on Dwight Street.

Councilmember Petsas – asked about the street signs on Delafield Street.

Councilmember Hermann – asked Corporation Counsel Ackerman about the questions regarding the Hudson Valley Community Center.

XI. NEW BUSINESS:

Councilmember Hermann – announced a quarterly ward meeting for this coming Saturday.

Councilmember McClinton – asked Commissioner of Public Works Gent about the trees, also asks about the bulk pick up and thanked Commissioner of Public Works Gent

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for Bartlett Park. Announced Autumn in the Park on Oct 17th, addressed the concerns regarding the police department, and thanked everyone at the meeting.

Councilmember Petsas – announced Pulaski Day Parade and Festival

XII. ADJOURNMENT:

A motion was made by Chairman Petsas and Councilmember Mallory to adjourn the meeting at 8:10 p.m.

Dated: November 19, 2015

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 5, 2015 at 6:30 p.m.

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**



COMMON COUNCIL MEETING

Common Council Chambers
Monday, October 5, 2015
6:30 p.m.

I. ROLL CALL:

III. REVIEW OF MINUTES:

**Common Council Minutes of June 15, 2015
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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 CORPORATION COUNSEL ACKERMANN, Resolution R15-73, approving the Collective Bargaining Agreement with CSEA.**
- 2. FROM CITY ADMINISTRATOR BUNYI, Resolution R15-74, approving the 2016-2020 Capital Plan.**

IX. ORDINANCES AND LOCAL LAWS:

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: