THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, March 3, 2014 6:30 p.m. City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

II. REVIEW OF MINUTES:

Councilmember Petsas made an amendment to page 33, replacing Councilmember Solomon's name with **Councilmember Rich.**

CCM 1-6-14						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

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

<u>REMOVE</u>

VII. MOTIONS AND RESOLUTIONS:

1. **FROM CORPORATION COUNSEL ACKERMANN,** R14-19, authorizing a utility easement with Central Hudson on Zach's Way.

2. **FROM CORPORATION COUNSEL ACKERMANN,** R14-20, SEQRA and Sale Resolution R14-21, for the sale of a parcel property at the corner of Clinton Square and Maple Street.

ADD

IX. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

7. **FROM MAYOR TKAZYIK,** the March 1st financial report.

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

Terry Clayton – CSEA President – 13 Plaza Road, Wappingers Falls – I just want to start off by saying I'm very concerned with the looming layoffs if we don't get a deal done with the parking meters. I just want to give everyone an idea of what it would look like if 25 people were laid off, so take a look [motions to the members of the audience]. So, my point is this – if you lay off 25 people we're going to be down to not a lot, whether it's DPW, crossing guards, police, fire, civilian police…what we're looking at is a depleted workforce and stuff not getting done on the streets, which, my feeling is, the most important. I was told that non-essential personnel would be laid off…you know, non-essential to the citizens of the City. To me, everybody's essential; everybody in this room, everybody up here. I think if we all work together, put our differences aside and put our heads together, we can make this work. So, thank you.

Ken Stickle – 118 Catharine Street – I've been a proud resident of the City of Poughkeepsie for 57 years; born and raised here. Unessential employees – I don't think we got any room for that. I understand the parking meter vote will be coming back out. My suggestion is, instead of going out and buying all these pay stations, buy individual meters. They take credit cards, they take debit cards…right on down the line. Go up and down Main Street where you got the white lines. I understand we have between 250-300 parking spaces from Hamilton down to the Waterfront. If you look at those parking spaces, because nobody's controlling how people park on Main Street, I bet half of those parking spaces are not being utilized. So, individual parking meters make more sense. You have elderly people getting out of their car to go to Motor Vehicles and they're looking for these pay stations…you got somebody confused – they can't find them. We can't afford to lay any of these guys off. Take a look at Main Street – it looks like Beirut again…not only potholes…the garbage, so on and so forth. We don't have the manpower as it is, to keep the city clean, and we want to bring more business in here? Give them parking meters, but do it fairly. Do them from the library over to Mansion Street in front of the Post Office. Let the parking meters be paid for first, individually…then start on Main Street (lower and upper). Leave the middle section alone until you build the up in there. It's gotta be done fairly. The City passed the budget for $1.3 million for parking, which everybody in their right mind knew that 400 parking meters would not bring in

$1.3 million. You cannot threaten the City with 25 layoffs and then say, "Oh, we're gonna look to hire 2 temps." That's all I got to say.

Marta Knapp – 10 South Clinton Street – That "three-headed monster" that is bringing us new smart meter water meters was less than up-front with members of this Common Council on Thursday, February 20. Wendel, the performance contractor and manager of the project and creator of the billing software was one head. Census Netflix, the device maker and owner of the frequency was another and the In-Line Service, the installer of the devices of New Jersey was the third. Important questions some of you asked were not answered honestly or at all. 1. When asked what "undesirable operation" means, no one answered you guys. No one gave an answer at all. 2. When asked if the frequency being used could be violated or shared, the Netflix Census guy lied to you saying they exclusively own an old pager frequency they bought. Well, FCC Rule #15 says that frequency must accept other signals. 3. I recently learned that Census Netflix meters are notorious for having meters overheat and catch fire. 4. The representatives lied to you about the frequency signal only being sent four times per day, the low pulse microwaves are constantly pulsing every 6 seconds. 5. When one of you asked if these are smart meters, you couldn't get a straight answer. But, the In-Line service rep. said that they never called it the smart meter in any of the mailings to the public. That's not an answer. 6. Why is the location of the base tower that has the receiver on it Top Secret? What is the security issue involved? I believe the newest receivers for these WiFi meters went up on the cell phone tower next to Time Warner on Reservoir Square, and I believe I can feel the intensified signals or radio-frequency radiation coming from that tower even stronger since these new receivers went up in December. The meter that measures microwaves per square inch read higher than the meter could go when we stood near that tower and it was over 2,500 microwaves per square inch. This is extremely hazardous to human health and is exposing my whole neighborhood. All the WiFi devices and smart meters raise the levels as they "communicate" with each other, increasing the load. 7. When asked, In-Line Services admitted that none of their technicians are licensed plumbers or licensed electricians; something you are requiring citizens to have if they resist this mandatory installment and elect to do it on their own. When asked about the shelf life of these devices, instead of answering honestly that the battery-operated device only lasts 10 years, they told you it has an accuracy guarantee of 20 years. Who pays for the new meters in 10 years? In 20 years? And, what does a "handful of problems" mean regarding installation – 10, 20, 30, 40? When City workers have to dig up the road, sidewalk, front yard…whatever…what does that cost in overruns? I'm again asking the Common Council to have a public hearing, where the public can dialogue with you guys about smart meters, with the "three-headed monster," where we can bring people in who actually have studied this at length. And, I'm asking for that public hearing and asking you guys to take back your power investigating the smart grid. I have a copy of that film. Thank you very much.

Frank Clark – 50 Rinaldi Blvd. – Once again, I believe parking meters should be installed in the City. However, I'm still in favor of single meters instead of those very expensive and unreliable pay stations. I was outraged when City Administrator Bunyi stated at the previous meeting, that a local bank wouldn't be interested in letting the City

borrow less than $600,000 because it wouldn't be worth their while. Therefore, forcing taxpayers to spend thousands of dollars more on a parking system that wouldn't bring in any more revenue than a less expensive system. To prevent Mayor Tkazyik from going through with his threat to lay off 25 City workers, I'm asking the Council to approve the resolution on parking meters. However, the money should be put in escrow and for a 60 or 90 day trial period, single meters should be installed on Main Street between Market Street and Academy Street. And pay stations should be installed on Main Street from Academy Street to Hamilton Street to find out if there's any substantial difference in the revenue collected. Then the Council should decide which system would be the better investment and again, the meters should be installed throughout the Mt. Carmel area district also. I have a suggestion how residents could be notified about "Snow Emergencies." We all receive many of those glossy, political mailers at election time. I'm guessing that because so many are sent out, the cost is affordable. A glossy notice should be mailed out on October 1st to all residents in the City. It could say, "Please Post This Notice on Your Refrigerator. If you park on a street listed below, you must remove your car during a Snow Emergency, or risk getting a hefty parking ticket and tow charges." Another line could be, "We recommend you park on the streets and lots listed below." The cost of this mailer could be shared by the City of Poughkeepsie, CSEA Union and the official radio station for storm warnings. I recommend the radio station, 92.1 which has a live radio announcer, Joe Daley, who begins broadcasting at 4:45 a.m. This Notice should also be put on the website starting on October 1, and also on the Community Channel 39 on FiOS. Thank you.

Darrett Roberts – 148 Franklin Street – I want to talk about the property taxes the people in this City are paying. I went to a conference Saturday in Newburgh about the school systems here, and I found out that only 50% of homeowners are paying property tax, while the rest of the people are not paying…are getting a write-off. I'm thinking that 50% that are paying, they're putting a burden on the other 50% here, and we have the other 50% paying their full share, we wouldn't be talking about laying off 25 people. We would actually be talking about hiring 25 new people and plus, getting them a raise. These people work to protect the City. They work to help us. Also, we need that revenue to pay for the school system, which is badly in need of that revenue. Those people who are not paying their fair share of taxes are cheating the City and residents of what they deserve and I feel very strongly that we not lay off these workers – these people who are union employees who've been doing a job for years and years of faithful service. They should be given a medal for their outstanding heroism in the face of the snowstorm we had lately. I am a proud ex-union member and I'm proud to be a part of them. Thank you very much.

Harvey Flad – 115 Academy Street – I gave you a handout about snowstorms and possible strategies. Read attached statement.

Sean Harden – 36 Glenwood Avenue – I'm going to quickly thank Mr. Hermann for getting back to me on the adjacent property next to mine that was up for auction, then having it removed for obvious reasons. After watching the previous meeting and hearing

the meters get voted down, and heard numerous times, "We don't have any sources of revenue." I'm gonna come up with one. It includes meters. Right now, I'm a temporary employee for the City of Kingston, and what we do…my position is going out in the morning, collecting coin from parking meters and repairing them. Now, what they do is charge $.50/hour for parking meters; and we use the single head meters. There are around 500 meters in the City, and a lot of them are double head, so it's probably 750 to 800 or 900 metered spaces. The reason the City put these meters in several years ago, was that they were having a problem, which is what we have with the Main Street businesses with cars parking on the street and sitting there for hours and hours and hours. In the afternoon, I write parking tickets and that results in a full-time ticket writer. It's so much easier for us to go by, look at a meter, see if it's green or red…if it's red, write the ticket ($20 fine). Another problem with it is collecting the actual fine. What the City of Kingston does is, if you accumulate 3 parking tickets, they scofflaw your registration and eventually, they will get their money somehow…one way or another. My suggestion is to do something like this. I know it requires legislation from the Council, but try and bring in some type of parking meter. The single head is a good one because if it does break down, it's quite easy to fix them. The money collected brings in thousands and thousands of dollars – even at $.50/hour, but the parking fines are even more. Between me and the other person, we can write several thousands of dollars in parking fines in one day. It helps out the businesses by clearing the spaces in front of their business; it keeps things moving and the other idea for actual revenue, I would say increasing the fines. If somebody wants to ask Corporation Counsel when it last happened, I don't think parking fines have been increased for a number of years. I think it's ridiculous that a fire hydrant ticket is only $25 – that should be on the same level as Handicap [Parking], like $100 or $200, but it's only $25, yet, parking in a permit district is a $50 fine…so on and so forth. I would just say here, "Approve the meters in some form, whether it be the pay stations (ideally, it should be the single stations), because we can't afford to lose 25 people." There just has to be some situation worked out between the City Council and the Administration and hopefully, my suggestion helped you out and gave you some ideas. Thank you.

Doug Nobiletti – 145 Academy Street – I like very much what I just heard tonight. There was some really good applied logic to the idea of what really makes a meter system work. So I think maybe, you're gonna vote to go ahead and do some form of metering, but you might want to leave open your options as to how best to implement it. Read attached statement.

Jere Tierney – 60 Fountain Place – I too, was a little skeptical about the $1.4 million 'til I had the opportunity to speak to Diane Steen today, and she informed me that the three test meters brought in approximately $5,000 in 3 months and I said, "Wow, $5,000 in 3 months, okay…3 meters in 12 months – that's $20,000. Sixty meters in 12 months, that's $400,000. Two hundred meters in 12 months – that's $1.4 million." Potentially, there is money to be made there and based on what's happening in the City of Poughkeepsie, when you're looking at a $20 million upgrade to your water treatment plant, $2 to 3 million joint library initiative. Another $6 million in revenue needed to fix the tank and another $3 million to keep the 25 people on the job over here (makes a

gesture to the people in the audience), I think parking meters is definitely the way to go. I would suggest all on-street parking be short-term, so that you "flip" the space, because the purpose of parking meters (as Sean said), is to promote and manage parking spaces. Your parking lots should basically be long-term parking, kind of like an airport; you know? Short-term and long-term. And, you should test both. You should test the kiosk and also test the single meters. The difficulty in single meters, I'm not sure how they're gonna be wired and how you're gonna send out a signal to be able to use credit cards…whether it's gonna be solar-powered or hard-wired, but that is certainly a consideration. The kiosk, I think everything is solar-powered and is probably a cell phone type of connection back to the bank. So, there's something to be said for both of them. I think you should test both of them. I think you should put them everywhere…Downtown, Mt. Carmel, Hooker Avenue – anywhere you can make money. And, I think it's certainly within the realm of possibility, that you might surprise yourself and end up with more than $1.4 million. Thank you. Have a good day.

Gus Kazolias – 47 Noxon Street – First and foremost, I gotta talk about the Poughkeepsie Journal. This is "Yellow Journalism," about the attack on the Mayor's father. I knew his grandfather and all like that down in the family. This is "Yellow Journalism," and as Rush Limbaugh says, "Stay with the issues, and stay off the periphery stuff." I blame Penny over there – he runs the Journal. Try to get a letter to the editor; I know how he runs the thing and this is his story, OK? I thought "Yellow Journalism" went out when Lou Fiore went out, but I guess it's still alive and well. Everything that's been said about the meters, I agree with 100%. We need the revenues. How are you going to resolve it is one thing. The second thing is I noticed there was an editorial opinion of this "Sharwat." She's a (inaudible… League of Women Voters?) about the Loop Buses. She doesn't even know what she's talking about. People ought to know what they're talking about when they're talking about Loop Buses taking over the City buses and all like that. Something else I want to talk about. You know, it was interesting to read about this guy, "Lapore," not a bad looking guy either. I didn't realize he gave the Mayor $10,000 for his campaign "thing," but he also…I hear he does about $200,000 of outsourcing work for the City of Poughkeepsie. It could be high, but it's up in that category. I noticed in this article, it doesn't say anything about how he's doing work for the City of Poughkeepsie. You see the 30 people moved out – you've been laying people off; how many people could you hire for $200,000? A lot – to do City work, cleaning it up (whatever it is), etc. I hear these fire hydrants – who's cleaning the fire hydrants? Is it the City people or do you outsource that too? Last time I hear that there were 500 fire hydrants that weren't (inaudible). Usually, you have people get out there to clean the fire hydrants. That's very critical…a fire. My son does mine, thank God he does because I fortunately, have a younger person to do it. Other than that…look – tonight on the agenda, you're gonna hire 2 part-timers. You need the revenues, and I don't think the Administration should use scare tactics as far as I'm concerned. In 1982, the Democrats were running it – Lettieri and that group; I think Theyson was City Manager. Today I spoke to an attorney who said, "How can you have a contract without an escalating clause that goes back for 30 years?" We had only "geniuses" running the City then. Let's not have too many "geniuses" running the City now. Let's get the meters going so we can get the revenues in, and we need it – this is a way out. By the

way, one of those electronic things when you cross the street was out of order. What happens when it's out of order…you don't get any money? Something to think about.

Steven Planck – 81 Carroll Street – Forgive me if I get up and go home after this, but I have a newborn at home and I'd much rather be there, with all due respect. The handout that I'm handing you is the first page of the same letter, same question that I've been asking for the last year. I'm hoping that at some point, you all get as upset as I am and become embarrassed as to why I never get an answer to this question. Either I'm being stonewalled, road-walled or it's just incompetence. I don't know, but at some point we have to say, "Son of a gun, what's going on with this guy?" I know Mr. Rich and Mr. Klein has forwarded the questions over, and here it is, 15 months later and I'm still asking the same damn question. So, tell me where to go or tell me what it is, but just tell me something. For God's sake, I'm almost 40 years old, I can take a "No." The second thing you'll receive in the packet (maybe you read it, maybe you haven't) is the Comptroller's brief which speaks about how cities like ours generate revenue when we have so many taxes on properties and basically, what he talks about is User Fees. So, my question to the Council (with all due respect to the people sitting behind me) is, "Why isn't every free standing property in the City of Poughkeepsie paying the damn User Fee?" Why have some people been allowed to go beyond the purview of what the rest of us have to do? If we're all going to be hit with a fee, let's all sit as a family at the same table and all pay the damn fee, not for some people to go off and get it at a cheaper price. That's been my idea and I've been saying it for over a year, and here you go, it's coming right from the Comptroller's Office as well. As far as the parking meters go and the layoffs – I agree. It's a complete scare tactic and it's an ugly shame that that's the way politics work around here. I'm 100% against the parking meters. I can't justify going into "Alex's" and turning a $2.00 cup of coffee into a $5.00 visit because I got to pay for the parking meter. I can't justify it. I think if we go back, because I caught the rerun of the Meeting of the Whole from last week, and listened to Rich DuPilka when asked what was the biggest problem with the snow removal. It's the damn cars on the streets. If you, as a Council work backwards from that single problem, you will solve so many of the City's financial problems, because what'll happen is when you start controlling the cars, (and I personally, would get rid of multiple side of the street parking) it would make street sweeping easier, garbage pickup easier, snow removal easier. I would charge a $10 annual fee for a permit and then $20 per month to be able to park on the street. We're talking over a million dollars a year. The second thing I would do is once you control the cars, then you can get those automated machines in here to pick up the garbage. I would have homeowners simply walk their garbage to the other side of the street that doesn't have the cars parked on it, and now you're able to get the automated machinery down there. Control the cars, control the City and you'll find money laying everywhere.

Chairman Mallory: Thank you, Mr. Planck.

Mr. Planck: The last thing – the parking meters was less than $4,000…

Chairman Mallory: Is there anyone else?

Mr. Planck: It was $3,9---(inaudible)

Chairman Mallory: Mr. Planck. Thank you very much. Would anyone else that hasn't signed…please…

Bill Dykus – 96 South Hamilton Street – I'm gonna be short and sweet. I'm all for the parking meters. I get a lot from the Council and the former Council about districts. But, here's their chance to prove it, okay? We need these 25 people. Don't even think of laying them off. It's time to take care of our own. These people have been taking care of us for years, so don't even think of that. I don't know where this Mayor got this from; threatening people too with…if they don't get the parking meters, they don't have jobs. You're gonna have to figure another way, whatever happens. But, don't lay off them people. You just saw the room empty out? 25 people left the room? You're gonna see a lot more people leaving the City of Poughkeepsie too. No one's gonna live in a city where there's no services. That's all I have to say.

V. MAYOR'S COMMENTS:

Mayor Tkazyik was not present.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Mallory: Guess there's no Mayor's comments. Good evening. I'd like to thank Council members Petsas, Hermann and McClinton for the amendments to the resolution that's coming before us in regards to City Auctioned Property. I anticipate this will be a standard in-house City auctions its properties for at least two years. Also, before us today is a resolution to provide assistance to the City Sanitation Inspector, to hold property owners accountable to the maintenance, cleanliness and safety of their properties. I truly hope they can work with a full slate of City employees that were budgeted for 2014. Thank you.

VII. MOTIONS AND RESOLUTIONS:

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

City Administrator Bunyi: Good evening members of the Common Council, Chairman. In front of you is a resolution basically, providing money for salaries for two temporary employees to work with the Sanitation Inspector. This will be two 20 hour positions, reporting directly to the Sanitation Inspector who will be guiding them to provide all the abatement that is necessary to keep the City clean.

R-E-S-O-L-U-T-I-O-N
(R-14- 22)

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the City of Poughkeepsie is desirous of hiring two part-time, temporary laborers to assist with the abatement of sanitation violations including city sidewalks that have not been cleared of ice and snow; and

WHEREAS, in order to hire such employees, the 2014 budget must be amended to provide for the funding of these positions; and

WHEREAS, approval of this resolution will not result in a funding increase to the 2014 Budget for the City of Poughkeepsie, but it is necessary to amend the 2014 Budget to reflect the additional positions; 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; and

Now, Therefore,

BE IT FURTHER RESOLVED, that the Budget for the City of Poughkeepsie is hereby amended as follows:

	Budget Line	Description	Amount
From:	01.08.5110.7103	Salaries/CSEA	$18,000.00
To:	01.08.5110.7106	Salaries/Temporary	$18,000.00

BE IT FURTHER RESOLVED, that the Commissioner of Finance be, and he hereby is authorized to make such technical adjustments and corrections she deems necessary to this resolution to carry out the intent of this Council.

SECONDED BY COUNCILMEMBER PETSAS

R14-22						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

2. **FROM CORPORATION COUNSEL ACKERMANN,** R14-11, approving auctioning of excess city owned real property.

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

Corporation Counsel Ackermann: Thank you Mr. Chairman, members of the Council. Before you is a proposed resolution approving the City Clerk for conducting a property auction for excess city real property. This was first proposed to the Council last month. Over the last couple of weeks, my office has been working with several Council members with regard to putting some stipulations on some of the properties. The latest Schedule A was e-mailed to the Council members. Most of the properties will…any of the properties that have single houses will require that the properties be secure within one week; that the property owner obtain a Building Permit in 3 months for the exterior work; complete that exterior work within 6 months and then close out the Building Permit within 2 years. The vacant properties will require that any violations that may exist at the time, that they take title to the property will be abated and there are a couple of other requirements. One of them for instance, is 16 Rose Street. That is a burned out building that'd be cleared within 3 months. After the Council approves this, we'll move forward with the auction company. I did speak to them last week and they have said that if this is adopted tonight, we can move forward and continue having the auction on April 3. The plan is to continue and have that as a scheduled date.

Councilmember Johnson: Thank you, Chairman. I'm glad to be working with some creative and independent thinkers who will keep working and fine-tuning these resolutions until they're ready without stipulations. We would've kept going to the cycle where the City would've made a quick buck, but at the end of the day, they would have more abandoned properties. And, I see myself as a representative of future generations in the City of Poughkeepsie, and I couldn't support something that I think would've been harmful to the City of Poughkeepsie in the long run. So now I'm glad that we have these stipulations and I'm glad to support this resolution and to get some much needed revenue for the City of Poughkeepsie.

Councilmember Klein: Thank you, Mr. Chairman. Mr. Ackermann, the stipulations that were added…these properties, if they're auctioned are subject to the City Building Code, correct?

Corporation Counsel Ackermann: That's correct.

Councilmember Klein: So, whoever buys them has to implement immediately, whatever measures are required under the Building Code to make them code compliant, correct?

Corporation Counsel Ackermann: Yes, correct. They would have to be brought up into compliance. The Building Code would require a Building Permit. Well, first of all, they'd have to be secured immediately, or within a reasonable period of time. They would be issued a violation and would have 30 days to correct that. Then they would

have to obtain a Building Permit, but theoretically, they have 2 years to close out that Building Permit.

Councilmember Klein: This is the normal course of events for any time such properties are auctioned?

Corporation Counsel Ackermann: That's correct.

Councilmember Klein: Was this done a year ago?

Corporation Counsel Ackermann: On the properties, I think at that time, there were not any stipulations put on those properties. There were, in consultation with the Building Department, some properties that were being auctioned off this year, did contain those stipulations and some of the Council members just asked for that condition to be included in several of the other properties.

Councilmember Klein: If it was done last year, how much was raised? What kind of revenue?

Corporation Counsel Ackermann: Well, last year we had successful property auction and raised $1.4 million, but the majority of that was some commercial property that the City…(inaudible).

Councilmember Klein: Thank you, Mr. Ackermann. Thank you, Mr. Chairman.

Councilmember Rich: Question: Since they have to comply, (the buyer, successful buyer) with all these building codes, shouldn't we make up a copy of what exactly they must comply with and give it to them when they sign the paper that says they now own this property?

Corporation Counsel Ackermann: Yeah, what's gonna happen is, once this resolution is adopted, we will work with the auctioneer company who will be advertising the properties. We'll make sure they advertise with these conditions, that the buyer if fully aware that these conditions apply to purchase of the property. And, once that auction is held, the agreements that will be contained at that auction will include these conditions and will sign it at that time, with these conditions.

Councilmember Rich: Thank you.

Councilmember Petsas: Just a quick question: If someone was to purchase a property, without the stipulations…I just want clarity, and they file…they're forced to file for a Building Permit?

Corporation Counsel Ackermann: Well…

Councilmember Petsas: Somebody that owns a property that's in pretty good condition… maybe they don't want to put nobody in it…they're speculating on it…they're holding it – are they required to get a Building Permit?

Corporation Counsel Ackermann: If it's secure, the only requirement at that point would be that they file for the vacant property registration – they register it on an annual or semi-annual basis, depending on what their plan of action is with the property. So, that would have to be done.

Councilmember Petsas: So, there's no requirement to get a Building Permit?

Corporation Counsel Ackermann: There's no requirement to get a Building Permit, correct. There's a registration process.

Councilmember Petsas: So, through this stipulations we're adding on these properties, they are required to get a Building Permit within 6 months, they are required to get the outside done within a year, and they're required to wrap it up in 2 years…?

Corporation Counsel Ackermann: That's correct.

Councilmember Petsas: Right. So, I think that that's a big difference, that there are stipulations that people aren't going to come into the City, buy property, sit on them, do nothing with them…no, you're going to be forced to something with the properties you buy here in the City of Poughkeepsie. We can't afford Main and Cherry – we were told we were going to have a steakhouse there. I haven't seen a steakhouse yet. The Waterfront (the Bonura property) still isn't being developed, so I think that these stipulations are very, very important to make sure that people that are buying these properties are actually going to invest the time and money into them. Thank you.

R E S O L U T I O N
(R-14-11)

INTRODUCED BY COUNCILMEMBER RICH

WHEREAS, the City of Poughkeepsie is the owner of properties or possess liens sufficient to obtain title by Commissioners Deed to said properties described in the attached Schedule "A" (the, "Properties") which the City Administrator has determined that there exists no municipal purpose or need; and

WHEREAS, the City is desirous of auctioning the Properties pursuant to and in conformity with Chapter 2, Article III of the Code of Ordinances; and

WHEREAS, the purpose of the auction is to liquidate properties to the highest bidder and a public auction in an expedient manner; and

WHEREAS, the Common Council considers the proposed action to be an unlisted action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, the Common Council being the only involved agency considered the attached short Environmental Assessment Form (EAF); and

NOW, THEREFORE,

BE IT RESOLVED,

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and

2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and

3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and

5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and

6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and

7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and

8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

BE IT RESOLVED FURTHER RESOLVED, that the Common Council of the City of Poughkeepsie hereby determines that there exists no municipal purpose or need for the Properties described in Schedule "A" attached hereto; and

BE IT FURTHER RESOLVED, that the Properties described in the Schedule "A" attached hereto shall be sold at public auction, on a date set by the City Chamberlain after proper notice, to the highest bidder who shall be required to pay to the City Chamberlain at the time of said auction 10% of the amount bid, as security for the performance of the terms of the auction; and

BE IT FURTHER RESOLVED, that pursuant to Section 2-36 of the Code of Ordinances, the Common Council hereby sets the minimum purchase price in an amount listed on Schedule "A" attached hereto, and;

BE IT FURTHER RESOLVED, that the Common Council hereby sets the following conditions and restrictions:

1. The conveyance of title and the payment of the purchase price shall take place within thirty days of the date of the auction unless extended by agreement with the Corporation Counsel;

2. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;

3. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record;

4. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and

5. Any other conditions that may be set forth on Schedule "A" attached hereto.

BE IT FURTHER RESOLVED, the City Chamberlain shall and is hereby directed to prepare a notice of sale within 10 days containing a description of the property to be sold and the terms and conditions, reservations or restrictions along with a date of the auction; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned Properties subsequent to a public action to the highest bidder and the Mayor, the City Administrator and the Corporation Counsel are

hereby authorized and directed to do all things necessary to give effect to the terms of this resolution

SECONDED BY COUNCILMEMBER PETSAS

SCHEDULE A

NUMBER	DIRECTION	PROPERTY ADDRESS	ACCT #	GRID #	DESCRIPTION	MINIMUM BID	ADDITIONAL CONDITIONS
17		Albany Street	009060	6062-67-817320	2-family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
19		Albany Street	009070	6062-67-819322	2-family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
8		Balding Avenue	023180	6162-69-098230	2-family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
149		Cannon Street	045090	6161-23-276969	Vacant lot	$1,000.00	Any violations to be abated
53		Catherine Street	208175	6162-70-200138	Vacant lot / Parking	$500.00	Must subdivide
14	South	Cherry Street	063040	6161-23-334964	Vacant lot	$1,000.00	Any violations to be abated
330		Church Street	077150	6161-23-346885	Apartments	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
23	North	Clinton Street	083080	6162-79-276093	Vacant lot / Parking	$1,000.00	Any violations to be abated
21	North	Clinton Street	083070	6162-79-274090	Vacant lot / Parking	$100.00	Any violations to be abated
55	North	Clinton Street	084020	6162-71-288157	Multi-family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
31	South	Clinton Street	089170	6161-22-234915	Multi-family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
23		Conklin Street	104080	6162-70-149155	Vacant lot	$100.00	(Abate any violations)
Un#		Cottage Street	112160	6162-73-547142	Vacant lot	$100.00	Any violations to be abated
Un#		Cottage Street	111140	6162-73-543125	Vacant lot	$100.00	Any violations to be abated
Un#		Cottage Street & Morgan Avenue	111110	6162-72-452173	Vacant lot	$1,000.00	Any violations to be abated
25		Fitchett Street	148120	6162-73-563157	Single family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
142		Garden Street	175050	6162-62-153332	Vacant lot	$500.00	Any violations to be abated
141		Garden Street	172020	6162-62-167327	Vacant lot	$100.00	Any violations to be abated
10		Gifford Avenue	103110	6062-68-915320	Vacant lot	$100.00	Any violations to be abated
5		Grant Street	197010	6162-79-325047	Single family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.

SCHEDULE A

NUMBER	DIRECTION	PROPERTY ADDRESS	ACCT #	GRID #	DESCRIPTION	MINIMUM BID	ADDITIONAL CONDITIONS
1		Harrison Street	220010	6162-79-313085	1-family	$500.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
38		High Street	225080	6162-62-218257	Vacant lot	$100.00	Any violations to be abated
18		Hooker Avenue	236130	6161-22-168887	Fire damaged	$100.00	Any violations to be abated
98		Hudson Avenue	242160	6162-57-618385	Vacant lot	$100.00	Any violations to be abated
535		Main Street	288150	6161-23-361980	Vacant lot	$100.00	Any violations to be abated
11		Marshall Street	324040	6162-61-040302	Vacant lot	$100.00	Any violations to be abated
16		Rose Street	411150	6162-80-381005	Fire damaged	$100.00	Lot cleared within 3 months
Un#		Smith Street	419160	6162-79-285084	Vacant lot	$1,000.00	Any violations to be abated
36		Smith Street	419190	6162-79-291091	Vacant lot	$100.00	Any violations to be abated
108		Smith Street	420130	6162-71-374174	Multi-family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
49		Smith Street	417120	6162-79-322099	3-family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.
156		Smith Street	421070	6162-64-473278	Vacant lot	$100.00	Any violations to be abated
164		Smith Street	421100	6162-64-481287	Vacant lot	$100.00	Any violations to be abated
166		Smith Street	421110	6162-64-486289	Vacant lot	$100.00	Any violations to be abated
168		Smith Street	421115	6162-64-485291	Vacant lot	$100.00	Any violations to be abated
127		Thompson Street	442050	6162-80-383099	Single family	$1,000.00	Secure within 1 week, building permit in 3 months, exterior work complete within 6 months and close out building permit within 2 years.

R14-11						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

None

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM CITY ENGINEERS,** a presentation regarding the proposal of two transformation on Market Street.

Market Street Conversion to 2-Way Traffic

Presentation to Common Council
March 3, 2014

By: Engineering Department
Joseph A. Chenier, CPESC, CMS4S
Assistant Civil Engineer

Jason Teed, EIT
Junior Civil Engineer

1

Project Background

- Prior to the presentation, a review of Engineering Department files was done. Our presentation is based on this review.

- The project has been contemplated since as early as 1999.

- Since 1999, three engineering consultants have performed traffic analyses in the project area. Following the last study in 2009 the project was advanced to the preliminary design phase.

2

Project Background-1999 TCC Traffic Study

- **The Chazen Companies (TCC)** performed a Downtown Traffic Study dated **March 1999**.
- This study indicates that the current one-way traffic pattern provides the greatest degree of pedestrian safety as pedestrians interact with vehicular traffic. This pattern also provides for sufficient on-street parking and queuing resulting from activities along the Market Street / Civic Center Plaza.
- However, the drawback of this pattern is the stifling of circulation into this corridor and the core area of the City.

3

Project Background-1999 TCC Traffic Study

- The TCC report indicates that returning the corridor to two-way traffic would call for a reduction of on-street parking and increase undesirable vehicular/pedestrian conflicts. With the implementation of properly designed pedestrian facilities and signals (at a cost) these conflicts could be minimized, **but not to the extent of a one-way system.**
- A partial conversion to two-way traffic was also discussed.
- TCC's discussion of Market Street Two-Way conversion concluded with this statement: "from a traffic flow and development standpoint it would make sense to modify Civic Center Plaza/Market Street subsequent to the opening of the Main Mall to traffic."

4

Project Background-2003 Wilbur Smith Traffic Assessment Study

- A Traffic Assessment Study dated **January 2003** was prepared by **Wilbur Smith Associates**. In this report the proposed two-way conversion of Market Street and Hamilton Street are discussed. The report included construction cost estimates (in 2002 dollars) for "Minimum" and "Ultimate" improvements for the two-way conversion of Hamilton Street and Market Street. Subsequently in 2004 Hamilton Street was converted to two-way traffic.
- The study and report indicate a conversion of Market Street/Civic Center Plaza:

1. Would provide a more direct route to major attractions such as Bardavon and Mid Hudson Civic Center.
2. Intersections would operate at acceptable levels of service **with required traffic signal and geometric improvements.**

5

Project Background-2003 Wilbur Smith Traffic Assessment Study

3. The alternative routing directly to Main Street via Civic Center Plaza is marginally beneficial given that Civic Center Plaza ends at Mansion Street. Washington Street and Catherine Street provide access to Main Street from the north.
4. The lane storage length on Church Street (EB arterial) at Market Street is not sufficient to accommodate anticipated future traffic volumes.
5. The area between Main Street and Mill Street (WB arterial) is a concern due to the number of left turns into and out of the parking facilities and driveways in a short distance.
6. Timing adjustments to the traffic signal system at Church Street/Market Street and Mill Street/Civic Center Plaza will likely be required to accommodate anticipated future traffic volumes. Approval would be required from NYSDOT.
7. An estimate of total construction costs for minimum improvements was $800,000 and ultimate improvements is $1,300,000 (in 2002 dollars). Under both scenarios pavement rehabilitation is to be done by City DPW.

6

Project Background-2009 Fuss and O'Neil Preliminary Design

- In **February and March of 2009** authorization was given to **Fuss and O'Neill, Inc. (F&O)** for Conceptual and Preliminary Design by City Administration. The work authorized included survey, data collection, traffic assessment and design.
- In June 2009 a preliminary design submission was received from F&O. It consisted of a 121 sheet drawing set and a 2 volume preliminary design report.
- The design report indicates the conversion will significantly improve overall traffic circulation to downtown, to the east/west arterial system and cross town destinations. Contrary to the TCC study of 1999, F&O indicates that increased on-street parking will directly benefit local retail along Market Street. The increased parking is a result of the proposed use of diagonal parking.

7

Project Background-2009 Fuss and O'Neil Preliminary Design

- Streetscape amenities including improved lighting, benches, landscaping, and sidewalk pavement treatments are proposed in the design report and drawings.
- Project construction costs are estimated at $4.86 million which includes roadway and streetscape improvements.
- An estimate prepared by City Engineer, DuPilka in February 2010 captures additional cost. An additional 18% was added for Construction Management and 20% for contingencies. Additionally $2,100,000 has been accounted for to replace and upgrade aged utility infrastructure in the Market Street corridor bringing the estimated project total to $8.8 million.
- The Engineering Department performed a cursory review of Preliminary Design Drawing set in July 2009.

8

Engineering Department Review of June 2009 Preliminary Design Drawings

- Engineering comments included:
- A proposed, realigned curb on east side of Market Street south of Cannon Street creates a bottleneck during morning peak hours when County employees attempt to enter county parking lot. If the existing curb line was held, a 9' wide parking lane, an 11' north bound thru lane, a 11' wide turning lane and a 12' wide south bound thru lane could be created.
- A "Flush" granite curb is proposed between parking lane and travel lane. Flush granite curbs are also proposed at cross walks throughout the project. Only the top surface of a flush curb is at grade and visible. The sides of the 16" high curb are buried per the details. We question the value of this item.
- Similarly concrete pavers are proposed at parking areas throughout project. While aesthetically pleasing we question the value.

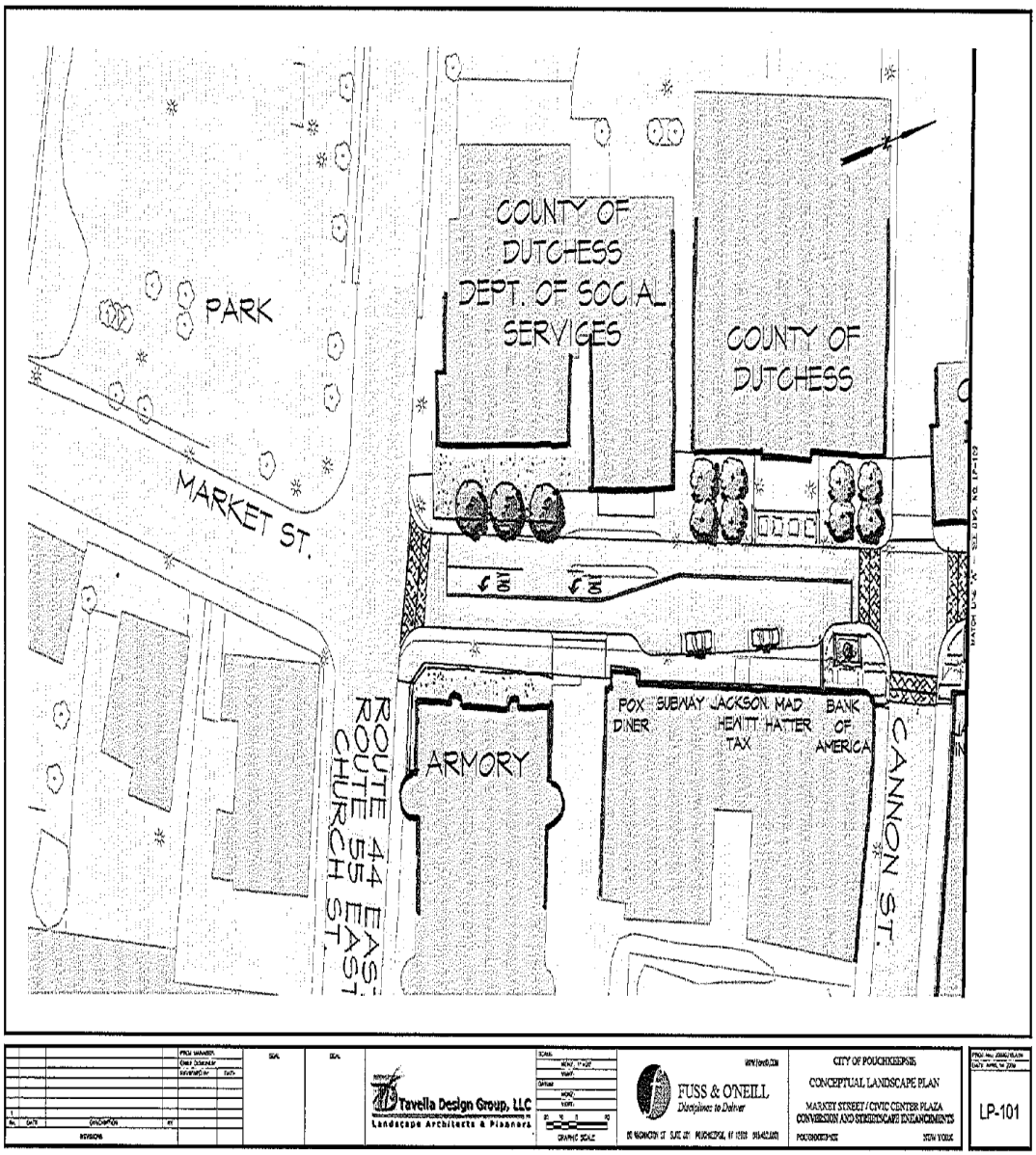
9

Engineering Department Review of June 2009 Preliminary Design Drawings

- Engineering comments continued:
- Proposed work is shown at the Grand Hotel entrance on private property. Permission will be needed from the property owners.
- *Have stakeholders (Civic Center, Bardavon, Grand Hotel, shop owners) in the corridor been contacted for input?*
- Proposed diagonal parking will require motorists to back out onto Market Street with limited visibility, particularly when a van, SUV or other large vehicle is obstructing the view.
- New traffic signals (including signal poles and foundations) are proposed at Main Street, East Bound arterial, and West Bound arterial. These signals have all been recently upgraded (arterials in 2008-9) or replaced (Main Street in 2001).
- A traffic signal is not being proposed at Mansion Street/Civic Center Plaza intersection despite reports from TCC and Wilbur Smith indicating a signalized intersection is warranted.

10

Proposed Landscaping Plan (1 of 4)



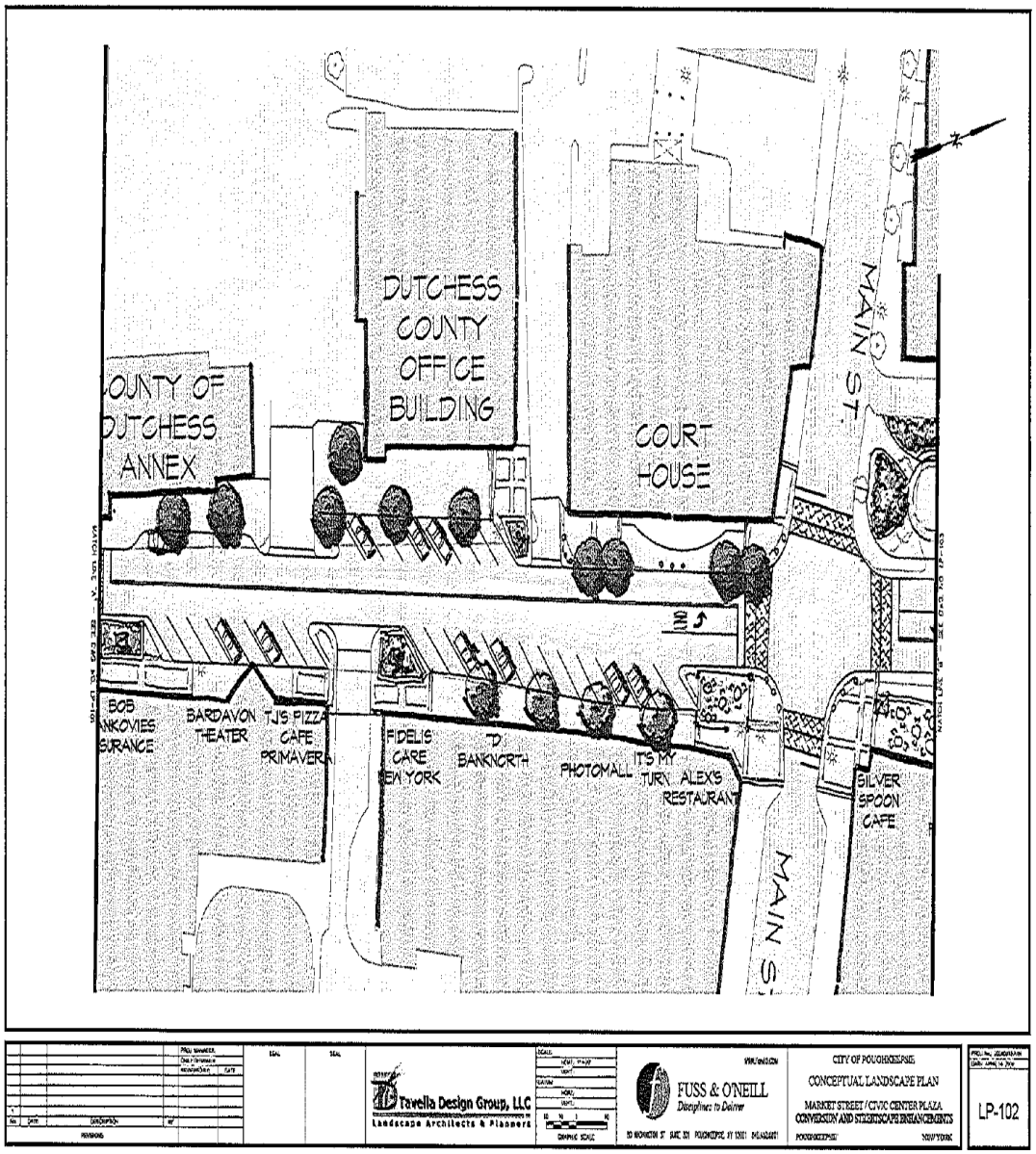
Tavella Design Group, LLC
Landscape Architects & Planners

FUSS & O'NEILL
Disciplines to Deliver

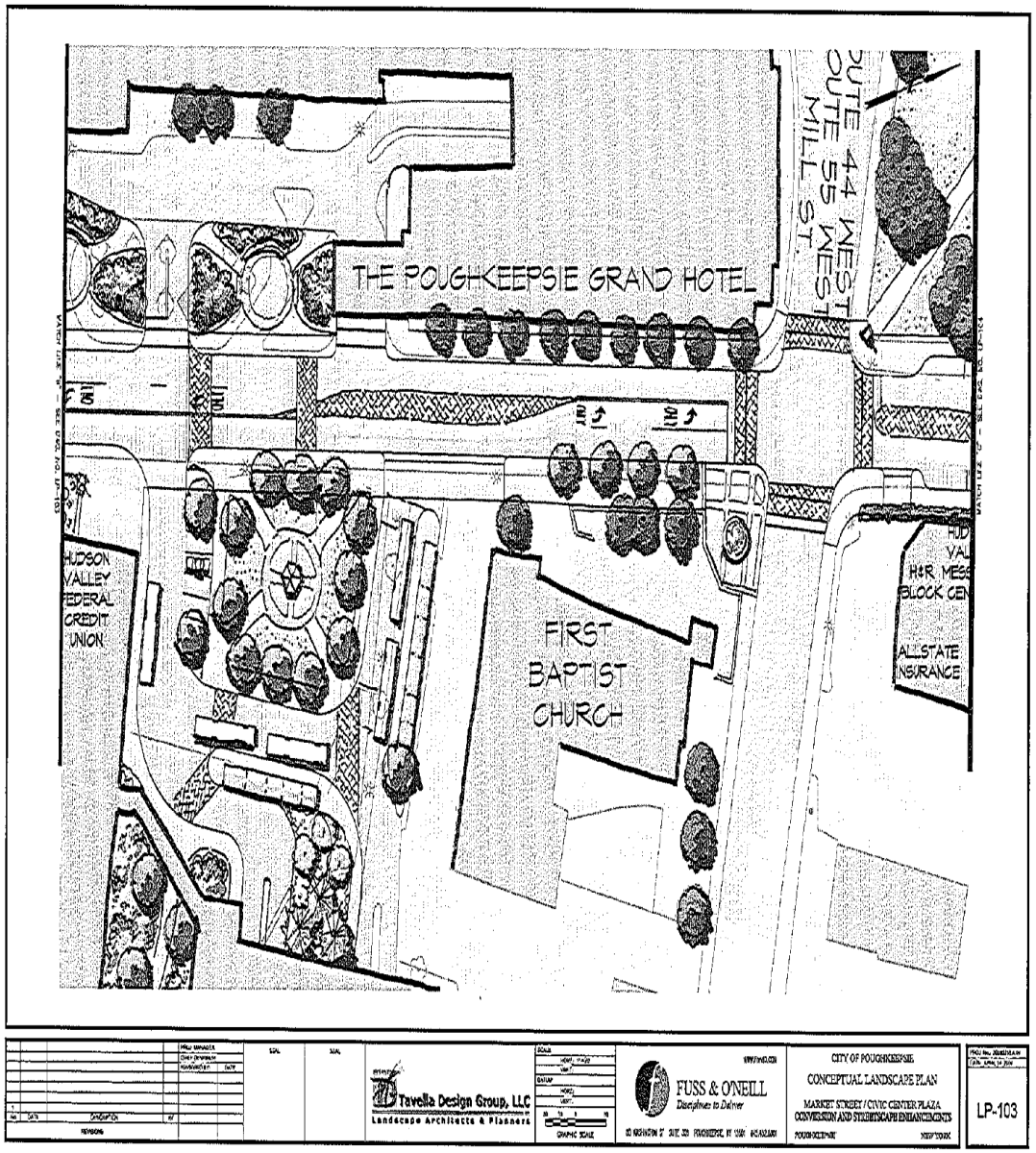
CITY OF POUGHKEEPSIE
CONCEPTUAL LANDSCAPE PLAN
MARKET STREET / CIVIC CENTER PLAZA
CONVERSION AND STREETSCAPE ENHANCEMENTS
POUGHKEEPSIE NEW YORK

LP-101

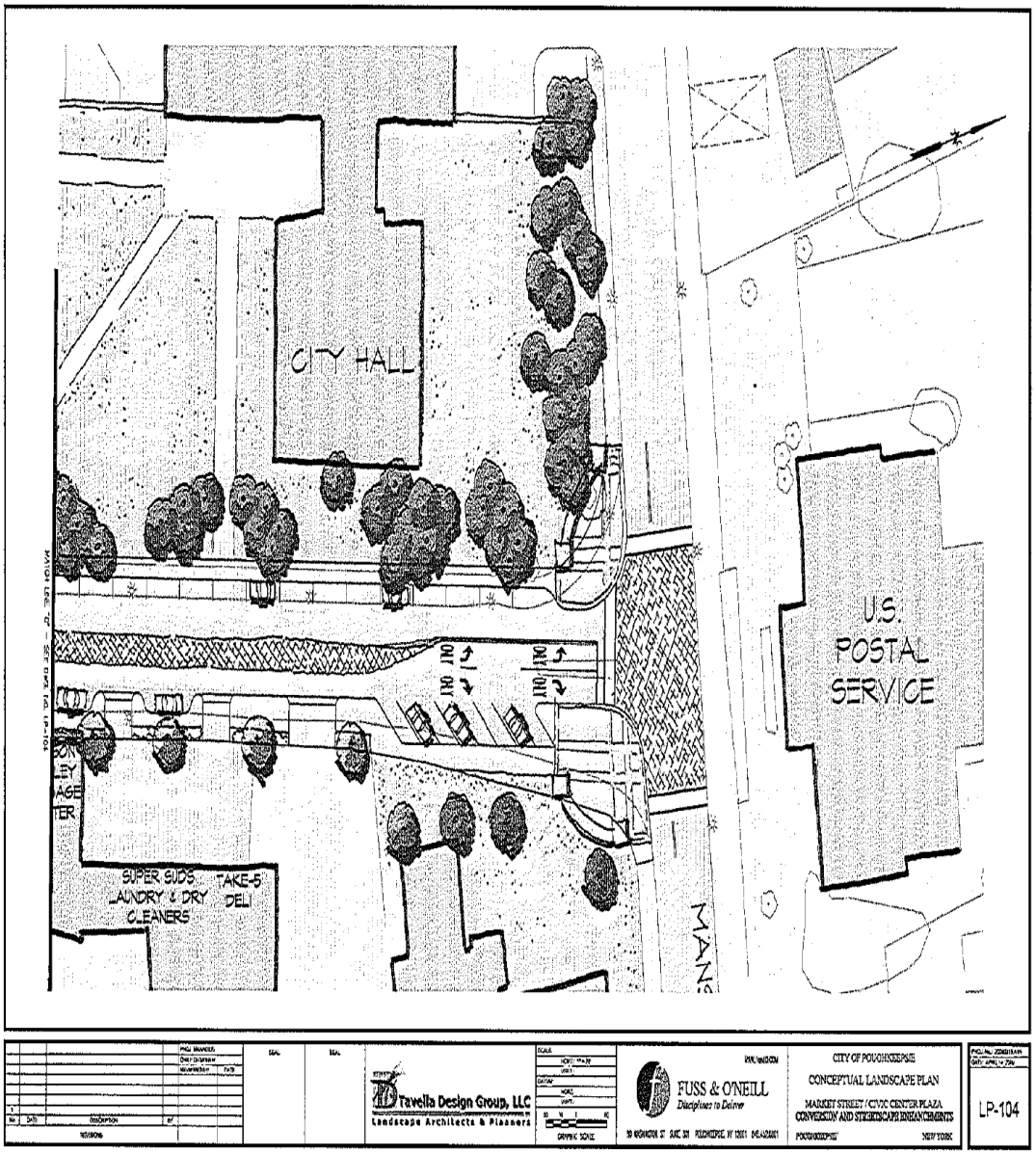
Proposed Landscaping Plan (2 of 4)



Proposed Landscaping Plan (3 of 4)



Proposed Landscaping Plan (4 of 4)



Pros and Cons

Pros

- Would provide a more direct route to attractions such as Bardavon and MHCC.
- The conversion will significantly improve overall traffic circulation to downtown, to the east/west arterial system and cross town destinations.

Cons

- The current one-way traffic pattern provides the greatest degree of pedestrian safety as pedestrians interact with vehicular traffic. This pattern also provides for sufficient on-street parking and queuing.
- Reduction in on-street parking unless diagonal parking is utilized.
- Increased undesirable vehicular/pedestrian conflicts.
- The routing of traffic from the north to Main Street via Civic Center plaza is only marginally beneficial.

15

Cons (Continued)

- The area between Main Street and Mill Street (WB arterial) is a concern due to the number of left turns into and out of the parking facilities and driveways in a short distance.
- Timing adjustments to the traffic signal system at Church Street/Market Street and Mill Street/Civic Center Plaza will likely be required to accommodate anticipated future traffic volumes. Approval would be required from NYSDOT.
- Proposed work at the Grand Hotel/Civic Center entrance will require permission from the owners. It is uncertain that they support the project and would be willing to grant the necessary permission.

16

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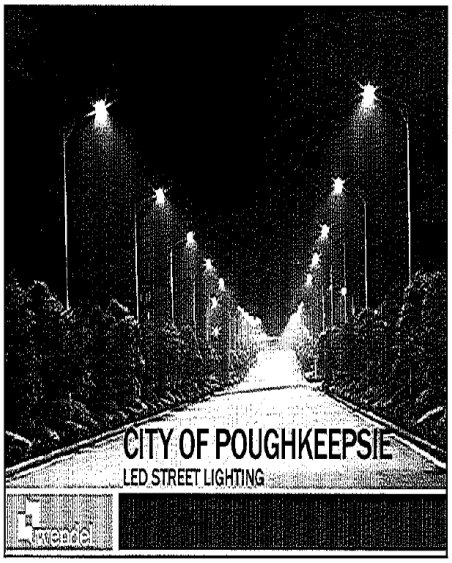
2. **FROM WENDEL ENERGY AND CARMEL WINWATER COMPANY**, a presentation regarding the LED lighting on Market Street.

4/2/201

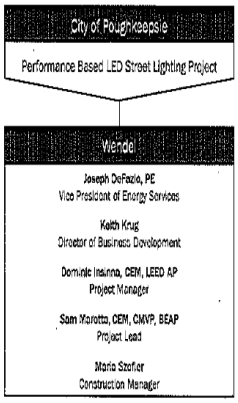


Agenda

1. Introduction
   a) Wendel Team
   b) LED Street Lighting Project
2. Benefits of LED Street Lighting
3. What is Performance Based Contracting?
4. Preliminary Project Economics
5. Next Steps
6. Questions & Discussions

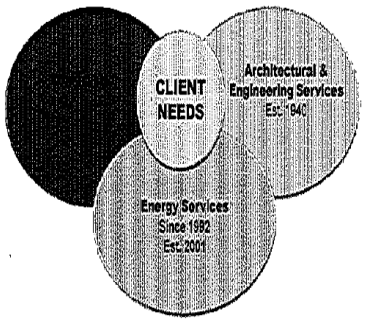
1

Wendel Team



4/2/201

Wendel's Fully Integrated Professional Services



A Partnership Led by Design Professionals

- New York State Headquartered Professional Services Company
- NAESCO Accredited – 1 of 11 Nationwide
- Regional Staff of nearly 200 people
- Team of Energy Services & Water Infrastructure Professionals
- Professional Engineers & Registered Architects
- Certified Energy Managers & Certified Energy Auditors
- Construction Managers
- LEED Accredited Professionals
- Certified Commissioning Professionals
- Certified Measurement & Verification Professionals
- Renewable Energy Professional

Wendel's Energy Performance Experience

- City of Cawego, NY
- City of Buffalo, NY
- City of Auburn, NY
- City of Beacon, NY
- City of Olean, NY
- Barbour County Schools, WV
- Town of Grand Island, NY
- City of Kingston, NY
- Erie County DEP, NY
- SUNY Buffalo, NY
- Buffalo State College, NY
- Cayuga Community College, NY
- Town of Webster, NY
- Doddridge County Schools, WV
- Village of Fredonia, NY
- Town of Chemango, NY
- Roane County, WV
- Washington County, NY
- Town of Fallsburg, NY
- Oneida County, NY
- Puerto Rico Aqueduct and Sewer Authority
- Town of Babylon, NY
- Town of Islip, NY
- Village of Silvercrock, NY
- Niagara County, NY
- Hanover County, VA
- City of Poughkeepsie, NY
- City of New York Schools, NY
- City of Rochester Schools, NY
- City of Geneva Schools, NY
- Genesee County, NY
- Orleans County, NY
- Village of Depew, NY
- Town of Hamburg, NY
- Marywale Union Free School District, NY
- City of Buffalo Schools, NY

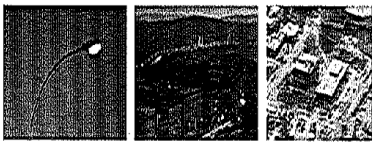
Performance Contracting RFP

- The City of Poughkeepsie issued a RFP on 9/26/2012 for Performance Contracting for energy efficiency and water system improvements.
- Wendel issued a proposal on 11/12/2012 and was selected by the City to provide performance contracting services.

4/2/201

Street Lighting Energy Audit

- Objective:
  - Investigate the feasibility of replacing the City's existing street lighting inventory with new LED fixtures, utilizing new LED street lighting rate tariffs from Central Hudson.
  - In addition, the City may be interested in applying any positive cash flow to help fund capital needs for city infrastructure.



2

Benefits of LED Street Lights

- Reduced Maintenance Costs
- Improved Lighting Quality
- Energy Savings & Environmental Benefits
- Increased Energy Efficiency = Reduced Costs

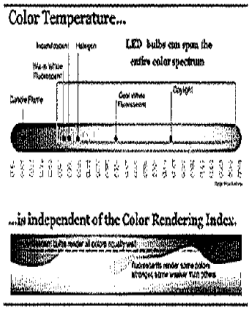
Benefits of LED Street Lights

- LED lights last longer.
  - Outdoor LED's are rated at 100,000-140,000 hours
  - Outdoor HPS's are rated at 20,000 hours
  - This translates into 20-25 years service vs. 5 years
- Less man hours spent on replacement of lamps
- Less stress on maintenance equipment (trucks, tools, etc...)
- Does not attract insects, therefore does not require cleaning of lenses

4/2/201

Benefits of LED Street Lights

- Color temperature has been described most simply as a method of describing the color characteristics of light, usually either warm (yellow) or cool (blue), and measuring it in degrees of Kelvin (°K).



Benefits of LED Street Lights

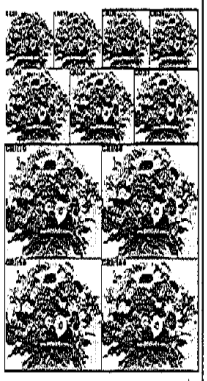
- Color Rendering Index (CRI) - is a quantitative measure (0-100) of the ability of a light source to reproduce the colors of various objects faithfully in comparison with an ideal or natural light source. LED Street Lights specified at >70 CRI.

Light Source	Color Temperature	Rendering Index
Candle	The total power of light, visible and non-visible light	100 CRI
High Pressure	2100k	25 CRI
Incandescent	2700k	100 CRI
Tungsten Halogen	3200k	95 CRI
Tungsten Halogen	3200k	62 CRI
Clear Metal halide	5500k	60 CRI
Natural Sunlight	5000-6000k	100 CRI
Daylight Bulb	6400k	80 CRI
LED	>4100K	>75 CRI

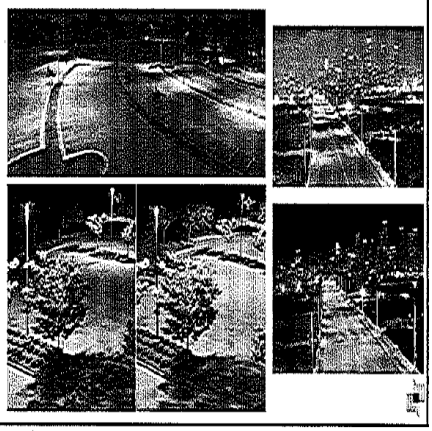
Benefits of LED Street Lights

- Effects of CRI

Light Source	Color Temperature	Rendering Index
Candle	The total power of light, visible and non-visible light	100 CRI
High Pressure	2100k	25 CRI
Incandescent	2700k	100 CRI
Tungsten Halogen	3200k	95 CRI
Tungsten Halogen	3200k	62 CRI
Clear Metal halide	5500k	60 CRI
Natural Sunlight	5000-6000k	100 CRI
Daylight Bulb	6400k	80 CRI
LED	>4100K	>75 CRI



Benefits of LED Street Lights



4/2/201

Benefits of LED Street Lights

19

Partial List of LED Street Lighting Installations Municipalities

- Algona, IA
- Bakersfield, CA
- Baltimore, MD
- Bell, CA
- Boston, MA
- Brooklyn Park, MN
- Chula Vista, CA
- Colton, CA
- Davis, CA
- Fremont, CA
- Galt, CA
- Gering, NE
- Greeneville, NC
- Hayward, CA
- Hollister, CA
- Holyoke, MA
- Hoover, AL
- Huntington Beach, CA
- Iowa City, IA
- Kinston, NC
- Lima, OH
- Lompoc, CA
- Longview, WA
- Los Angeles, CA
- Madison, WI
- Marysville, WA
- Middleboro, KY
- Milpitas, CA
- Modesto, CA
- Monaca, PA
- Nether Providence Township, PA
- New Haven, CT
- New Orleans, LA
- Novato, CA
- Oakley, CA
- Olympia, WA
- Ontario, CA
- Oroville, CA
- Palo Alto, CA
- Phoenixville, PA
- Pittsburgh, PA
- Pocahontas, IA
- Reading, PA
- Redding, CA
- Redmond, WA
- Redondo Beach, CA
- Rocklin, CA
- San Jose, CA
- Santa Ana, CA
- San Ramon, CA
- Sausalito, CA
- Seattle, WA
- Spencer, IA
- Springfield, OR
- Tulare, CA
- Tuscaloosa, AL
- Upper Marion Township, PA
- Vancouver, CA
- Vallejo, CA
- Ventura, CA
- Watsonville, CA
- Wauwatosa, WI
- Weimer, TX
- West Fargo, ND
- West Lake Village, CA
- West Palm Beach, FL
- Wrangell, AK

Benefits of LED Street Lights

14

- The US Department of Energy - Exterior Lighting for Energy Savings, Security, and Safety States
  - Uniformity/Shadows This is important primarily to avoid dark areas where persons or objects may be hidden. Uniformity has also been found to be useful in enhancing video camera effectiveness.
  - Recommends LED's to "provide potentially more uniform distribution, "whiter" light for better contrast and identification of objects, dimmability and instant on capability, and potentially longer useful life.

Benefits of LED Street Lights

15

- Reduces Energy Used for Lighting
- Lowers Strain on Electrical Grid
- Reduces Carbon Emissions from Power Plants
- Does Not Contain Mercury or Toxic Materials
- Fewer Fixture Replacements

  Mean Less Raw Materials Needed

Benefits of LED Street Lights

16

- Proposed Projects Carbon Reduction

Environmental Savings from Electric Use Reduction (1 year)

2,691,410 lbs of CO_2 (Carbon Dioxide)
9,831 lbs of SO_2 (Sulfur Dioxide)
3,688 lbs of N_2O (Nitrous Oxide)

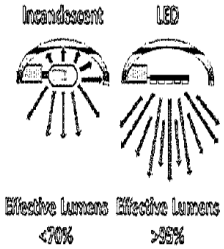
Equivalent Savings for Comparison (1 year)

cars removed from the road	barrels of oil saved	houses energy use	number of trees planted
234	2,824	104	31,639

4/2/201

Benefits of LED Street Lights

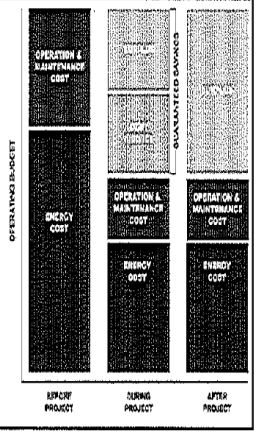
- Proposed LED Fixtures are 80-110 Lumens per Watt
- High Pressure Sodium are 68-80 Lumens per Watt - after fixture losses they are 45-65 Lumens per Watt
- LED technology is A Directional Light Which Reduces Fixture Losses.



3

The Performance Contract Concept

- Projects funded by energy, operating and maintenance savings
- Results are guaranteed



Performance Contract Benefits

- Savings are guaranteed
- A positive cash flow makes project "self funding"
- The ESCO acts as the general contractor for the project
- A single point of contact/responsibility
- Owner maintains full control of the project
- Accelerated and simplified project implementation
- Assist the City with coordinating and negotiating with Central Hudson
- Selection of light fixtures that are most beneficial to the City

4/2/201

4

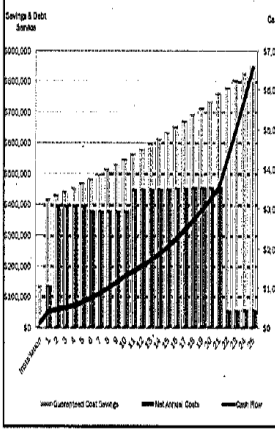
Preliminary Project Economics

- Summary Preliminary LED Project Economics
  - Estimated Project Cost $5,572,239
  - Annual Energy Savings 2,158,160 kWh
  - Annual Energy Cost Savings $164,334
  - Annual O&M Savings $255,429
  - Total Cost Savings $419,763
  - Simple Payback Period 13.3 years

Preliminary Project Economics

- Proposed LED Project includes the following:
  - LED Street Lighting Upgrades
  - LED Traffic Upgrades
  - Latest Estimate from Central Hudson to buy-back Rate A Fixtures
  - Carrying $250,000 Street Lighting Repairs on Route 9 Ramps (still needs to be scoped and priced)
  - Purchase Price of existing Lights from Central Hudson for $327,522
  - Security Deposit on attachment of lights to Central Hudson utility poles of $149,500

Preliminary Project Economics



Project Financing	
Project Cost	$5,572,239
Upfront Funds	$0
Financed Amount	$5,572,239
Upfront Funding Percent	0%
RAN Interest Rate	1.75%
Long Term Interest Rate	3.75%
Term of Financing	20
Payment Frequency	Annually
Net Present Value (NPV)	$2,032,647
Return on Investment (ROI)	36.48%

4/2/201

5

Project Next Steps

- Central Hudson License Agreement – draft due to City on 3/17/2014
- Wendel to finalize installation cost with approved contractor
- Council Approval of Project
- Prototype of 3 manufactures to be installed one street and finalize fixture selections

Project Schedule

- March 3, 2014
  - Presentation to the Common Council
- March 17, 2014
  - Central Hudson to forward draft License Agreement to City
- April 7, 2014
  - Council Resolution to Approve Project and Financing
- July 15, 2014
  - Estimated Start of Construction
- June 1, 2015
  - Measurement And Verification

6

Thank you.

Wendel Energy Services, LLC
Keith Krug, CEM, Director of Business Development
Sam Marotta, CEM, CMVP, BEAP, Project Leac
716.688.0766

3. **FROM DONALD R. SCOTT,** a notice of property damage and loss on September 7, 2013. **Referred to Corporation Counsel**

4. **FROM ESTHER TRUOCCOLO,** a notice of personal injury sustained on November 22, 2013. **Referred to Corporation Counsel**

5. **FROM TROPICAL FRESH, INC. AND EUNJUNG, LLC,** a notice of property damage sustained on November 14m 2013. **Referred to Corporation Counsel**

6. **FROM SADINA HANCOCK,** a notice of property damage sustained on February 16, 2014. **Referred to Corporation Counsel**

7. **FROM MAYOR TKAZYIK,** the March 1st financial report.

The City of Poughkeepsie

New York

John C. Tkazyik
Mayor

2014 FEB 28 PM 2:52
CITY OF POUGHKEEPSIE
CITY CLERK'S OFFICE

March 1, 2014
Common Council
City of Poughkeepsie

Re: March 1, 2014 Financial Report

Dear Chairman Mallory and Members of the Common Council:

Pursuant to Article III, Section 3.01(h) of the Charter of the City of Poughkeepsie, I hereby submit to you my report on the financial condition of the City. My report consists of both this narrative, which highlights significant issues as well as the customary detailed reports and graphs.

Overview

The City of Poughkeepsie continued to suffer through the impact of the recession in 2013 that began in 2009, creating another challenging financial year for the City. Although considerably less than the 2012 decline of -9.5% in value, the 2013 assessment values of properties continued their decline by -4.76% in value. The assessment values dipped below the $2 billion mark for the third time at $1.683 billion since the completion of the revaluation in 2006. After experiencing deep shortfall of property tax collections in 2010, 2011 and 2012, the projections for 2013 are for a break-even. The result was closely related to higher bank foreclosures and property tax lien redemptions. Mortgage tax collection projected a decrease of $52,009 or -15.9% to $274,763. New York State maintained AIM (Aid Incentives to Municipalities) for Poughkeepsie at the level of $4,248,021 for a third year in a row. After experiencing property tax collection shortfalls in 2009, 2010, 2011, and 2012, the property tax collections for 2013 are projected to be close to 100%. At the end of 2013, it was estimated that there are close to 400 unoccupied and abandoned properties.

Moody's downgraded the City's bond rating in 2013 from an A3 to Baa2. The ratings agency highlighted the three major challenges the City was facing: high debt, structural imbalance, and continued softening of its tax base. The City has made big strides in reducing its long-term debt from over $80M down to below

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$50M of principal in 2013 through aggressive paying down of existing debt and minimal borrowing. The current debt continues to be a burden to the City's debt service commitments and operating budget. More has to be done to bring down the debt to more manageable levels.

Structural imbalance is brought about by a repetitive revenue shortfall of collections to support actual expenditures resulting in negative operational results. The City's negative fund balance has been brought about by the deep recession, imbalanced budgets, and aggressive debt pay downs. The City has taken drastic steps to control expenses with the goal of realigning the overall expenditures to match more realistic potential revenues. The 2013 results are projected for a small positive operating result. And the 2014 budget was formulated with realistic expenses well within realistic estimated revenue goals.

The current taxable assessment valuation is $1,683,067,222 which declined in value by 4.76% from 2012. The housing recovery and development will be the key to reversing the trend. Development in the City is crucial. The completion of projects such as Poughkeepsie Commons, Upper Landing and Vassar Hospital Expansion as well as upcoming projects such as Dutton Lumber will help restore the taxable assessment values.

The overall financial condition of the City is best measured by consolidating the results from its three major funds: General, Water, and Sewer funds. The General Fund's operations are projected with a small surplus of $247K – revenue projected with $318K increase over 2012. The increase in revenues was primarily driven by property sales of over $1.8M. The 2013 expenditures projected a decrease of $2.5M over 2012- major reason was the move of over $2.4M of sanitation expenses to a separate fund. Our 2013 controllable expenditures indicate a minimum increase over the 2012 budget. However, the three major uncontrollable expenditures of health, retirement and workers compensation continue to be most challenging. The 2014 budget addresses these three most difficult expenditures.

The Water Fund total fund balance in 2007 was (-$470,355), 2010 was (-$228,094) and 2012 was (-$530,803). In continuing to strive towards positive operations, the 2013 the Water Fund operations project a small surplus of $18K.

The Sewer Fund balance at the end of 2010 was projected at $4,078,938 and has been at a surplus position since 2007. Although the Sewer Fund had negative operations in 2010 and 2011, it had surplus operations of $442,614 in 2012. The Sewer Fund continues to operate at a surplus with a 2013 projected surplus of $67K. Our strategy is simple; to build a reasonable bottom line to help address the sewer infrastructure needs of the City.

General Fund

The audited financials for 2012 indicated that the direct operational expenses for the General Fund matched the revenues collected. However, the three major indirect expenditures: health insurance, retirement, and workers compensation continued to rise dramatically. The years 2009, 2010, 2011, and 2012 were among the most challenging years for the City. Revenues deteriorated and expenses had to be contained. The year 2013 saw the slow turnaround and recovery begin to impact the City's finances.

In August of 2012, Dutchess County announced the new sales tax receipt distribution to municipalities. The City of Poughkeepsie was capped at $9,560,000 with the possibility of participation in future sales tax receipt growth derived from a population formula. The 2013 collections through Feb 15, 2014 are $9,566,212. However, we have projected a collection of $10,100,000 or 23.5% of total general fund revenues, anticipating the additional sales tax receipts from the additional relief to the 2 cities impacted by the sales tax cap. The new sales tax distribution drastically reduced the City's revenue for 2013 by over $2,000,000 leaving the City to scramble for revenue to balance the 2013 budget (Exhibit A).

Sales tax revenues in 2012 were $11,800,000, an increase of 1.6% compared to the 2011 year's actual, and a break-even of the 2012 budget and the third consecutive year of increases. Dutchess County legislature repealed the sales tax exemption on clothing and shoes under $110 beginning in March 2010 and we have benefited greatly from this decision. Our 2012 sales tax receipts were higher compared to 2011 actual by $179,337. Sales tax revenues remain a major source of our city's funds at 27.5% of the General Operating Fund and accurate forecasting of these revenues is vital. It also remains essential to ensure that the base from which these revenues are derived does not continue to erode with future exemptions and lasting erosion of consumer confidence.

Our New York State aid was cut in 2011 by $86,694 from $4,334,715 down to $4,248,021. The New York State aid saw no additional decrease in 2012. There we no additional change in 2013 and we received $4,248,021. Municipalities like the City of Poughkeepsie rely heavily on its AIM funds (over 10% of revenues) to help support its operating budget. We will continue to monitor closely any budgetary actions that NYS may take as it tries to correct its own budget deficits. The Governor's proposed budget for 2014-2015 reflects no additional cuts.

We are now in our eighth year after completing and implementing a Full Market Value assessment. The July 1, 2013 assessment roll (used for our 2014 taxes) reflected a 4.76% decrease in value of $1,683,067,222 from $1,767,245,854. The continuing decrease in the taxable assessed valuation has slowed down. The 2013 valuation produced the corresponding 2014 tax rates of $9.8701 per

$1,000 of FMV for Homestead and $12.8292 per $1,000 of FMV Non-Homestead (Exhibit B).

The General Fund budget appropriation had increased annually for the prior 13 years (year 1996 - year 2008). The growth had averaged 4.69%. The 2009 and 2010 budgets saw the first decreases in appropriations of $1.5M and $1M respectively. 2011 saw another decrease of $865,000. Although 2012 actual increased, the 2013 budget reflected a decrease in spending by over $1.5M primarily through the creation of the Sanitation Fund. Our adopted 2014 tax levy increase reflects a 3.56% increase, overriding the NYS 2% mandated tax cap. The 2014 budget provided for more realistic estimates containing newly created recurring revenues to support very realistic expenditures (Exhibit C).

The 2014 budget did not appropriate any fund balance to the budget for the fourth year in a row (Exhibit D).

Water Fund

The ongoing concern of negative operating results over the last several years forced the City to raise the 2013 water rate to $3.00 per 100cf of water usage. In 2007, the fund balance was (-$470,355). In 2008, it was (-$159,802). In 2009, it was (-$584,551). In 2010, the Water Fund operation saw a turnaround in operations with a loss of (-$104,753). 2011 and 2012 continued to have operational losses. 2013 is projected to have a surplus of $18K. The fall of 2013 began the water meter replacement that will address the inequity and inefficiency of the current water billing process. The average age of the City's water meters is over 25 years providing for under-billing that has cost the City earned revenues over the past several years. Although the City was forced to raise the 2014 water rate to $3.45 per 100cf of water usage, it remains very favorable compared to surrounding municipalities. The cost of water is considered to be among the lowest in the state.

I will continue to monitor our water situation very carefully as our ability to sell water to third parties continues to support the City's water rates. In 2012, the Village of Wappinger Falls stopped purchasing water from the Joint Water plant. The loss of over $400,000 in revenue to the Joint Water Plant was aggressively addressed in the 2013 budget of the water plant. Sales to other municipalities are critical to the long-term health of our resident's stabilized water rates. In a successful joint operation with the Town of Poughkeepsie, we completed a system-wide distribution maintenance program (pipes were flushed for the first time in some cases for over one-hundred years). This undertaking began in 2006 and continued through 2009. In 2013, the Joint Water Plant began the process of upgrading the water treatment process to comply with the EPA mandated guidelines that will cost the City over $9M. We have an obligation to provide our residents clean and high quality water. We are committed to maintaining the clean standards set forth by the EPA for the City's water.

Our goal remains the same: to produce good quality water for our City's users at the lowest possible cost.

Sewer Fund

The Sewer Fund has a projected surplus of $66.7K in 2013 and has been at surplus positions annually since 2007. In 2012, the rate was increased to $3.00 and has remained the same in the 2014 budget. Beginning in 2011, we have invested some of the fund balance along with the support of CDBG funds to make necessary sanitary repairs and improvements without having to borrow money for these projects. In 2013, we completed the necessary improvements to the Meyer Avenue pump station at a cost of over $250K. I believe that our efforts to support the fund balance places the City in a strong position to address any emergencies in the maintenance and improvement of our sanitary sewer system and treatment plant. I will continue to maintain the proper use of our reserves to address needed repairs.

Transit Fund

Our 2013 ridership revenue reflected an increase of $38,206 compared to 2012 actual and an increase of $8,751 compared to budget. In 2010, the City had introduced the new rate of $1.50 for the general public, while maintaining the discounted rates for seniors, students and veterans. This was the first increase since 2005 with the goal of reducing the annual subsidy from the City's General Fund. The continuing increases in operating costs forced the City to raise the 2013 rate to $1.75, which is comparable to the County bus rates, however, it remained the same in 2014. The 2013 General Fund subsidy for the Transit fund is projected to be at $349,953. Stimulus funds have provided much needed support for the Transit operating, maintenance, and capital costs.

In June 2013, the City broke ground for the construction of the new Transit Hub on Market Street. In November 2013, we had the ribbon cutting for the newly completed project at a cost of under $1.5M, completed under budget and on time. This project was funded by stimulus, FTA, and NYSDOT grants as well as the City.

With the help of FTA stimulus grant, the City took delivery of two new Gillig Hybrid Electric buses in December 2011. All 6 bus routes are now serviced by hybrid electric buses. The acquisition of these vehicles has helped the City to utilize alternative fueling sources. In 2013, we saw the gasoline prices continue to climb beyond the 2012 prices. However, with the help of FTA gasoline subsidies of over $148,000, we project the expenses to come close to the budget of $185,000. The introduction of these buses has also contributed to the City's cleaner environment. I will continue to work with our traveling public in regard to route efficiencies.

GASB 45

The City's Post Employment Benefits revolves primarily in the retiree health benefits. The most current accrued liability reflects an obligation of $71.6M. The annual increases in retiree health benefits over the next 10 years will total over $15M. The projected liabilities for the same 10 years will grow from the current $50M to almost $120M. The implementation of the Affordable Care Act will be an unknown variable that may dramatically impact the City's GASB 45 obligations. If not addressed, the Post Employment Benefit obligations of the City will put an unprecedented stress on the City's financial viability. All current labor negotiations have put healthcare in the center of the negotiations (Exhibits E and F).

Debt and Debt Service

In 2008, the City had a gross debt of over $82M with projected debt service payments of over $8M (almost 20% of the operating budget). Capital spending constraints and debt pay down/restructuring became a primary goal of this administration. By the beginning of 2011, the gross debt had been reduced to $74M. The end of 2012 saw the gross debt reduced further taking it to $65M with long-term bonds to $53M and debt service payments to $5M. At the end of 2013, the long term debt was at $49,560,001. The short term BANs were at $15,520,656, which included the Water Fund borrowing $5,630,656 for water meters and treatment facility upgrade. Although still high, the City is on target to getting below the $50M in the next few years (Exhibit G).

Budget and Tax Cap

New York State passed the 2% Tax Cap for the 2012 budgets. The City of Poughkeepsie adopted the 2012 and 2013 budgets reflecting the compliance to the 2% Tax Cap. The 2014 adopted budget reflected a tax levy of $18,417,077 with an increase of 3.56%. The 2014 adopted budget was over the 2% NYS Tax Cap and the fourth year in a row that the City did not appropriate any fund balance to balance the budget. The 2014 adopted budget is structurally balanced containing realistic revenues with stripped down expenditures.

Summary

There were some success stories in the 2013 financial results; the turnaround in the operating results of our three major funds: General, Water, and Sewer, all showing positive operations. We completed projects on-time and under-budget, including the Hoffman Street Bridge and the Transit Hub. By auctioning some City-owned properties, we created new revenue that helped supplement the General Fund and allowed us to finish the year with a surplus. We also face some difficult challenges. The 2013 budget created a Sanitation Fund, supported by a user fee. Collections from the user fee in 2013 were

$544,805 or 26% less than total billed. The uncollected amount was transferred to the tax bills of every delinquent homeowner, creating confusion and a difficult bookkeeping task for City staff.

Three uncontrollable expenses are growing at record rates that threaten the City's financial stability; health insurance, workers compensation, and pension contributions. These expenses now account for over 25% of the General Fund appropriations. They will continue to rise over the coming years.

The 2014 budget contained three new revenue initiatives (water meters, parking meters, and annual property auction) that may help the City in future years, but revenues coming from these sources may be overwhelmed by the cost of unfunded mandates handed to the City by Albany. Revenue shortfalls will be compounded by the difficulty the City Council created with its refusal to allow private companies to pick-up garbage. The recent Moody's report makes clear it is imperative to keep costs down, find ways to do more with less, and reduce the City's debt.

Very truly yours,

John C. Tkazyik
Mayor

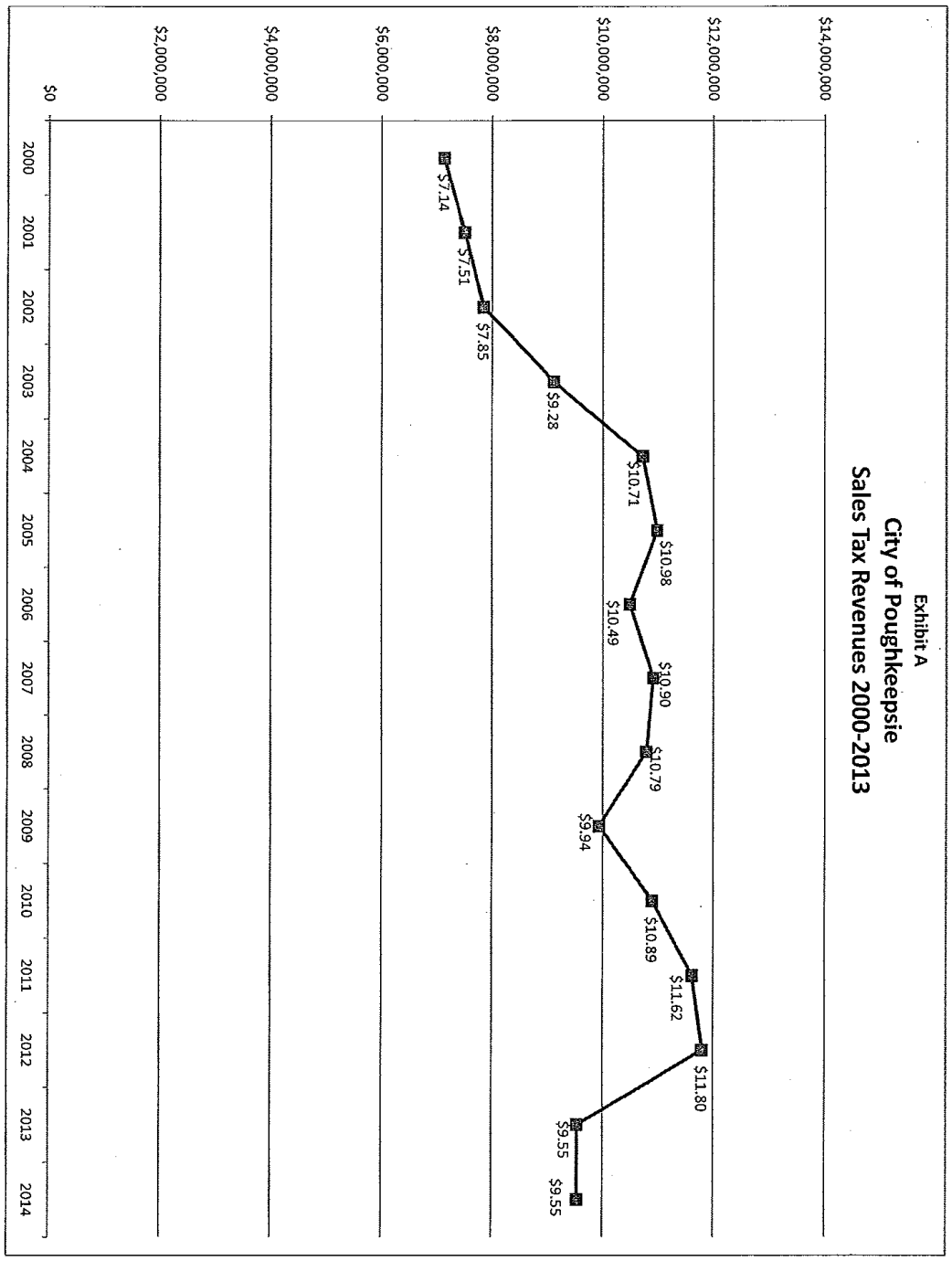
Exhibit A
City of Poughkeepsie
Sales Tax Revenues 2000-2013
$14,000,000
$12,000,000
$10,000,000
$8,000,000
$6,000,000
$4,000,000
$2,000,000
$0
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
$7.14
$7.51
$7.85
$9.28
$10.71
$10.98
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$10.90
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$10.89
$11.62
$11.80
$9.55
$9.55

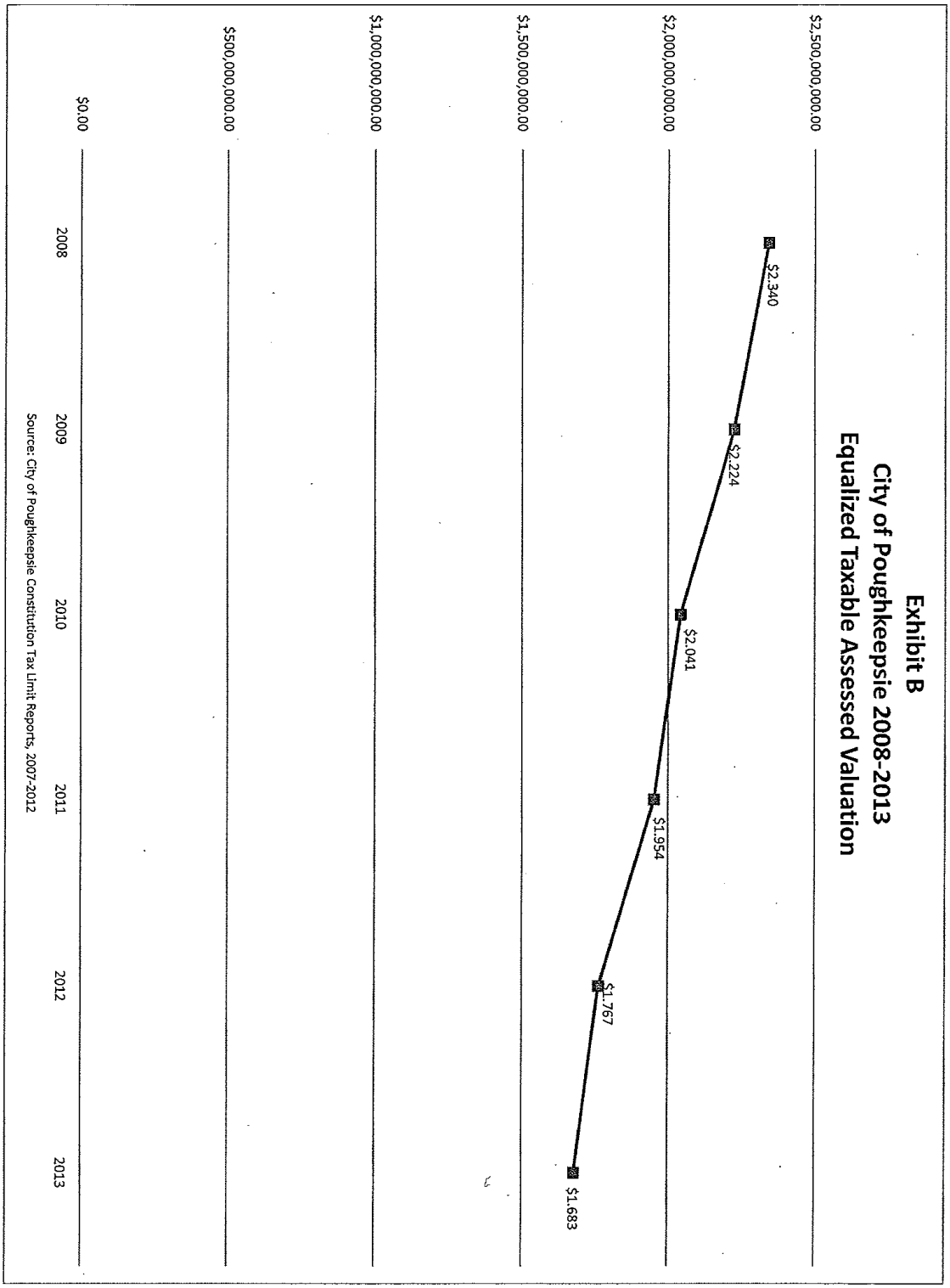


Exhibit B
City of Poughkeepsie 2008-2013
Equalized Taxable Assessed Valuation
$2,500,000,000.00
$2,000,000,000.00
$1,500,000,000.00
$1,000,000,000.00
$500,000,000.00
$0.00
$2.340
$2.224
$2.041
$1.954
$1.767
$1.683
2008
2009
2010
2011
2012
2013
Source: City of Poughkeepsie Constitution Tax Limit Reports, 2007-2012

Exhibit C

CITY OF POUGHKEEPSIE
FINANCE DEPARTMENT
BUDGET TO TAX RATE COMPARISON
2000 - 2014

YEAR	General Fund Budget (in millions)	City Tax Rate	Annual % Increase/ Decrease In Budget	Annual % Increase In Tax Rate		Homestead Rate	% Increase in Tax Rate	% Decrease in Tax Rate	Non-Homestead Rate	% Increase in Tax Rate	%Decrease in Tax Rate
2001	29.12	52.67	N/A	N/A	29.12						
2002	30.70	53.70	5.43%	1.96%	30.70						
2003	31.89	58.82	3.88%	9.53%	31.89						
2004	35.60	60.64	11.63%	3.09%	35.60						
2005	36.92	63.05	3.71%	3.97%	36.92						
2006	38.90	66.67	5.36%	5.74%	38.90						
2007	42.12		8.30%	N/A		6.21			8.00		
2008	43.94		4.30%			6.49	4.51%		8.48	6.00%	
2009	42.42		-3.50%			6.75	4.01%		8.37		-1.30%
2010	43.27		2.00%			7.07	4.74%		8.96	7.05%	
2011	42.41		-1.99%			7.89	11.60%		9.51	6.14%	
2012	43.27		2.03%			8.09	2.53%		10.56	11.04%	
2013	41.82		-3.35%			9.36	15.70%		11.31	7.10%	
2014	43.94		5.07%			9.87	5.45%		12.83	13.44%	
	15 Years Total		42.87%	N/A							
	15 Year Average		2.86%	N/A							
	5 Year Total						40.02%			44.77%	
	5 Year Average						8.00%			8.95%	

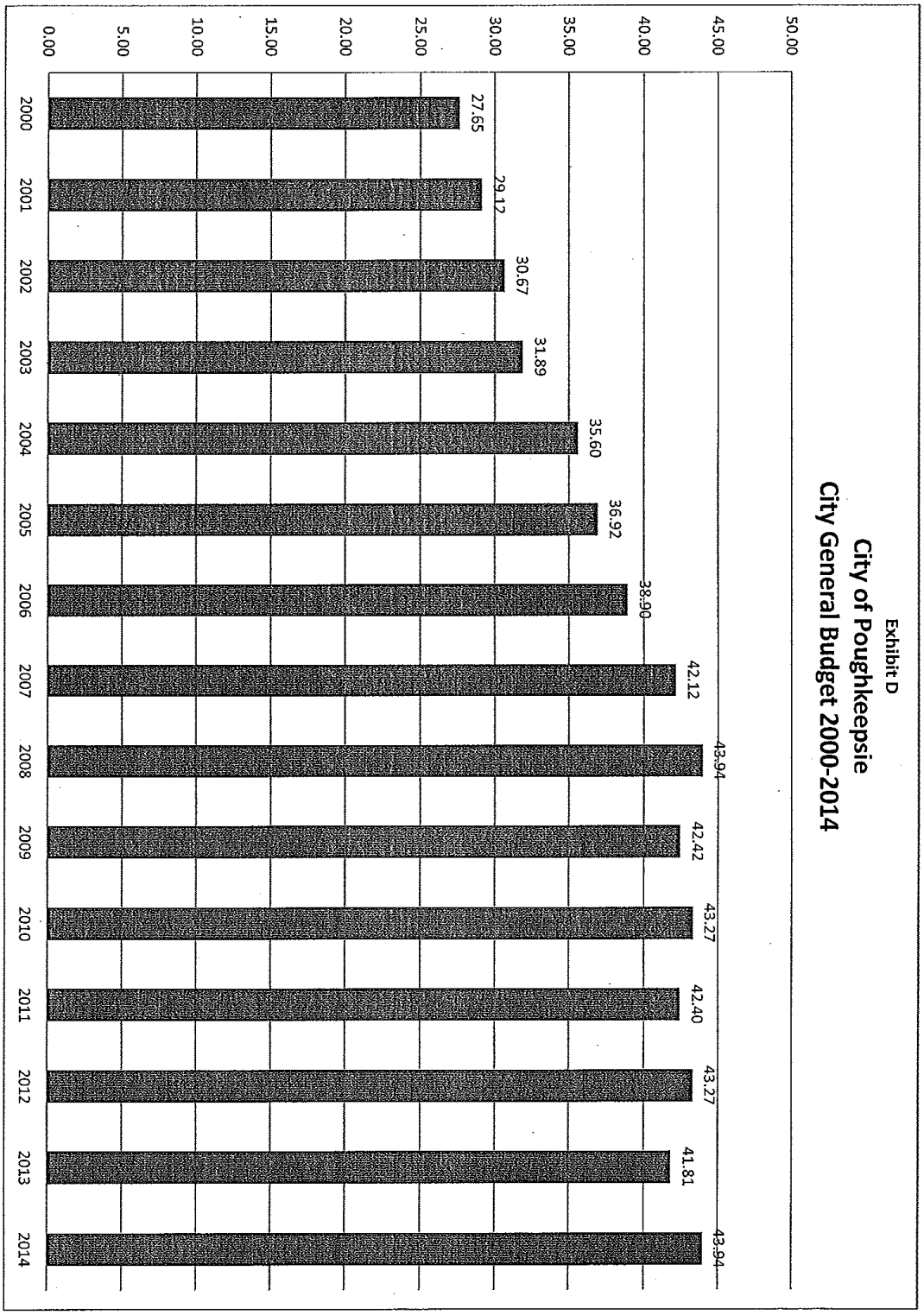


Exhibit D
City of Poughkeepsie
City General Budget 2000-2014
50.00
45.00
40.00
35.00
30.00
25.00
20.00
15.00
10.00
5.00
0.00
27.65
29.17
30.67
31.89
35.60
36.92
38.90
42.12
43.94
42.42
43.27
42.40
43.27
41.81
43.94
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014

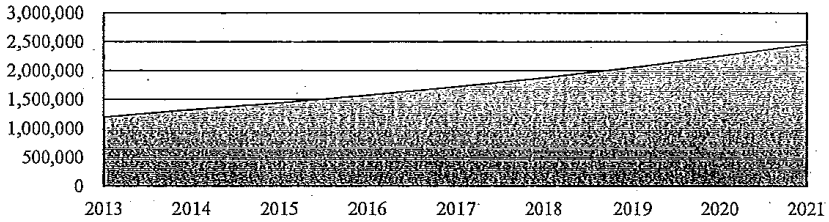
EXHIBIT E

CITY OF POUGHKEEPSIE
OTHER POST EMPLOYMENT BENEFITS PROGRAM

PROJECTED PAYOUTS

The annual City payments for retiree medical benefits are expected to rise sharply in coming years, both because medical costs are expected to rise over time and because more employees will retire and start to receive City-paid medical benefits. The table and graph below show the expected annual payments for retiree medical benefits for the next 10 years.

Valuation Year	Baseline Medical Inflation Rate
2012	$1,118,500
2013	$1,201,600
2014	$1,326,800
2015	$1,442,800
2016	$1,575,000
2017	$1,720,700
2018	$1,874,700
2019	$2,058,600
2020	$2,253,100
2021	$2,460,000



This work product was prepared solely for the City of Poughkeepsie for the purposes described herein and may not be appropriate to use for other purposes. Milliman does not intend to benefit and assumes no duty or liability to other parties who receive this work.

EXHIBIT F

CITY OF POUGHKEEPSIE
OTHER POST EMPLOYMENT BENEFITS PROGRAM

PROJECTED LIABILITIES

The graph below shows how the City's accrued liability for retiree medical benefits is expected to grow over the next 10 years.

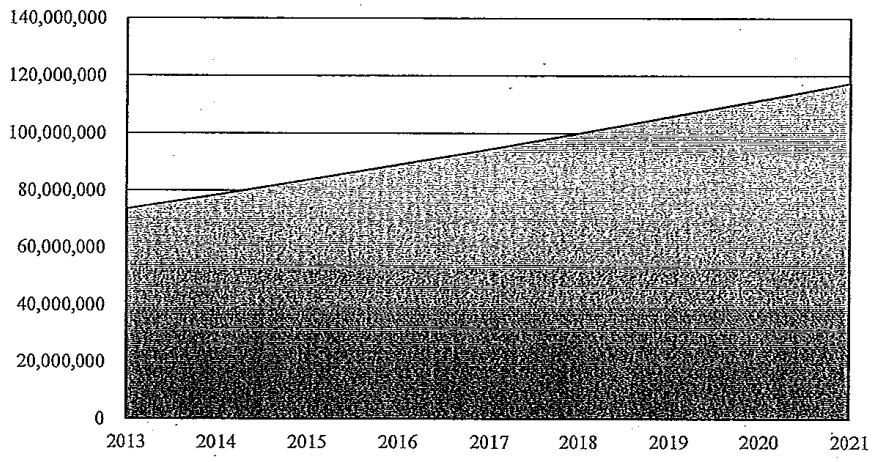


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Exhibit G

Analysis of Debt and Debt Service 2013		
	Principal	Interest
Serial Bond balance @ 12/31/12	53,400,001	17,531,283
Paid 2013	3,840,000	2,211,252
Serial Bond balance @ 12/31/13	49,560,001	15,320,031
BAN balance @ 12/31/12	10,550,000	
Paid 2013	660,000	
Issued 2013	5,630,656	
BAN balance @ 12/31/13	15,520,656	
Installment Purchase balance @ 12/31/12	1,880,770	151,134
Paid 2013	501,264	50,992
Installment Purchase balance @ 12/31/13	1,379,506	100,142
Combined debt balance @ 12/31/13	66,460,163	

X. UNFINISHED BUSINESS:

Councilmember Herman made a motion to re-introduce R14-16, **Councilmember Rich** seconded the motion.

EXTRACT OF MINUTES
Resolution No. 14-16
[Lease Purchase—Parking Meters]

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on March 3, 2014 at 6:30 o'clock p.m., local time.

The meeting was called to order by **Chairman Mallory**, and, upon roll being called, the following members were:

PRESENT:

Councilmember Christopher D. Petsas
Councilmember Joseph Rich
Councilmember Robert L. Mallory, Jr.
Councilmember Lee David Klein
Councilmember Ann Perry
Councilmember ShaRon McClinton
Councilmember Randall A. Johnson II
Councilmember Tracy Hermann

ABSENT:

The following persons were ALSO PRESENT:

The following resolution was offered by **Councilmember Hermann**, seconded by **Councilmember Rich**, to wit;

RESOLUTION
R14-16

RESOLUTION DATED MARCH 3, 2014

A RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT FOR CERTAIN PARKING METERS FOR THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED $600,125

WHEREAS, it is necessary to acquire and install parking meters described herein; and

WHEREAS, the Common Council has reviewed a written evaluation of financing alternatives on file with the Chamberlain setting forth the reasons why it is in the best interests of the City to finance such acquisition through a lease purchase agreement, and on the basis of such evaluation and review, the Common Council deems it for the benefit of the City and for the efficient and effective administration thereof to enter into a lease purchase agreement (the "Agreement") providing for lease purchase of such parking meters described herein on the terms and conditions therein provided;

BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

SECTION 1. Maximum Cost and Useful Life. The acquisition of parking meters is hereby authorized at an estimated maximum cost of $600,125 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 50 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

SECTION 2. SEQR. It is hereby determined that the aforesaid purpose constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which is determined under SEQR not to have a significant impact on the environment.

SECTION 3. Plan of Financing. The City plans to enter into the Agreement to pay the total cost of the projects described in Section 1. The Commissioner of Finance is authorized to solicit proposals for the Agreement on the basis of the terms set forth herein with an interest rate not to exceed 4.2% per annum. Certificates of Participation are not authorized in the absence of further approval by the Common Council.

SECTION 4. Approval of Documents. Subject to the provisions of this Resolution, the Commissioner of Finance is hereby authorized and directed to execute, and the City Chamberlain is hereby authorized and directed to attest and countersign, the Agreement and any related exhibits and certificates, and the City Chamberlain is hereby authorized to affix the seal of the City to such documents. The Agreement shall separately state principal and interest components of the annual payments and the total of all periodic payments during each year of the Agreement shall be substantially level or falling during each year throughout the term of the Agreement. The Agreement shall include the provisions required by Section 109-b(2)(a) and 6.

SECTION 5. Other Actions Authorized. The officers and employees of the City shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

SECTION 6. Required Terms.

(a) No General Liability. Nothing contained in this Resolution and the Agreement or any other instrument shall be construed with respect to the City as incurring a pecuniary liability or charge upon the general credit of the City or against its taxing power, nor shall the breach of any agreement contained in this Resolution and the Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the City or any charge upon its general credit or against its

taxing power, except to the extent that the rental payments payable under the Agreement are special limited obligations of the City as provided in the Agreement. The Agreement shall not be a general obligation of the City. The Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of such Agreement and no liability on account therefor shall be incurred beyond the amount of such monies. It is understood that neither such Agreement nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate or make available monies for the purchase of such Agreement.

(b) Non-Appropriations. Nothing in the Agreement shall, in the event of non-appropriation, preclude a political subdivision from acquiring equipment, machinery or apparatus for the same or similar purpose as the equipment, machinery or apparatus included in the Agreement for a period of more than sixty days from the date of expiration, termination or cancellation of such Agreement, provided, however, that in no case shall the Agreement contain any provision which would preclude the City from performing any statutorily or constitutionally required duties or functions, or require the City to pay liquidated damages.

(c) Security. In the case of the failure to appropriate, the sole security, apart from any security provided by a credit enhancement, for any remaining periodic payments shall be the equipment, machinery or apparatus subject to the Agreement.

(d) Term. The term of the Agreement shall not exceed five years.

SECTION 7. Tax-Exempt Status. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the obligations represented by the Agreement authorized by this resolution, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the Agreement authorized by this resolution as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 8. No Real Property. The Agreement shall in no event be construed as or deemed a lease or lease-purchase of a building or facility.

SECTION 9. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 10. Effective Date. This Resolution shall be effective immediately.

Councilmember Christopher D. Petsas	VOTING ___	No
Councilmember Joseph Rich	VOTING ___	Aye
Councilmember Robert L. Mallory, Jr.	VOTING ___	Aye
Councilmember Lee David Klein	VOTING ___	Aye
Councilmember Ann Perry	VOTING ___	Aye
Councilmember ShaRon McClinton	VOTING ___	Aye
Councilmember Randall A. Johnson II	VOTING ___	Aye
Councilmember Tracy Hermann	VOTING ___	Aye

R14-16						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember McClinton	Voter	☑	☐	☐	☐
	Councilmember Hermann	Voter	☑	☐	☐	☐
	Councilmember Perry	Voter	☑	☐	☐	☐
	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☐	☑	☐	☐
	Councilmember Rich	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐

Chairman Mallory: City Administrator, since the Mayor's not here, do you want to give a quick comment on Line Item #7 [under Petitions and Communications], the Financial Report? Obviously, we'll get back to you, because we just got it today. But, do you want to give me any comments that we should be looking for?

City Administrator Bunyi: I think the report that was presented to you by the Mayor basically points out the idea that we have three funds which is the General Fund, the Water Fund and the Sewer Fund, which is our main funds. We are projecting them to come in at a positive operations for the year 2013.

Chairman Mallory: I know we just got this now. If anyone has comments…I don't know if anyone's had time to read it. Does anyone have any comments or questions at this time for the financial report?

City Administrator Bunyi: We'd be glad to answer any questions at the next meeting.

Chairman Mallory: Thank you onto that one.

X. UNFINISHED BUSINESS:

Councilmember Johnson: Yes, thank you, Chairman. I just wanted to bring up some questions and discussion of removed item R-14-19 on the easement for Zach's Way. I just wanted to know why this property wasn't on the auction list.

Corporation Counsel Ackermann: The issue…this is a long-time held City property. It's right on the boarder of the City and the Town. The property has a large easement already; a 50 foot wide easement that runs through the center of the property and it contains infrastructure, for Central Hudson including overhead power wires that service that portion of the Town of Poughkeepsie into the City of Poughkeepsie. With that large easement, it effectively renders a property unmarketable. The only interested property owner probably would be Central Hudson when they propose the additional minor easement that was before the Council tonight. It was suggested that they may be interested in purchasing that. However, they already have their easement, which satisfies their purposes and so they really had no interest in purchasing the entire property other than that. You're really not going to find an interested person with the 50 foot wide easement that runs through with power lines.

Councilmember Johnson: OK. Thank you.

Councilmember McClinton: Thank you, Chairman. Mr. Ackermann, I saw you had to run out, so I'm not certain if you brought up the R-14-20 and R-14-21? About the piece of property that we're speaking about up on…for the property by Ebenezer?

Corporation Counsel Ackermann: Yes, correct.

Councilmember McClinton: Did you remove that item or something? I just had some questions.

Corporation Counsel Ackermann: I believe the Chamberlain was asked to remove that item.

Councilmember McClinton: Excuse me?

Corporation Counsel Ackermann: I believe the Chamberlain was asked to remove that item from the agenda tonight.

Councilmember McClinton: Can I ask why?

Chairman Mallory: That was the decision made by the body that told me to remove it.

Councilmember McClinton: All right. Based on what I asked for – based on the information I asked for, or something else?

Chairman Mallory: It was information requested to…for Corporation Counsel to foresee…what's the word I want to use? A more appropriate bid for the property.

Councilmember McClinton: Thank you. That's what I was asking, if that was for that or something else. Thank you.

Chairman Mallory: Sure.

Councilmember Klein: Yes, thank you, Mr. Chairman. Can you just clarify, Mr. Ackermann, the removal of R14-19 regarding Zach's Way…what it was removed for? That was removed from the agenda for tonight, correct?

Corporation Counsel Ackermann: That's correct.

Councilmember Klein: And, is there something you can share with us, Mr. Chairman, as to the removal of that? Is there a particular reason for the removal of that, or is it for consideration of another factor?

Chairman Mallory: As I shared beforehand, and in the e-mails that members of the Council were wondering why the property wasn't on auction, as Councilman Johnson had asked and other sale opportunities for that piece of property.

Councilmember Klein: and, I would request that my colleagues make inquiry further if they have any other…I trust that Mr. Ackermann's response to that particular issue, Mr. Chairman, was satisfactory, and I hope that any of our colleagues, if they have any other questions, direct them to Mr. Ackermann in the very near future.

Chairman Mallory: I hope they would, too and I will catch up to them when we can put it on the agenda.

Councilmember Klein: I have one more question. The question is regarding as Ms. McClinton …..R14-20 and 14-21. Is there more particulars that you can give us for that particular resolution from the agenda for this evening?

Chairman Mallory: The body has felt that the requested purchasing price…or the offer of the purchasing price was low. They're pursuing a different offer. It's in the Corporation Counsel's hands to let us know if it's feasible or not.

Councilmember Klein: Mr. Ackermann…

Chairman Mallory: And, excuse me…I don't feel it's appropriate for me to put that out…the figure.

Councilmember Klein: Oh, I'm sorry.

Corporation Counsel Ackermann: No, I wouldn't speak to that.

Chairman Mallory: That's why I didn't put that out.

Councilmember Klein: May I just inquire whether the perspective purchaser of that property is someone who intends to develop it. Is that appropriate to ask at this time, Mr. Ackermann?

Corporation Counsel Ackermann: Sure, I can give you a little brief background. It is the property adjacent to this small triangle which was owned by Ebenezer Baptist Church; was sold sometime last year. They went through the Planning Board for the development of that property project, which would consist of commercial space and residential use also. And, they have requested from the City of Poughkeepsie, that we…the original request which was the permanent easement over the triangle property that was from Clinton Square and it was our recommendation, because there was no municipal use for that small property that we do a transfer, a sale of the property, as opposed to a permanent easement which would retain some liability on the part of the City. That was what was before the Council tonight. Our office has been asked to

potentially look at negotiating some different terms to that sale, and we would try to see what potential developer's willing to do.

Councilmember Klein: Thank you, Mr. Ackermann. Would it be appropriate to ask at this juncture, whether the person who proposes to purchase it is someone who is going to utilize it for a development purpose?

Corporation Counsel Ackermann: Yes, that's correct.

Councilmember Klein: Thank you, Mr. Ackermann. Mr. Chairman, I would just remind our colleagues that there have been occasions in the past, when the City has been seen as not being particularly receptive to people who wish to develop properties, and I would just request that our Council members be mindful of the fact that, while it may be possible to derive further benefits from the sale of the property, one must be mindful of the cost invested by developers, such as appraisals which, in commercial context are expensive and we would not want the City to be known in quarters as difficult to deal with more in terms of development. We should be encouraging development and not seek to exact a price that would be reflective of being penny-wise and pound-foolish. I would just ask that. Thank you, Mr. Chairman.

Councilmember Rich: I have also a follow up to Chair…Mr. Klein. Last year, we had a piece of property on North Hamilton Street that was proposed to be sold for $3,000. I, and others suggested that, considering what this piece of property would be worth, when fully built up into a beautiful apartment complex, with historic background. And, we wanted more, and we got $7,000 from the person that wanted to develop this. So, sometimes, it pays to say you just want more money. And, sometimes, they say, "yes."

Councilmember McClinton: Yes, thank you, Chairman. In reference to Mr. Klein, that piece of property we're talking about…the offer, like we said was low, as collectively, it was decided it was low; it's in a prime area. It brings a lot of features to it, no doubt and it is gonna be developed. That's not the problem or the issue. The actual true value we can really get from it, as Mr. Rich has stipulated; we're not asking to snap their neck and we're not trying to be unfriendly sellers. What I am saying is, the location, the income it will imply and bring to him is more than fair. Yes, it'll be on the tax rolls, but our financial state we're in right now…we can sell an apple for $5.00 and we need to do it vs. $.50. That's my opinion, right now and we're hurting and any way that we can grasp at string and roots…this is what we're doing. We're not trying to be belligerent and we're not trying to be, as you say, "unfriendly." We're trying to get the best possible money for the City of Poughkeepsie, and if we can't, Mr. Ackermann knows, I'm very reasonable and willing to accept as a body. But, if we don't have to, then we're not going to settle for it. That's all it was, Mr. Klein.

Councilmember Johnson: I just want to go back to the Zach's Way resolution. Do we know when the first easement was, given to Central Hudson?

Corporation Counsel Ackermann: Let me see if I…I'm not sure if I provided the easement…the original easement in the packet. If I didn't, prior to your next Council meeting, I will…

Chairman Mallory: We did not see that there.

Corporation Counsel Ackermann: Councilman Johnson, I'll provide you with a copy of the original easement.

Councilmember Johnson: All right, thank you.

XI. NEW BUSINESS:

Councilmember Hermann: Yes, Chair. Thank you. I would like to request as many people are anxious to hear a reintroduction of resolution R14-16, which in its current state reads in brief, **"**it's a resolution authorizing execution and delivery of a lease purchase agreement for certain parking meters for the City of Poughkeepsie, Dutchess County, New York and aggregate prinicipal amount as it currently reads. Not to exceed $600,125."

Chairman Mallory: Can I get a second?

Councilmember Rich: Second. I'm going to second the resolution.

Chairman Mallory took a roll call vote and put the resolution back on the table.

Councilmember Hermann: Yes, thank you, Chair, if I may? As the member, as the individual that's reintroduced this, I would like to just make a few comments as to…for the record, why I've changed my stance. And, this is for the people of Poughkeepsie, and those present and those at home to understand…and that is that most of us are collectively in agreement, and having looked at the figures of the snapshot of the 2 months of the 3 stations (not 3 meters), with multiple meters and the revenues that those meters garnered over a 2 month period, that we are, in no way, going to see $1.3 or $1.4 million. Nevertheless, I believe most of us are in agreement that it will demonstrate a positive cash flow, that Moody's will look at for its liquidity; that will be a plus for our City. Secondly, having been pushed against the wall, this is the lesser of two evils. I certainly do not want to see the layoff of 25 to 30 DPW…or, not just DPW, but City employees on my watch and the effects, the negative consequences that would yield. We have had the opportunity over the last several weeks or week and one half, to discuss with several stakeholders and put a real human face to the consequences of layoffs and the diminished services that the City can ill afford. And, for that reason, I am reintroducing it. I have asked Counsel and the administration for the addition of a rider, that would insure that the Council would have the leeway to direct how this is rode out. And I have been assured by Corporation Counsel and the administration that the

assurance is the fact that we, as a Council are going to have to vote to amend the code. And so, as such, that gives us the direction to…the leeway, on how and when this is rode out. So, correct me if I'm wrong. Is that a fair and accurate understanding?

Corporation Counsel Ackermann: Yeah, that's correct. In order to install traffic control devices, which parking meters are - traffic control devices on City streets, or any other traffic control devices throughout the City, that is a function of the Council, and this body will have to adopt an Ordinance for each and every section of the City of Poughkeepsie that will or if they don't have parking meters. That's a fair assessment.

Councilmember Hermann: OK. Thank you. Thirdly, if I may?

Chairman Mallory: Yes.

Councilmember Hermann: Optimally, it would be…it would be optimal for us as a body, to be able to explore the best scenario and implementation mix, whether that be as was suggested earlier tonight and one that I found particularly valuable, to implement single meters in certain sections of the rollout and pay stations and others. I get a sense that that is not possible to explore at this point in time. We need…in order to insure our rating, we need to move quickly and expeditiously, on voting for the financing and optimally, I certainly would be supportive of a discussion that investigates and does a better cost benefit analysis as my colleague, Councilman Rich, had suggested earlier tonight.

City Administrator Bunyi: At this point, the biggest thing that's facing us right now is the financing that we're talking about. The bank was willing to extend us through today on the decision and whether or not to do the financing. We would be more than amenable to discuss with the…"Callay??"…what options we would have. We would be more than glad to do that.

Councilmember Hermann: And so, that's on the record. Thank you. And, I will open that up.

Councilmember Rich: Thank you Mr. Chairman. Just for the sake of our audience. We had this parking meter revenue source put into our budget for 2014, which was voted on December 17th. I voted, "Yes," on the budget, and of course, that includes the parking meters. Then when it came up for the lease a couple of weeks ago, I voted, "Yes," and I'd just like to say that, there comes a time where you have cut your staff – Police, Fire, DPW year after year, after year, after year: '08, '09,'10,'11,'12…'13's been cut, so we have to realize, at some point in time (and I think we've reached it), we cut more as basic services we all depend upon, will not be there. If you want to sell your home – imagine if they find out the services of the City are inferior. Garbage is not good, Police (that there's not enough of them), Fire is right on the edge of qualifying under the State rules. So, it's time to say, "No more cuts at this time. We must find a way to fund our remaining people in those key elements...Police, Fire and DPW, because the very future of the City depends upon those good services being there now." Hopefully, it will get

better in the future, as we get more and more revenue sources. One of them of course, is the Dutton property, with 300+ condos. They're close to being approved. The average price is $300,000. So, that will give us a little extra money…and there's other things in the works. So, that's why I'm doing it. No more cuts. We can't afford that. It's time to stay with what we have and it also, incidentally, saves the position(s) of 25 people and to think about layoffs – I went through 'em in the 1970's. It's the young people that get laid off first…the people with no seniority or not much. That's a hard thing. You get into a position and then you're laid off. And then you really don't have a career; a couple of years, and you're out looking for another job. As I've said, I've seen that in the '70's with teachers. I didn't like it then, and I don't like it now. Thank you, Mr. Chairman.

Councilmember Perry: Thank you, Mr. Chairman. On two occasions, I voted, "No." I voted, "No," for the parking meters and I voted, "No," for the budget because the parking meters was in the budget. Tonight, I don't want to be looked on as someone who keeps changing their mind. And, so I could go ahead and vote, "No," again tonight if that's all I needed to look at. But I also have to look at 25, 30 or 35…(whatever the number is), of City workers that will be laid off, which includes our police officers, our firemen and our sanitation men…any city worker, and I will not allow that to happen on my watch. So tonight, ladies and gentlemen, I am going to change my vote based on what I just said. So, I will vote for the parking meters as long as Councilman Hermann, what he said, was verified by Corporation Counsel. That will be written out the way the meters will be laid out. Thank you, Mr. Chairman.

Councilmember Klein: Thank you, Mr. Chairman. Mr. Chairman, I supported this measure before. I thought it was clear. $1.4 million, I would not be so quick to dismiss as a possible actual figure. A very distinguished member of our community, a retired Detective Sergeant, Jere Tierney, appeared before this body under Public Comment, had actually done the calculations which indicate that that figure of $1.4 million is not necessarily unrealistic. It was part of the budget, that was voted on by last year's Council. We learned that there was no alternative. We inquired whether anyone in the City, anyone in the audience, anyone on the Council had an alternative to parking meters and the answer was a resounding measure of silence. The money has to come from somewhere. Public Officials, particularly in this state have become very adept at income or revenue redistribution. Revenue generation is something we have to focus on. We must find our own sustainability. And, it became clear that it was either parking meters and revenue generation or the downgrading of the City's credit ratings, the junk bond status and the layoff of personnel. It seemed to me a very clear choice, previously; I'm glad that my colleagues appear to be gathering in support of this resolution. I am very much in favor of it, and we may, Mr. Chairman, reach that $1.4 million figure in revenue which we so much need. Thank you, Mr. Chairman.

Councilmember Johnson: Thank you, Chairman. I still don't think that we're going to make the revenue. I still think that this resolution's going to negatively affect our businesses downtown. However, I know that this could also affect 30 jobs and 30 families as soon as tomorrow. And I know our City cannot afford to lay off any workers. Just last Friday City Administrator Bunyi organized a wonderful orientation for

Councilman Hermann, Councilmember Perry and myself, where we met all the department heads and we seen how much they cared and enjoyed their jobs and we know that same care and enjoyment trickled down to all their employees, so my predecessor, County Legislator, Gwen Johnson, saved 17 CSEA jobs in 2012. And, the 7th Ward really cares about jobs, so I will support this resolution. And, my colleagues will have to adjust to this budget and will have to work diligently, to close this gap so that way, we can hire, not fire. Thank you.

Councilmember McClinton: I said this puts to rest, the sleepless nights and the anguish the City of Poughkeepsie had felt from being discouraged about losing jobs this was put into my lap but I still yet, am an elected official that has a responsibility to do the best thing for the City of Poughkeepsie. Ward 6 I know is elated, and what I was looking upon I know on a personal level. Some people I know on a professional level. Some people combine forty-something odd years in dealing with such areas as Juveniles, and that created a problem for me – especially my Ward. There's a lot of crime and when you say you're going to deplete the officers that we already have, if I call 9-1-1, it's a "If, and, maybe." That there may be people available because in the department because of disparesly (sic) in their departments. The fact that we don't have what we need for the equipment. I couldn't allow that to happen. I would be less than a true person that loved and cared about the City of Poughkeepsie, that all the things I ran for were lies. I'm not a liar. I stand tall in what I'm saying and I'm so glad that my colleagues all came together and realized that sometimes we have to ratify things that we weren't personally, "up on the ship about," but "we're on deck now." Poughkeepsie asked for a change and they're getting it, and I say, "Thank you and hats off to my colleagues, and I would like to (claps) thank the City of Poughkeepsie for allowing us to do what we needed to do for you.

Councilmember Petsas: Thank you. If you are counting the votes out there in the audience, I hope all of our employees are breathing a sigh of relief; I too, am. However, I wish to read the prepared statement that I have done today. I don't normally read from prepared statements, but I want to make sure that I'm very precise in my wordage. The City of Poughkeepsie is in great financial stress. Everyone knows it, from our State Comptroller in Albany, to the average hard-working citizen here in the City of Poughkeepsie. However, I do not believe that parking meters are the solution to the City's financial problems - short term or long term. In fact, I believe that without proper planning and without incorporating more thought on the overall issue of parking in downtown Poughkeepsie, I believe these proposed multi-unit meters, at the end of the day will hurt our downtown of the projected guesstimate of $1.3 million is simply unrealistic. As we are already into our third month of the New Year. I also remind residents of the City, this type of financial planning, underestimating expenses, and over-projecting revenues is why this city is in the financial mess that it is today and, while we are only one step away from being declared a junk bond status. I also remind everyone that we didn't get to this point overnight. This City's financial decline has been going on for quite a few years. And, at some point, someone has to say, "Enough is enough," and start telling people the truth that whether these meters are installed tomorrow or not, that this City will face a large deficit the end of the year, that will have to be dealt with; with either "yes cuts," or a magical wand to find upwards, what I believe to be $1 million. I

was not part of this budget process last year that incorporated this $1.3 million in parking revenue, yet I find it odd – very odd, that the financing and installation of these meters was never actually approved during last year's budget process. I'm not sure what type of budget planning this is, but one thing is for sure, it is confusing and odd. With that said, I can assure everyone in this room and watching, that I intend to be fully engaged in this year's budget process. To ensure that any budget proposed and adopted by this City Council is financially sound, fair to all, and most importantly, realistic. For the union members that are in this room this evening, let me assure you that the last thing that I want is to see anyone lose their jobs, their health insurance or their independence. My "No" vote against this proposal is not against you, or the work you do. Is it against the administration and scare tactics to force our hands. I have, since day one, supported our workers, such as pushing for and voting on the resolution to hire two part-time workers for the DPW to make sure that we help ease the burden of the jobs that our City workers are currently doing. But, I cannot, in good faith, support a resolution that I know will never take in the money being projected. Yes, jobs may be saved tonight. Some people may feel they've won this battle of fear, but what will happen at the end of this year, when our meters are a flop and they only take in $200,000? Will jobs be at stake again? Will 25 more employees be threatened by this administration? Our workers should not have to live under this kind of fear. They shouldn't have to worry every year between September and December whether they're gonna have a job because of the mismanagement of the City. (inaudible)…we have an administration focused more on painting themselves as the conservative standard bearer, slashing and cutting our city services and positions to the point that many can't even effectively run themselves anymore. And if the last snowstorm didn't show all of us that, then nothing else will. Do I believe that things will get better in the City of Poughkeepsie? I do. But only by standing up and saying, "Enough is enough," and by breaking the current broken system of unrealistic budgeting. Voting out of fear or threats is nothing I am willing to do or entertain – ever. I will always cast my vote on the best interest of this city, and nothing less. Tonight, I may wind up being the lone symbolic vote against this plan, but when I was elected I expecting to be the lone dissenting vote on several occasions. This happens to be one of them. I believe that I need to stand up for those in this community – especially the poor and the working class, who'll be dramatically affected and the disenfranchised which are tired of the "same old," and want something different in the City. As the old saying goes, "If you keep doin' what you're doin', you're gonna keep getting what you're getting." My "No" vote tonight reflects my desire to see something different and again, not my desire to see anyone laid off. Unlike others, I do not lead or vote by threats. I also question the Mayor's ability to fire 25 employees without other considerations. As the City moves along in the future, I'm confident that this city will move forward once again, but only with tough decisions facing our city being tackled by yes, due diligence and nothing less, by all involved. Thank you.

Councilmember Rich: I just want to clarify one thing that Chris said. It is true: '08,'09,'10,'11,'12…those budgets were out of balance. '13 was different. That was our first budget '14 is the one that the Council is now out of office. '13 we ran a surplus for the first time. It's not a big one…couple of a hundred thousand dollars, but it's not a big, $8 million deficit as '12 was ($2.5 million deficit), it's a surplus. That's a start. Is it

going to take away the deficit we've built up? No, but it stopped it cold. But I'm hoping that with help we can do it again. If the Council sticks together, I think we can do it again and come in with a budget that is perhaps, even. If not, a little surplus, because that's what we're supposed to do. We're supposed to have a budget put together, that revenues and expenditures equal out exactly. That's the theory of a budget. So, I'm hopeful that we will do that. I think we will…2013 we did. I intend to do what I can to make '14 like '13 – not like '12, '11, '10, '09 and '08. Thank you, Mr. Chairman.

XII. ADJOURNMENT:

A motion was made by Councilmember Klein and seconded by Councilmember Petsas to adjourn the meeting at 9:50 p.m.

Dated: April 1, 2014

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, March 3, 2014 at 6:30 p.m.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain

COMMON COUNCIL MEETING

Common Council Chambers
Monday, March 3, 2013
6:30 p.m.
5:30 Public Hearing regarding proposed Local Law LL-14-2
6:00 p.m. Presentation Cornell Cooperative Extension

I. ROLL CALL

III. REVIEW OF MINUTES:

Minutes of the Common Council of January 6, 2014

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:

3. **FROM CORPORATION COUNSEL ACKERMANN,** R14-19, authorizing an utility easement with Central Hudson on Zach's Way.

4. **FROM CORPORATION COUNSEL ACKERMANN,** R14-20, SEQRA and Sale Resolution R14-21, for the sale of a parcel property at the corner of Clinton Square and Maple Street.

5. **FROM CITY ADMINISTRATOR BUNYI,** Resolution R14-22, amending the 2014 budget in order to hire 2 temporary position in the Department of Public Works.

6. **FROM CORPORATION COUNSEL ACKERMANN,** Resolution R14-11, approving the auctioning of excess city owned real property.

IX. ORDINANCES AND LOCAL LAWS:

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

8. **FROM CITY ENGINEERS,** a presentation regarding the proposal of two transformation on Market Street.

9. **FROM WENDEL ENERGY AND CARMEL WINWATER COMPANY**, a presentation regarding the LED lighting on Market Street.

10. **FROM DONALD R. SCOTT,** a notice of property damage and loss on September 7, 2013.

11. **FROM ESTHER TRUOCCOLO,** a notice of personal injury sustained on November 22, 2013.

12. **FROM TROPICAL FRESH, INC. AND EUNJUNG, LLC,** a notice of property damage sustained on November 14m 2013.

13. **FROM SADINA HANCOCK,** a notice of property damage sustained on February 16, 2014.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: