



**THE CITY OF POUGHKEEPSIE  
NEW YORK**

**COMMON COUNCIL MEETING  
MINUTES**

**Monday, May 5, 2014 6:30 p.m.**

**City Hall**

**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL**

**All Present**

**II. REVIEW OF MINUTES:**

CCM 4-7-2014		Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**REMOVE:**

**VII. MOTIONS AND RESOLUTIONS:**

1. **FROM COUNCILMEMBER HERMANN**, Resolution R14-34, amending the Administrative code to require attendance by Board Members.

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

3. **FROM BRIAN DOYLE**, a communication regarding a grant for Family Partnership Services.

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

**Judy Green 8 South Clinton Street** – Want to discuss the Log Cabin bar some more. At the last meeting, Carlos Woods submitted affidavits disputing the noise complaints and I believe he falsified those documents. Of the people he claimed to speak to, Marta and I spoke to five of them. Jerry Jones, said he in fact did say noise from the bar did not bother him but only because he lives too far away. Brisa Heridine, who is the owner of the parking lot near my home, claimed she never spoke to Carlos other than to tell him to not allow his patrons to park in her lot, which is private. Ron of 2 South Clinton street claims he has no issue with the bar and it has the right to operate – however, he has been beaten by the bar patrons before. He spent two days in the hospital and when I asked if there was anything he needed or anything I could do he said the issue was taken care of. He told me to leave it alone and that he had “enough bullet holes in his apartment” – not sure if he said this due to intimidation or threats. Cindy, who turned out to be Marge Cirripo, is the owner of the liquor licensing and admitted to forging her boyfriend’s name on the document. He was angry and stated that he, in fact, never spoke to Carlos. I have been trying to restore the quality of life in my neighborhood since November and as a result of that I have been harassed, obstructed, ignored, and my integrity and credibility have been attacked. Intimidation tactics have been used against me too. I just want the city ordinances enforced. Why is Carlos Woods’ right to make a living more important than the rest of us residents? I work a trade job where I paint houses and climb ladders; I am not going to be able to do that safely for much longer when I am running on three to four hours of sleep.

**Marta Knapp 8 South Clinton Street** – [places empty bottles on the desk] I found these on the outside of my street from bar patrons. Since I last spoke on 4/23 at the last meeting, the noise from the bar has still been an issue and is still causing sleep disturbance. This Sunday afternoon the party at the bar carried on from the afternoon until midnight. The music was thumping. I called my council woman and the police department to complain and the music was then lowered. However, the music was back up thumping by the night and the volume did not go down. I called the police department again; speaking to Shultz who claimed an officer went down to the bar and claimed the music was not in violation of the city’s noise ordinance. I was then told not to call again because nothing further would be done. I often have to pick up these empty bottles, which end up on my side of the street, from the bar patrons who may be underage and choose to get drunk outside of the bar. Since the last meeting on 4/23 I have made twenty calls to the police department and my councilwoman. As far as Dickus and Stickle, they were out of line stating at the last meeting that they had investigated the Log Cabin. I am not a liar and have been called one – I have also been disrespected.

**Elvena Tomlinson 14 Fox Terrace** – There are many issues I have, but the most important is with the shop at the corner of White Street and Fox Terrace. This place needs cleaning. There is no trash can outside, despite the city giving one which they disposed of. There are always wrappers from candy or bags littered outside that I pick up. This street is ignored by

the city. Last snow storm, I had to walk to work in 6 inches of snow because there was no plow. The trees get cut, but the limbs do not get properly disposed of. If this store is going to operate, it needs to be cleaned up.

**Craig Brendli 110 Hooker Avenue** – To the council, I have some questions about the neighborhood. There have been more properties going off the tax rolls due to expansion. Purchases that remove properties from tax rolls should be voted on by the council. We should look at the city's zoning code as a whole. Terry Gibson said the grant of \$35,000 towards gun violence would be given to the sheriff and parole, but why not to the city of Poughkeepsie?

**Ken Stickle 118 Catherine Street** – To Marta, I did not call you a liar last meeting. I also do not know why I have been hearing so much about the city sharing services. Hyde Park and Pleasant Valley have joined and saved money, but why hasn't the city of Poughkeepsie seen anything going on? As far as the Log Cabin goes, if the police department goes there as much as Judy and Marta claim they do, it should have been shut down by now. From what I understand though, there is not a problem with the bar. The problem with this city is that no one takes responsibility for their problems. Parents need to engage with their children and take responsibility for them. At the Ann Arbor Ceremony, there were 15 kids there and not one parent was there. Parents need to pay attention to these kids, take control of them. Poughkeepsie is just a city, if people want to have children, then they need to be responsible for them – not the government. We must take responsibility for our own lives. Poughkeepsie is poor, there is no money here. If parents want a YMCA, why don't they chaperone the children, take them out? Tax payers should not be paying the bill for this. Everyone must remember that these killings that have been happening lately are almost all drug related. The county and state police need to give this city more patrol and if necessary get the FBI involved.

**Constantine Kazolias 47 Noxon Street** – The College Hill park is beginning to look like a park again, which is good. [Submitted statement]. I would like the council to replace the "water board" with "sanitation on resolution R14-35".

**Bruce Dooris Wilson Blvd** – I would just like to back up Gus on the issue of sanitation. The administration continues trying to be rid of it but the numbers speak for themselves, we do not have an unrealistic budget. The state and Moody's both like the garbage fund, and those are two great firms to have on your side. There were approximately 162,000 dollars in violations billed out but never did they get to the sanitation fund. The transfer funds were never put in. Sanitation has cleaned up numerous streets upon request, and it was all billed to the sanitation fund – this should not be the case, it should be billed to the general fund. All that revenue must go back.

**Terry Clayton CSEA President** – Last week it was stated that once sanitation employees are done with their route, they punch in on another fund. This is an out and out lie. I have time cards here to prove it; no one ever gets done with a route, punches in on another fund and gets paid. The administration constantly lies about and bullies the sanitation department.

**Bill Dykes 96 South Hamilton Street** – I believe I was called a liar this evening; I do not like being called a liar. There is a show called “Fear Thy Neighbor” and I believe that to be the case between the Log Cabin and Ms. Green and Ms. Knapp. There will be a problem there one day. However, they need to cool it and handle it better. Just watch out for a problem.

**V. MAYOR’S COMMENTS:**

**Mayor Tkazyik:** [Mayor did not attend this evening]

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

**Chairman Mallory:** Good evening, in the coming weeks, the council with support from the city of Poughkeepsie Police Department and administration we will be reallocating funds to have a more visible police force with increased foot and bike patrols. Together we will be coordinating efforts to target the areas in the city of Poughkeepsie. This past Friday, our city of Poughkeepsie Police Department, Dutchess County District Attorney’s Office, Dutchess County Sheriff’s Office and Dutchess County’s Office of Probation and Community Corrections received a NYS funding in an amount totaling 342,512 dollars to assist us in a shared undertaking to combat gun violence. Dutchess County submitted the application to NYS Guns Involved Violence and Elimination initiative (GIVE) and it received support from NYS senator Terry Gibson. Council knows that more needs to be done, and with a more visible police presence, a police community advisory ad-hop committee and founding from NYS, we are making every attempt to address crime and gun violence head on. Finally, I would like to thank Poughkeepsie plenty for having a public forum, which several of my colleagues on the council participated – discussing the loop bus, and city bus services in general and specifically their accessibility to food centers. What information and possible collaboration efforts I was educated on, I look forward to discussing with our bus service committee.

**VII. MOTIONS AND RESOLUTIONS:**

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

**Chairman Mallory:** on my time on the water board it has been brought to my attention that the audit that was done in 2004 shared that the city was comingling funds. And also that the recommendation for the NYS controller’s office was documentation making sure that, and a resolution before us, the finance commissioner would not do that. After working the Corporation Council office to look for documentation, after working with the City Chamberlain’s office to find out any such documentation there was no record of the council passing anything set before them to direct the finance commissioner not to do the comingling of funds. So, before you today is the documentation that was recommended by the NYS controller in 2014.

**RESOLUTION  
(R-14-35)**

**INTRODUCTION BY COUNCILMEMBER RICH**

**WHEREAS,** The Joint Water Board operating fund shall be administered by the City of Poughkeepsie, in an account, separate from all other City funds;

**AND**

**WHEREAS,** The Joint Water Board operating fund shall be used solely for items in the approved Joint Water Board operating budget;

**AND**

**WHEREAS,** In 2004, New York State Comptroller’s Office recommended the City of Poughkeepsie Common Council *shall direct the Finance Commissioner to immediately discontinue commingling* Joint Water Board funds with City funds;

**AND**

**WHEREAS,** there is no record of the Council adopting the recommendation of the New York State Comptroller’s Office;

**NOW, THEREFORE,**

**BE IT RESOLVE,** The City of Poughkeepsie Common Council directs the Finance Commissioner to segregate Joint Water Board funds from City of Poughkeepsie funds and prohibit the utilization of water board funds except for expenses approved by the Joint Water Board and budgeted by the Common Council’ and

**BE IT FURTHER RESOLVED,** this resolution shall take effect immediately.

**SECOND BY COUNCILMEMBER JOHNSON**

R14-35			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Corporation Counsel Ackermann:** before you is a municipal home rule legislation that would support an amendment to the enabling legislation for the greater Poughkeepsie library district, which has been introduced in the Assembly and the Senate. Effectively, this would amend the enabling legislation to provide for the nomination of trustees. There are currently, in the enabling legislation, the requirements that the trustees be elected – however, there is nothing in there that says how they are nominated. Historically, the Board of Elections has required that, in order to be on the ballot for the library board you need to obtain 25 signatures from registered or eligible voters. Then you would be put on the ballot. However, there is no mechanism in the legislation, so the board of elections has notified their district that they need to amend the legislation to provide that so they are not arbitrarily deciding the nomination of candidates. The legislation was introduced in Albany by Senator Gibson and Assemblyman Scartados for the City of Poughkeepsie. The legislation will also have to be adopted by the Town of Poughkeepsie, as it is a joint city/town library district. They are anticipated to pass the municipal home rule legislation in the town on Wednesday and then it would ultimately need a vote from the Assembly, the Senate and to be signed by the Governor. So before you, is just simply the municipal rule legislation supporting the amendments.

**Chairman Mallory:** This is, what is before us, is also based on a discussion they had?

**Corporation Counsel Ackermann:** Yes, that is correct. The only amendment from what was presented by the library district initially, when the executive director Tom Lawrence came to speak to you, is that the Common Council had indicated that they wished to see the language that it be “25 qualified voters”. And that is in the legislation, if you want to take a look.

**Chairman Mallory:** What is the difference between a qualified voter and a registered voter?

**Corporation Counsel Ackermann:** It would have to be a registered voter, in order to be qualified.

**Chairman Mallory:** And putting in that language for a “registered qualified voter”...

**Corporation Counsel Ackermann:** It is redundant. If you are qualified to vote in the general election, which would be at this obviously you have to be registered and you have to be qualified.

**Vice Chair Rich:** Paul, I interpret this a little bit differently. These elections are held for library trustees at a general election. So, in order to vote you have to be a registered voter. In others words, to go in and vote for your library trustee of your choice, you’ve got to be a registered voter. “Qualified” – all terms have meaning... qualified means you are 18 and a citizen of the US and you have not been a felon, so you have the qualifications to vote – but you have to, in order to carry out your voting right, register. And therefore, “qualified voter” means to me that if you are 18 and a citizen of the US and live in either the city of the town of Poughkeepsie, you can sign that petition even though you are not a registered voter. I think that

is significant. It is different than what is expected for people that run in general elections. And remember, the library trustee is a general election vote. So I think it has to be absolutely clarified that in order to vote, for a library district vote, you have to have registration and you must be a fully registered voter and not just qualified to register. You must be registered in order to vote; otherwise you will be turned away. If you are not in the election books and you walk up on Election Day and say “My name is John Smith and I want to vote for the library district”, you have to be on the list and if you are not, you are not going to get a ballot. That is a general election. They can’t give you a ballot to fill out because you are not registered to vote. You have to be registered to vote. I think that is very critical and I do not like it because I have had too many problems with registered voters over the years and whether they are registered or not, and whether they are qualified or not. I think it is important that that “qualified voter” be explained so it is clear that you must be registered to vote.

**Councilmember Johnson:** I agree with Vice Chair Rich, I just think that the word “registered” gives a slightly different denotation than the word “qualified”. I would just like to see them swapped. Thank you.

**Corporation Counsel Ackermann:** If I could just make one point, just because you are registered does not mean you are qualified to vote. That is the issue with the word qualified. You can be a registered voter, but not be qualified to vote in the general election. It all depends on your time frame: when you are registered to vote, depends on where you are living at the time, etc. So I think that the issue is that a “qualified voter” means that you are qualified to vote in the general election in which the library ballot would be voted upon.

**Minority Leader Klein:** I tend to agree with Corporation Counsel. You can be registered but not qualified to vote in a particular election based upon the time frames. As elected officials, we have been familiarized with NYS election laws. So, I think his point is well taken and that “qualified” is the appropriate term.

**Majority Leader Petsas:** I want to concur with Mr. Klein and I would remind every council person up here, that when we circulate our own petitions, on the bottom of the petitions it says that “I am a dually qualified voter of the state of NY”. So when we are circulating our own petitions and signing our names saying we are a qualified voter, I see no difference for the city library district.

**Vice Chair Rich:** Once again, this is a legal document that you are putting before the state. “Qualified” and “registered” are different terms. You can be qualified, and not registered. In order to vote in a general election, you have to be on the book that is there for you to check your name and sign it. This is saying that you are the person you say you are. I don’t see what the big deal is if we put “registered” in. I really don’t. It assumes the obvious – that in order to vote in a general election you must be a registered voter. Otherwise you cannot vote on Election Day – if you are not a registered voter on the list, not just qualified to register or qualified to vote but *registered to vote*.

**Corporation Counsel Ackermann:** I mean if we are talking about legal terms, I think that you are eligible to register to vote. I do not think that you are qualified to register to vote. I think

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

you are qualified for an election, to vote in an election. That is only my interpretation but... And I just want to remind you that this is the language that was suggested by the Common Council when Mr. Lawrence was here and that has been introduced to Albany with that language in it.

**Minority Leader Klein:** I don't want to beat this to death but, if you are not registered to vote then the person at the poll, who is the poll inspector, will not let you vote. You go to the judge on Election Day, and you're entitled to vote and can do a paper ballot like that if the judge lets you. I think the proper term is qualified not registered. You are registered if you go there – they are either going to have your name in the book or not.

**Vice Chair Rich:** Well, I have realized Mr. Klein that you are an attorney and I am just a citizen but I have run for election many, many times and had to deal with the election law a lot. Especially on Election Day and primary days, and in order to vote you have to be on the list – that is the registered voter list. It doesn't say qualified voter list, it says registered. Qualified, just think of what it means generally – it means you are qualified to do something; you are qualified to join the army, you are qualified to go into high school, it is different here. In order to vote you must be registered, which implies that you have passed the task of being qualified because they allowed you to register. But first you must register. You cannot just be quote, qualified.

**Vice Chair Rich,** before roll call vote asked Chairman Mallory to make a change to this resolution to insert something different.

**Corporation Counsel Ackermann,** then interrupted and stated “you have to understand what you are doing: you are either supporting the amendment or you are not supporting the amendment. This is municipal home rule legislation, a support resolution. You are either supporting the resolution from the Assembly and the Senate or you are not passing it. At which point, it will not be entertained by the Assembly or Senate; we would have to request for them to amend their legislation, we don't amend their legislation on their behalf. We would put a request in for it to be amended and if they so choose to amend it, then you can pass a support resolution with the amended language.”

**Vice Chair Rich:** What's before me is a resolution.

**Corporation Counsel Ackermann:** Right, and if you read it it's supporting the...

**Vice Chair Rich:** A resolution, under Robert's rules, can be amended. From time to time we have to remind ourselves it is Robert's rules, which we are under. My amendment is to add the word registered with qualified...so signatures of registered and qualified voters.

**Corporation Counsel Ackermann:** But that is not amending the resolution. That is amending the attachment to the resolution, which is the Assembly bill and the Senate bill that was introduced in Albany. You can amend the face of the resolution if that is what you choose to do.

**Vice Chair Rich:** Where does it say in this resolution that I am amending the resolution on the law that is going to be looked at in Albany? I have nothing to do with that.

**Corporation Counsel Ackermann:** Let me just read, “Be it resolved that the City of Poughkeepsie here by approves the content of the proposed legislation, amending the enabling legislation of the Greater Poughkeepsie Library.”

**Vice Chair Rich:** So?

**Corporation Counsel Ackermann:** You want to propose an amendment to the actual resolution?

**Vice Chair Rich:** I am simply qualifying the word, you are telling me to be qualified you must be registered. What is the big deal about putting in the word registered, if in fact as Mr. Klein says that qualified means that you can vote on Election Day?

**Corporation Counsel Ackermann:** And my point is that the resolution that you want to amend is not the resolution that is before this common council. That is the Assembly bill and the Senate Bill that is attached to the resolution, so your resolution is the first page, which either supports the resolution that was introduced in the Assembly and the Senate of NYS or you don’t support the resolution that was introduced in the Assembly and the Senate. You are correct that you have the right to amend the resolution, but the resolution you are going to amend is this page right here [holds up the sheet].

**Vice Chair Rich:** The resolution R14-36 is what I am trying to amend. I am not trying to amend this passing of a law up in Albany. Am I?

**Corporation Counsel Ackermann:** Okay. Well that is my understanding from your proposed amendment. Is that you want the Assembly bill, that is before the Assembly, to not read “qualified voter” but you want it to read “registered voter”.

**Vice Chair Rich:** And I am willing to keep in the word qualified.

**Corporation Counsel Ackermann:** Okay. So that would take that the Assembly bill that’s been introduced would have to be amended and then you would have to do a municipal resolution supporting their amended resolution.

**Vice Chair Rich:** Well then the state will have to tell me that qualified equals registered and you’re telling me...

**Corporation Counsel Ackermann:** I think what you want to do, what I am gathering from what you’re saying, is that you want to table this and you want to propose to the state – the Assembly and Senate – that the legislation pending before their body, be amended to reflect “registered” AND “qualified” voters. And then, once it is amended then you can come back with your municipal home rule legislation supporting the legislation pending the assemblies.

**Vice Chair Rich:** I am simply making a word inserted to clarify this resolution.

**Corporation Counsel Ackermann:** I understand, but what I am trying to explain...

**Vice Chair Rich:** I am not changing anything, except clarifying – because you are telling me that qualifying means the same thing as registered. So what is the big deal if we say it twice?

**Corporation Counsel Ackermann:** Because if you are changing the face of the resolution, you need to also change the bill that was introduced in the Assembly and Senate, to reflect what you want it to read, which would be “registered and qualified voter” or you would have an inconsistency between the resolution that was passed by this common council and the Assembly bill – you are simply supporting the legislation that has been adopted.

**Vice Chair Rich:** I have taken a lot of petitions around in my life, going back thirty years, to ask people to put people on the ballot. The first question you ask when you knock on the door is, “are you a registered voter in this area?” and you have them on the list, but they have to say “Yes, that is me, I am...” therefore, I cannot say “Are you a qualified voter?” at the door because that could mean, well yeah they are qualified but have not gotten around to register. It says “register”.

**Chairman Mallory,** to Corporation Counsel: if this was to come before for a vote, can it and if it does come before a vote is it valid?

**Corporation Counsel Ackermann:** Well, my point is that this is municipal home rule legislation supports. So you are supporting the legislation that has been introduced, if you do not agree with the resolution or legislation that has been introduced to Albany, which I am taking Councilmember Rich does not agree with, then you cannot support that. So what you would do is you would table it, you would ask the Assembly and the Senate to amend their versions to make it consistent with what you as a body would like to see and then once that is done, you can pass a municipal home rule legislation saying: yes, now we support it. The whole purpose of this and the state law that enables this is that this is a local issue wanting to make sure that the local government supports what they are doing in Albany and that’s why this is required. If you do not, if you want to vote on it as is, then you support the resolution as is. That is this body’s decision what to do. So those are your two options. You have a motion on the floor to amend it.

**Chairman Mallory:** Got it. And so there was a motion there that was a second, we have to do a roll call.

**Vice Chair Rich:** You cannot get a ballot without being registered.

**Corporation Counsel Ackermann:** The third resolution - let me just clarify what the amendment is and what is being voted on. Right now you have an amendment, a motion to change. It would read, “Whereas recently, the Dutchess county board of elections has allowed candidates to nominate...”, well that would not make sense because that is what is happening now. I’m sorry; I am at a loss of what exactly you want to amend.

**Vice Chair Rich:** Here you have this board of elections saying, that in order to get on the ballot, in a general election for the library district member, you have to be, from the board of elections p.o.v., a voter and that means you have to be registered, because if you are not registered you cannot vote on the board of elections.

**Corporation Counsel Ackermann:** I understand your point I just do not know exactly what you are trying to amend in the support resolution.

**Chairman Mallory:** You want to put “registered qualified voter”, right? That is what he is asking about.

**Vice Chair Rich:** Yes, registered AND qualified voter. What is the problem with putting registered in? They got “qualified” which they say they want and the board of elections says that in order to have candidates be nominated, this is the board of elections talking, and it is on a regular general election. It is on the opposite side of your ballot. Some people do not flip over the ballot and realize you have to vote for a library district candidate for their committee. I don’t think I am being picky.

**Corporation Counsel Ackermann:** I am just trying to follow. Okay, so I would then say and you can tell me if this is what your amendment is going to be, “first be it resolved that the city of Poughkeepsie hereby approves the content of the proposed legislation amending the enabling legislation of the city of Poughkeepsie library district copy, which is attached to this resolution, with the amendment that the nominated petition be signed by a registered AND qualified voter and be it further resolved and so on”.

**Vice Chair Rich:** I do not think we need the word qualified, but that is okay by me because I’m not playing hardball. I simply want to have it registered as a back up so that people understand that this is a board of elections election and that it is not an election like in a school district. That is not covered.

**Corporation Counsel Ackermann:** I am just putting on the record that in your opinion it is not a municipal support resolution because it is qualified that it be amended prior to support of this body.

**Chairman Mallory:** We have the amendment, we have the second, and can we have a roll call vote?

**Councilmember Perry:** By definition is registered and qualified the same? Do they mean the same thing?

**Corporation Counsel Ackermann:** No, I do not believe so. I believe you are a registered voter, but that does not necessarily mean that you are qualified to vote in a specific election.

**Councilmember Perry:** So the two words don’t mean the same thing?

**Corporation Counsel Ackermann:** I don't believe legally that they mean the same thing. I think you can be registered, but not qualified to vote in a certain election. I think that if you are not registered to vote, that you are eligible to be registered to vote. I don't think that you are qualified to be registered to vote.

**Councilmember Perry:** So which one of these words applies to this resolution?

**Corporation Counsel Ackermann:** My opinion is that the legislation has introduced in the Assembly and Senate that proper legislation. For the intent of the council, it is what they brought to our attention the last time we had this discussion with the executive director.

**Councilmember Hermann:** I am all for adding language that clarifies anything that may be ambiguous. I looked up what a "qualified voter" is in the law dictionary, this is from Black's law dictionary, and a qualified voter is: a term that describes a person that fulfills all of the qualifications that are needed to vote. So inherent there in, Vice Chair, I do believe that qualified fills the bill for me.

**Majority Leader Petsas:** I do not want to beat a dead horse either but, Mr. Lawrence came before here, the library district executive, and he supported the language. Again, we as elected officials, we sign on the bottom of our designating petitions as we go out saying that we are a qualified voter and now we want to place a different standard on the library school district. I do not think it is fair. If we are signing things and we are running around gathering signatures and we are signing our name at the bottom of a petition saying we are a qualified voter, then you should have an issue with that too.

**Councilmember McClinton:** I do not want to be the person that makes a different stipulation upon the library community and then me as an elected official have to do it as well. If we could not put that one word in without all the [...] you are saying Mr. Ackermann, I ask co chair to please reconsider so that we do not put the library in a certain position over one word.

**Vice Chair Rich:** If I don't have the support to change it, there is no use in me doing anything but removing my amendment. That is fine with me but I am just telling you what I know about election law. And registered is what you have at the bottom of your sheet and on your instructions when you go out and get your signatures. It does not say qualified. It says registered. That is what the board of election uses, that term. Now we're putting a term that the board of elections does not agree to on their documents. It is okay with me, but I am just saying that for some people that would be enough to challenge that sheet of signatures if at the bottom you said "qualified".

**Chairman Mallory:** Well I don't know where the body stands, so the roll call vote on the amendment.

**Vice Chair Rich:** I am going to withdraw it, because I don't have the votes and its obvious. I am not going to play games with this; I will simply abstain on the regular motion because I

think it is incorrect to vote on something which I think is not clear. That is a resolution of this council, not the state. The state doesn't dictate us, we dictate our own rules.

**RESOLUTION  
(R-14-36)**

**INTRODUCED BY COUNCILMEMBER RICH**

**WHEREAS** the Greater Poughkeepsie library district which serves the City of Poughkeepsie and the Town of Poughkeepsie is a special district public library which enabling legislation was adopted pursuant to Chapter 524 of the Laws of 1987 and which has been amended from time to time; and

**WHEREAS**, pursuant to such charter trustee of the board are elected at a general election for a term of five (5) years, however the legislation does not state how a candidate for election is nominated; and

**WHEREAS**, until recently, the Dutchess County Board of Elections has allowed candidates to be nominated by obtaining twenty-five signatures of qualified voters in the respective municipality where a vacancy exists; and

**WHEREAS**, the Common Council of the City of Poughkeepsie deems it to be in the best interest of the citizens of the City that the enabling legislation of the Greater Poughkeepsie Library District be amended to codify this nominating process; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the City of Poughkeepsie hereby approves the content of the proposed legislation amending the enabling legislation of the Greater Poughkeepsie Library District, a copy of which is annexed to this resolution; and be it further

**RESOLVED**, that the Common Council of the City of Poughkeepsie hereby requests that the Legislature of the State of New York through municipal home rule, enact Assembly bill A9372 and Senate Bill S7085; and be it further

**RESOLVED**, that the Mayor, the City Administrator and the Corporation Counsel be and they hereby are authorized and directed to take all steps necessary to give full effect to the terms of this resolution.

**SECONDED BY COUNCILMEMBER JOHNSON**

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

R14-36			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VIII. ORDINANCES AND LOCAL LAWS:**

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

**Corporation Counsel Ackermann:** Before you is an ordinance amending chapter 13 of the code of ordinances with regard to parking meters. This ordinance would allow the installation and maintenance of parking meters on certain sections of roads in the city of Poughkeepsie. Specifically, Main Street from North Water Street to Pershing Avenue and Market Street from Montgomery Street to Mansion Street.

Briefly, some of the proposed changes: this is an existing ordinance so everything that is being changed is bolded and underlined. On 13-149, just to ensure that we could not enforce this ordinance if signs are not posted indicated that it is a parking meter zone and that you need to pay the parking meters. The meters can be installed in sections that are allowed for parking meter zones, on Market Street from Montgomery to Mansion Street, which is just eliminating the height of the project which was Market Street from Main to Church Street. The other section is Main Street, both sides, from North Water continuing toward the intersection of Pershing Avenue. Those are the only sections that would be permitted at this point for having parking meters.

The second section is the time limitations and the rates. The first section has to do with parking lots, the second has to do with the parking on street and the meters would be in effect from 8 am to 6 pm Monday thru Saturday and then the cost as articulated in here would be 50 cents for the first fifteen minutes, 50 cents for an additional 15 minutes and 50 cents for the last thirty minutes. So it would be a total of \$2.50 for an hour. The next section, D, is included in here just so it articulates that this is subject to all of the other parking restrictions that may have been in place. For instance, if there is a handicapped spot already articulated in the code, this would be subject to that handicapped spot. If there is a no parking zone, for some reason, it would be subject to that no parking zone. It is not in conflict with it or meant to repeal those existing ordinances.

**Vice Chair Rich:** You said two dollars and fifty cents, it is actually a dollar fifty.

**Corporation Counsel Ackermann:** That is correct. Section 13-161 just articulates the penalty. There are two penalty provisions here; there is a parking related penalty which is \$20.00 which is the existing penalty of over time parking. And there is a penalty for other violations of this,

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

for instance destruction of a machine, tampering with it or entering fraudulent currency. And that would be subject to 13-161A as opposed to the parking violation which would be subject to 13-161B. Continuing on section two, there are different time periods right now for Main Street that goes from 2 hour parking to 1 hour parking, back to 2 hour parking – there is all other mechanisms. So from section two on, it amends those sections to provide for a uniform two hour parking along Main and Market Street. So you will see there are some deletions and additions to sections that already exist and that is just needed to make sure that there is uniform parking along Main Street and Market Street.

**Councilmember McClinton:** I motion to amend section 13-150B. I am amending it to redeposit a sum of 25 cents for every ten minutes, the parking space be lawfully occupied for a total of 120 minutes. [seconded]

**Minority Leader Klein:** This is discussion on the proposed amendment. Mr. Ackermann, the rates that are listed and the schedules that are listed, are they key to generating the revenue that is projected to be needed by this measure of having parking meters?

**Corporation Counsel Ackermann:** I think that either way, it is generating the same revenue. I think what the amendment is, is that just to make it a little bit less confusing in that it is just 25 cents for every ten minutes. I think the ultimate is still going to be \$1.50.

**Minority Leader Klein:** Okay, so in other words this does not really affect your concept of this parking meter as revenue generators?

**City Administrator Bunyi:** The administration is in agreement with ... []

**Minority Leader Klein:** Basically, you're telling us the amendment or... []

**City Administrator Bunyi:** The amendment, yes. Basically what it came down to is, based on the guidance from the manufacturer itself and based on their historical knowledge and their experience elsewhere, the way we had it listed here would provide for some confusion for the people who are using the meters. Ms. McClinton's recommendation to go a straight .25 cents for ten minutes is a lot easier to monitor for everybody. And that impact on the revenue is still the same.

**Vice Chair Rich:** We had a long discussion on this and we stayed with these numbers for a long time and now they are being switched at the last moment. That makes me nervous – because, if you go to .25 cents for ten minutes, think about this folks: that means you are going to go get something, a cup of coffee, or something and come out and get in your car, all within the space of ten minutes. If you come out and it is eleven minutes, you got yourself a ticket. That is the law. Why would we want to force people, because most people are going to say “a hah, .25 cents for ten minutes, that's all I need”, when in fact in many cases it may not be the time you need and I can see there will be a lot of tickets given to people that think they can do their coffee buying in ten minutes, but cannot do that. Now, we are saying at the last minute, because we talked about this many times, how much money should we have people pay in order to go in and

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

get something to eat. Ten minutes is an awfully short time and people will have the tendency to think they can do it in that time and wind up in violation of the law.

**City Administrator Bunyi:** Basically, the way it is set up right now is .50 cents for 15 minutes. If you go .25 cents for even ten minutes, in the same .50 cents you actually get twenty, rather than fifteen, minutes.

**Vice Chair Rich:** You have to understand, people’s motivations are that they put in a quarter and they figure that is good enough because that’s what it says and they don’t think that maybe it’s going to take up more than ten minutes because they are now in a race with time to get their coffee and get back in ten minutes. Whereas with fifteen minutes there is a much better chance, it is fifty percent longer. That is all I am saying Mr. Chairman, I think you are going to have a problem. If they don’t, fine and dandy. But why are we doing this at the last minute? It is okay with me, I just think you have to be aware that people are not going to like these parking meters to begin with. I do not want to get them super annoyed by finding out to buy a cup of coffee it has actually cost them twenty dollars plus .25 cents because they got ticketed and they went over the ten minutes.

**Councilmember Johnson:** I think this amendment will clear up some confusion, I think it will add consistency and I think it will give our consumers more options when using the meters as opposed to, only being able to get 15, 30 minutes or an hour – you will be able to get 40 minutes, 70 minutes, 100 minutes or whatever is best for you. So, I support this amendment.

Amendment to O-14-5			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\*\*\* Discussion on the resolution itself:

**Majority Leader Petsas:** Seeing as how I was the only one to vote against this plan to put parking meters in, again I am voicing my opposition placing parking meters in downtown Poughkeepsie. This was a rushed job, we voted out of fear of losing jobs. This was a rushed job and still there is no plan in place for people who live on top of these store fronts that work second and third shifts, that park on Main Street where they go now. There is no plan for the businesses like Emiliano’s Pizza in my neighborhood, that rely on delivery men to be able to come in and out of their stores – there is still no plan for them as well. I firmly believe that these parking meters, in this day and time in the city of Poughkeepsie, are the wrong direction. If this city was vibrant, if this city was full of store fronts, full of life, full of beauty in downtown Poughkeepsie, I could perhaps support parking meters. But I do not know how many people here go to downtown, but it is dirty. The streets are littered, storefronts are vacant. People are scared to go downtown now because of the crime in the element. And just to place parking meters in

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

our downtown, at this time in our history, just perplexes me like you wouldn't believe and I actually believe that this decision tonight is as bad as the decision to place the main mall in our downtown – it is going to be *that* harmful to our downtown Poughkeepsie. It makes no sense to me, these parking meters at this time with Poughkeepsie's history and again, I voice my opposition and I stand with the businesses and the residents that do not want to see this. And I will be voting, once again, solo but I will be voting no.

**Councilmember Hermann:** I noticed there are a number of folks out there who are wearing orange who were supportive of that last statement and I just wanted to remind you that that decision to install the meters came at the cost of saving your jobs. We did that to save your jobs. I adamantly was in support, as my esteemed colleague was opposed to this as well, but when we are faced with a deficit and faced with the potential to receivership and the loss of our very fragile Moody's rating, this was the only option that we had. Every other option that we brought to the table was declined. This is the only option that we have right now. It doesn't mean that we can't modify and make changes to this later. Meaning, I certainly want you all to know that we are vigorously investigating perhaps offering grace periods or kind of options to lessen the sting that our down town merchants are going to be experiencing. But living in a community, there is a price as well as a benefit to living in a community and unfortunately this is one of the prices. And I am sorry that we have to do this but I am going to support this measure because we need revenue and we need to demonstrate to Moody's that we have a positive revenue stream - however short it may be of that initial 1.3 million dollars that was proposed or suggested. None of us up here believe that that is going to be the case. So it is with trepidation that I move forward in support of this measure but I do so because I wanted to save jobs and I am sure that I speak with many of my colleagues up here.

**Vice Chair Rich:** I was on the council last year; several people here were with me. We had a hard decision to make – the mayor told us that he was going to lay off all of our garbage workers because he wanted to privatize garbage. He wanted to eliminate them, out the door they would go – 20, 30 years it didn't matter they were on the street looking for a job. That is something that repulses me because there were other ways to do this. We have had a lot of trouble with balancing these budgets under this mayor. He has had budgets come in every time, big huge deficits in '11 and '12 and we were forced either to raise property taxes, which I suggested and everyone said no because people wouldn't like it and I said "yeah whatever you do, they aren't going to like it". They aren't going to like parking meters, and the people who pay parking meters are not necessarily going to pay property taxes and vice versa. So we had a real dilemma. It was not a good deal because we passed this budget with just five votes last December. Now we come to "alright, we have made our terribly difficult decision so let's implement it" and there the problem is that we are in May, we had a Market Street task if you will that was supposed to be done before we voted on the budget last year. We went forward with these parking meters because, just like last year, if you vote against this you are voting these people out of office or somebody else. This is layoff time if we don't vote for this. I want you to think that if we are going to do this, that layoffs will be police, fire, DPW...not just DPW like last time. That is a lot of bucks, 1.3 million and we know we aren't going to get 1.3 million right now. We have been placed in a dilemma because of the executive branch putting this thing in a spin that got us nothing done until now. Nothing. I don't have a plan b, so despite the fact that I could critique the executive branch, that I could critique the idea of parking meters I am still on the hook for

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

people that are going to lose their job, and I think the loss of our sanitation department will create ret-city, not tree-city if we do that because there will be all kinds of people coming in – private companies are going to be coming in a competing – it will be competition up and down your street. That will be fun, imagine how we are going to try to enforce that with the staff we have, which is very few people enforcing the regulations of this city. So I have to vote for this – do I like it? No. but I do not like the alternative and nobody is willing to come forward and say “what is our plan b, to save garbage in this city as a tool, we need to have our garbage guys there.” Because, in bad times they go out and do other things like snow plowing. So I am voting for it, I don’t like it and would have preferred to work a long time ago to get this done, but here it is and it won’t be 1.3 – we all know that. It is uncertain if we get it by June, which I seriously doubt. It won’t be 1.3, it will be half that or maybe a little more than half. We *will* have a big hole in this budget that we are then going to have to deal with. This is not the way to run a good corporation. And we are, in many ways, a public corporation and we should run things better than this.

**Councilmember McClinton:** As I have stated, as my colleagues have stated, this is not a decision that we were comfortable in doing or wanted to do. But when it came to preparing and being prepared, to take on what was left from the other council and then put before us to protect people’s jobs, this is why we do it and this is why we will continue to vote in a way to protect our workers and the city of Poughkeepsie employees do not deserve to be unemployed, they do the best with what they have and I am voting for it in order to keep them employed. I am against any privatization and I will not vote for it, and whatever we need to do to make sure people understand that we are doing this because we had no other choice. If we did have a plan b we would have taken it. But we took the road to protect our workers and they are still working. I am voting for this to create revenue to keep them aboard and to avoid privatization.

**Minority Leader Klein:** Mr. Chairman, this measure is necessary. This council, the last council, faced a 1.3 million dollar hole. The last council voted that budget. People like to cite the state controllers report criticizing the manner in which the city’s fiscal health was being managed. People forget that there were certain recommendations made also by the state controller as to how to improve that. One of the recommendations is to generate revenue and find ways to do so. That was also a recommendation made by the city’s credit raters – Moody’s. The problem is that the city needed money and had to find a way to do it and to fill that hole. And also, in order to maintain its credit rating beyond junk-bond status, had to find a way to do so that enhanced its credit worthiness. These were necessary measures. When this was first discussed earlier this year I asked this council, I asked the city, persons who are here and elsewhere: tell me an alternative. There was none. People like to blame this mayor, this administration; what I say is that the blame game yields no winners. Go back and check the records. The previous administration ended on December 31<sup>st</sup> 2007. Ask the city administrator to tell you what the debt was that the administration was carrying as of that time. If you think that the hardship that we are experiencing now started last year or the year before or on January 1<sup>st</sup> 2008, you are very much mistaken. Travel to other cities, other municipalities throughout NYS, my business takes me to them. Go to Middletown, Newburgh, Kingston, Hudson, Troy, go to Albany which is our state capital, outside of the government marvel before you get to the lush suburbs. Albany is experiencing, by just looking at it, you can tell the same things we are facing. NYS is in dire circumstances and cities like Poughkeepsie share that. We are experiencing what municipalities

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

all over the state are – an exploding tax burden and a shrinking tax base. We have no choice but to try and raise revenue. I have a business on Market Street and I am there every single day, the business owners on Market Street come to me and say to me “do we really have to have parking meters? We are against it” and I ask them, “tell me what we can do to raise revenue” and no one has an answer. Tell the mayor where he should cut if you do not think we need parking meters or it is wrong, go through the books and tell this administration where to cut or who to cut, how to cut. We haven’t had a concrete answer from anybody on those issues. It is easy to sit here and blame this one and that one. Well here we are, our job is not to p in the tail on the donkey, but rather our job is to save what we can and enhance what we can and improve this city. That involves taking measures that are not always crowd pleasers, but absolutely necessary. It is unfortunate that council time is wasted with pointing the finger at this one or that one and blaming this one or that one for the condition we are in. our past successes, our present successes and failures and our future successes and failures are collective. We have to work together, this is not the happiest measure, it is done in other municipalities (particularly in cities), and parking in premium cities is not a premium measure. It is unfortunate and the administration and city council would like not to have to do it but again, what is the alternative? Much talk and no alternatives. Here we are district chairman, this measure must be voted. We have no alternative. The state controller is watching, Moody’s is watching, the citizens of the city are watching. This is something unfortunately, or fortunately we have to do and I urge my colleagues to vote yes.

**Councilmember Perry:** Originally I too was one of the people that said I didn’t want to have the parking meters and therefore I voted no. But when I realized that revenue was needed to keep our sanitation department, I changed my vote and I voted yes. I do not want to be responsible for anyone losing their job. So, I am going to stick with that vote tonight and I am going to vote yes because I do not want to see our sanitation department closing.

O-14-5			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember McClinton	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Hermann	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Klein	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

1. **FROM WENDELL ENERGY**, a presentation regarding the financials on the LED lights.
2. **FROM CORPORATION COUNSEL ACKERMANN**, a communication regarding the proposed amendments to parking regulations on South Avenue between Montgomery Street and Franklin Street.

3. **FROM BRIAN DOYLE**, a communication regarding a grant for Family Partnership Services. **Removed from agenda**
4. **FROM ADAM YASIEJKO**, a notice of property damage sustained on April 9, 2014. **Referred to Corporation Counsel**
5. **FROM HECTOR MORALES**, a notice of property damage sustained on April 9, 2014. **Referred to Corporation Counsel**
6. **FROM ABIGAIL MORALES-ROSADO**, a notice of personal injury sustained on February 21, 2014. **Referred to Corporation Counsel**

**X. UNFINISHED BUSINESS:**

**Councilmember Rich:** We are approaching our third annual “Make Poughkeepsie Shine” this Saturday and things are going very well. I have been asked by the DPW to find out where we would like our garbage bags picked up and I have told them the two places that we did last year. There is also a third, but I do not know if I am going to use it this year. One would be Family Partnership and the other would be, Waryas Park. There may be other areas or points, where it may be easier for our volunteers. Our volunteers are going to come from a lot of different organizations, I just picked one up today from CSCA’s they are going to go out and volunteer. The Fallkill committee, of course River Keeper is coming in and doing the water front. So, what we have to do is if we are going to want these garbage bags picked up some place else other than Waryas or Family Partnership, then I would appreciate it if you feel there is a better place to pick up the garbage, and then go ahead. Last year I had a pick up at YMCA because I was doing Eastman Park but that does not necessarily have to be the case this year – I can always put it in my car and bring it down to Waryas. It starts at 9 am and the Ice house Inc. has agreed that at the end of the pickup period, which say stops at about 12 or so, they will provide a luncheon for our workers who wish to come down and participate in the luncheon. I know the River Keeper has coupons, if you are into River Keeper, to go get some beer from various facilities around the area that make their own beer on site.

**Councilmember Hermann:** To piggyback on what Vice Chair Rich has said, the eighth ward will be having a contingency that will be helping with the Make Poughkeepsie Shine event on Saturday and if anyone watching at home would like to be a part of that group, please feel free to reach out to me – you can certainly contact me via email or by phone. Secondly, to once again mention, as mentioned last time this body met, the first weekend of June we do have the Queen City Pride Festival that is going to be taking place here in the city of Poughkeepsie. Various constituents from the eighth ward are putting it together and it is going to be bringing folks into this city that will be spending money and just in a festival of fellowship, unity and inclusion and I encourage anyone to log onto their website – I believe it is [Queencitypride.com](http://Queencitypride.com) – if you want more information.

**Councilmember Perry:** I just want to mention too, along with Councilman Rich, regarding the Make Poughkeepsie Shine on the 10<sup>th</sup> of May which is this Saturday coming. We are looking for volunteers in all of the wards, if you want to come to help me in the fifth ward. I would

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

appreciate it very much, we want to have volunteers and we are thinking of assembling in front of the Family Partnership at 9:30. We could start from there and start cleaning up the area as much as we can, going toward the North side. Please come out and help it is all our city. Wherever you want to help to clean, that is fine but I am appealing that you help me in the fifth ward. Please call my number and meet me in front of the Partnership at 9:30.

**Councilmember Petsas:** The first ward will be down, along with River Keeper, that day as well at 9:00 am down at the water front and down in Waryas Park and other points around that immediate neighborhood. I thank Mr. Rich for taking this on. I know this is not in my ward but it was part of our previous agendas, but can we get an update on Zach's Way, I know that the council asked that perhaps it be sold instead of selling a piece of it. But, we have heard nothing from the administration or corporation counsel since. Since the original resolution for lease of part of that property in Eastman, on the council originally we had gone back to Central Hudson and they were not inclined to purchase anything more than the already small [*cannot make out word*] needed for federal purposes. Since that time we have spoken to other personnel in the real estate department, they were reevaluating the request to purchase that property. But as of yet, we have not heard back from them so we are waiting for a response, if we don't get one we will go forward with the Eastman, but we are just waiting to see. They were trying to evaluate the property and the value of it and so once they got the information together, they could put together a proposal.

**Councilmember Mallory:** To piggyback on what Councilman Rich said, for my unfinished business, I will be down at the park first thing in the morning. For snow emergency recommendations, this is for the city administrator; this is just a brief scenario with the various departments I have given you, this is a condensed version of what they submitted into us.

**City Administrator Bunyi:** What we did was, we compiled all of the different departments and put in the recommendations and that was a decision. We had a meeting of all the department heads and they felt that it would be far more productive for everybody if we just listed all the recommendations that they had.

**Councilmember Mallory:** And that's fine for me as of right now. Meaning, if I need more information and we needed further details, we would like to have more of that information. One of the things is that, with your recommendations and all would we expect to see these before us in a timely manner – timely meaning you know, if not before summer recess, after ours before we have snow in the seasoning coming – so we could decide whatever council's responsibilities are to vote on?

**City Administrator Bunyi:** Absolutely.

**Councilmember Mallory:** One of the things that I saw here, what we did about it before hand, is about equipment being regularly served and to have spare parts on hand. That is on page 3, but really what it was, was during the time when the former DPW commissioner was here, he shared about a cycle of purchasing items and that was April or May. Are we on track to meet the needs of the department for the equipment thing?

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

**City Administrator Bunyi:** What we are doing is, basically the first big purchase that we have is actually the fall leaves, which is usually done in the summer time. And then, right behind that is the snow plows and all the snow equipment, which they piggyback right behind each other. What the concern was, and I think this year we will not have that problem, is we have to put for example, like the plows or any other accessory equipment have to be bid out every year. What they have done for this year if I am not mistaken, and I will have to check and verify that, is we have the capability not only to use it for one year but to renew it for another year. So, we will not have that problem of trying to catch up with the bidding process.

**Councilmember Mallory:** Oh so you're talking about the bidding process in of itself?

**City Administrator Bunyi:** Right, that is the biggest obstacle when trying to purchase equipment immediately is if the bidding process is not in. But, I think that that was resolved last year for this year so that it is a multiyear bidding on snow equipment.

**Councilmember Mallory:** Alright. Then for myself, for under fire in the recommendations, it says "establish either a contract or evacuation or provide equipment for firefighters". Do we know what that equipment is? Could you look into that? I am not too sure, my first thing is if when you are trying to clear a fire hydrant you just need a shovel to do so, but I'm not sure if that is what they're asking for or not.

**City Administrator Bunyi:** Well I think if some of the contractors that we ended up using fire hydrants will be using snow blowers.

**Councilmember Mallory:** Okay, well something of that sort - whatever the Chief is asking for. And then, on the last two pages, "contractors cost" I see written down but could you provide us further information when you are providing us as far as recommendations or follow up on this one. What were they charging per hour? I assume that's what they're doing. Where were they, at what location? Like if they were doing Garden Street and you know, it came out to \$3,400 how long would it add streets for that billing?

**City Administrator Bunyi:** We will do that.

**Councilmember Mallory:** And salting. To piggyback off what we have heard from the controls office, minority leaders and vice chair, are looking at anywhere about a shared cost for salt with other municipalities?

**City Administrator Bunyi:** The salt that we purchase is from the state. It depends a lot on the availability but the state is the one that puts out the bid and we have to tell them. Like right now, so you are aware, they are already asking the commissioner what he projects he is going to use next year.

**Councilmember McClinton:** I just want to add on to with the equipment, we had also stressed that the amount of graffiti around the city of Poughkeepsie needed to be addressed. Has the truck been fixed where the machine can actually be taken out to address that issue?

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

**City Administrator Bunyi:** The graffiti machine is fixed. We have asked the commissioner right now, to go look for a used vehicle that will be independent of the vehicle we have right now, to be able to haul that graffiti machine.

**Councilmember McClinton:** And also, say like the utilization of police officer's cars, are they up to par? Are the contracts right? Are we down cars? Do we need cars? Where is that at?

**City Administrator Bunyi:** You mean the police cars, are they up to par right now? We will have to check for you.

**Councilmember McClinton:** Because it was my understanding that some of them, when we had our committee meeting, that there were these three vehicles that really needed some attention before we would be faced with purchasing more. I was just wondering where that was. And then, I wanted to ask you about the equipment updating, which Chair already grazed upon. And there were a couple of other things I wanted to ask you. Recycle bins... is that something you are going to look into to provide? Or are they not going to be provided? At cost or not at cost? I see in some wards there are the blue bins, some are not. Is that something that is being provided by the city or not?

**City Administrator Bunyi:** We actually looked into the grant that Kingston had for recycling bins and unfortunately that grant was not available at the time that we were looking for it. We are looking into possible grants for recycling bins. As to how we are going to be able to afford recycling bins, I will be honest with you, I don't know how.

**Councilmember Klein:** Mr. Chairman, may we have, from perhaps the city administrator or corporation counsel, a status on the Dutton O'Neil project? Is there anything to hear of regarding the status of that? I know it's the planning board, but I am just kind of wondering – it is the city's biggest project going on right now and I am kind of curious.

**Corporation Counsel Ackermann:** The project is before the playing board and there has been much discussion with the project and timing it and coordinating it. As you are aware, part of the project presides in the town of Poughkeepsie and it is my understanding that the Dutton O'Neil group has made an application to the town of Poughkeepsie and that the town board will be asked to consider a zoning amendment. They are right now getting recommendations from the planning board before they will make an ultimate decision on that zoning change. Once they make a decision, either to rezone or not to rezone it, either it will go back to the planning board for further consideration or if they do not approve it, it just will not happen in the town of Poughkeepsie. The city planning board has been meeting regularly with their attorney, Richard Canter, and I believe we are on a good track to get this project approved. There were concerns with the park, which we are working out as we speak. We are meeting with the town of Poughkeepsie today to discuss, ultimately ownership of the park and how that will work and who will maintain the park – eventually that will come before the common council to make a final determination after it is discussed in house and with the town of Poughkeepsie about recommendation of ownership of the park. The planning boards of the Town of Poughkeepsie and the City of Poughkeepsie have scheduled a joint session, I believe for either this week or next week, in hopes of being on the same page with regards to design and things that would be

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

coming to both planning boards. So that is going to be happening, and it is moving forward. It is a complicated project and there are a lot of issues that need to be resolved with regard to that it is a contaminated site and remediation as that moves forward ultimately is the design of the project. But I do believe it is on track and moving forward and we are kind of waiting for the Town of Poughkeepsie. But I think that the city of Poughkeepsie will be ready to issue approval of the project or modification of the project in a couple of months.

**Councilmember Klein:** Thank you. Also, one of my constituents reminded me today that the word about garbage collection when it is a holiday may not be getting out quite as good as we thought. A lot of folks had put out garbage to be put out on Good Friday and it was not collected so I was wondering if there was anything we could do to tighten up our notifications to the public regarding sanitation pick up.

**City Administrator Bunyi:** Other than basically running an ad in the paper, which we did before the beginning of this year, running an ad every time there is a holiday I do not know what else we could do because we do put it front and center the week before the holiday. I will be very honest with you, the Mayor's office got about ten phone calls and eight of them were not so much that they had to put out garbage on Good Friday but they were questioning why the City of Poughkeepsie would give employees off on Good Friday when it is a religious holiday. We tried to explain to them that this is all union, contracted agreements but they said it is unconstitutional and the biggest thing is that eight of these ten people were concerned with why we would give employees off on a religious holiday. I do not know what else to answer other than it is a contracted item. They said then, that the city of Poughkeepsie is in violation of the constitution on the separation of state and religion. You know, we did not agree to this contract, it was here before we even got here and I do not know what to tell them. They were not upset to the fact that the communication may not have been there, they were upset at the fact that we gave off. He said you should go in right now and tell the Union you are taking it away on constitutional grounds. I do not have an answer.

**Councilmember Klein:** Then if I just may, regarding, the park which are friends from Wendell mentioned which is coming June 1<sup>st</sup>, I know the county executive has expressed displeasure with it directed to the acting commissioner of this federal agency and copied out our local, state and federal officials. I am wondering if there has been a response that the city is aware of and wondering if there is a way for the city to lend its expression of concern regarding this federal mandate opposed on our residents from a far with enhanced bureaucratic forced fashion. Is there anything we can do or say about it?

**City Administrator Bunyi:** All I know is that Senator Schumer already came out against it and I have not heard from any other official. But I know Senator Schumer did express his opposition to it. How far it will go, I do not know.

**Councilmember Hermann:** In response to something Councilmember McClinton brought up regarding recycling, it is my understanding that the city currently only recycles between ten and twenty percent of overall garbage pickup. Is that your understanding as well Mr. Bunyi?

**City Administrator Bunyi:** I do not have the exact number but it is low, I agree.

**Councilmember Hermann:** I am just astounded that we cannot, I am going to go out on a limb and say the reason we do not recycle more than what we recycle is because we do not have designated bins readily available to the public. I would say that we would see that increase exponentially if we did. So we should work very diligently to try and find a way to finance those bins. Perhaps, we could finance them through the moneys that are being realized through the current recycling that are not currently being allocated, from my understanding, appropriately. So I just want to put that out there, we need to find a way to get more recycling bins. It makes sense, it certainly is revenue strength for the city and it is environmentally what we need to be doing as a city. I am going to be advocating that we stay on that please.

**Councilmember Perry:** I just wanted to ask whether or not the letters went out for the 4-11's. And if so, was there any response?

**Corporation Counsel Ackermann:** Yes, the letters have gone out and we have eight or nine that have responded but we have not negotiated with anyone yet.

**Councilmember McClinton:** I just wanted to make some general comments. In reference to the CSC in the public who came and are before us last time to express the quality of life they are seeking in the city of Poughkeepsie and their follow up meeting with the mayor. I just want to tell them that I am behind them, which they know. They are called the Citizens for Change in the city of Poughkeepsie and they're working at Community Gardens. I wanted to say thank you for about when I got a call about a park in my area, it was addressed in less than eight hours – I wanted to say thank you to Mr. Gent and his staff for their speedy response and of course the city administrator. Just want to say this in an appeal to the public to get an understanding of what we're here for. We are here to hear your concerns, but keep in mind we took seat about four five months ago and we are diligently trying to do our best but without your help. To address the situation at the local bar, it may be a problem for one person but understand this is the public and our hands are bound. I have contacted a councilman and it has not gone unaddressed. 3 or 4 am though, I do not like being woken up but it happens and when I got elected I came aboard for that but like I said it is not going unnoticed. I just wanted to say we are going to continue to do our best and each ward will do a cleanup. If you do not make us aware of things, then we cannot be aware of it.

## **XI. NEW BUSINESS:**

**Councilmember Klein:** Just wanted to remind everybody about The Students at War Against Illegal Guns coming up this Friday. This is in conjunction with the city school district and there is a schedule which all council members have been informed of by email.

**Councilmember Mallory:** Just want to let you know, everyone through the city website has in their newspaper, talk about bulk pickup. I asked the Chamberlain to give us a hard copy so that everyone knows and you can talk to your constituents of bulk drop off or pick up.

**Councilmember Petsus:** Over the week I received a phone call from residents on Clark Street, some of them have lived there since 1948, regarding flooding in their backyard. I guess this is an issue that residents were promised would be dealt with and it still has not been dealt with. It is

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

very sad to go over there and see residents with pumps in their backyards and hosing leading into the street because of what's going on. I guess the city put a sewer main back in there years ago but never piped into those residents back yards so that their yards could bleed into that drain. So I was wondering what could be done, because they have been promised for many years now and it continues to be an issue. I should clarify; I did meet with the commissioner of DPW up there but again, I just want to make sure that this thing is dealt with in a timely manner.

**City Administrator Bunyi:** I think the commissioner sent you an email responding to what we are looking at right now, and we will look into that. The biggest issue is yes, the city did put a sewer main back there and we have to look at the options of what we can do to help people deal with this sewer main. But, until we can really look into it we cannot respond accurately to you so I think the commissioner said he was going to do a study on it and let you know.

**Councilmember Petsas:** Yard and lawn debris, is that picked up just for non 4-11's in the city? Does a church or commercial property that puts out leaf bags, do those bags get picked up or how does that work?

**Councilmember Petsas:** Another note, Shell Drake, I do not know what is going on with Shell Drake but all I can tell you is that they are doing a terrible job maintaining their properties. I receive multiple calls every week from the residents of Charles Street because they are not maintaining their properties. I know that the elevator at the Eastman tower has been broken down for about five months and is still not repaired. That is a serious issue, that is a high story building in my ward and Charles Street has similar issues. They are not repairing things, roofs are leaking, and no one seems to care. I know these people are not living in \$500,000 houses but they deserve to have a quality of life when they live in those complexes. Their quality of life is terrible. I am hopeful that something could be done, I do not know the legal aspects or the logistics, but I do know that what I see when walking down Charles Street is deterioration, I see mismanagement and it is very sad what is happening to these public housing complexes.

**Councilmember Rich:** I do know that Eastman Apartments, the elevator finally after months was fixed. That is good news, but it was fixed after several months of being out. I think the people that own Eastman also deal with Charles Street, so I am not surprised there are issues in both places. I have asked the new since committee to put Eastman on the committee to take a look at what is happening but Eastman has deteriorated greatly in the last few years. The other thing that may be useful in recycling is, I have been told that if you do not have a bin or don't want to use a recycling bin then you can use basically your own garbage can and put on it 'recycling'. Is that true? Yes. And I do not think a lot of people are aware that that is an alternative. I am basically right at the edge every week and I am just one person, so I think if they use a garbage bin they might find it useful for them to recycle.

**City Administrator Bunyi:** We will put that information out sir.

**Councilmember Petsas:** My final two things. One is, were you able to review the resolution that is being pushed, if you could fill us in on that, I read it and believe it a worthy resolution that this council should look at passing and endorsing. But perhaps you could say more.

**Councilmember Mallory:** Is this about vacant properties?

**Corporation Counsel Ackermann:** We have actually been working with the Attorney General's office for the last two or three years. Initially started with Pace, the AG's office reached out to us and we were pretty far advanced in our study of the vacant properties in the city of Poughkeepsie. We were getting a handle on our registration process, so we worked with them to complete our data and to go forward and kind of take a case study to see what actually needs to be done. A lot of our recommendations, as you are probably aware, the real property action proceeding law was changed a couple of years ago to require that banks maintain the property from the date that they receive a judgment of foreclosure until the date they actually take title of the property. Before as they would just take title of the property and sit on the deeds and our position to the Attorney General's office is that it was just not far enough because there was no incentive for them to foreclose because they would have to take responsibility for the property, so they would just sit on them, they would pay the taxes and the status quo would maintain for the city of Poughkeepsie. So, when we were working with the AG's office it was our position that the law had to take or put the initiative on the banks once they know about a potential default that they need to check the property – is it occupied? Is it unoccupied? What was the condition of it? So, I think from the city's perspective that that was included and the law was a good thing that we were advocating for, that once they know that there is a default or have a reason to believe there is a default because a property owner notified them that they were just going to walk away from the property, there is an obligation to inspect the property and see what the conditions are. The second thing is that it is very time consuming, it is tedious work to maintain, for a municipality, a list of the vacant properties – it is constantly changing, it is tough to notify the lender because you do not always know who the lender is or the servicer of the mortgage at the time. So another thing that this legislation does is it proposes is a state wide registry, so at any given time we would know who at that point would be the owner or servicer of the mortgage. So, in those two respects I think it is a step in the right direction and I hope it gets traction. The third thing the city had been asking for is not in the proposed legislation, but I have been told by the Attorney General's office that it would be open for discussion, is a requirement that the lender's post a bond if they do find that the property is vacant or abandoned so that the municipality would have some guarantee that if they don't take care of it the municipality would take care of it and we would just draw up that bond. So, that wasn't included but in my conversation with the Attorney General's office they have indicated that they are not opposed to it, that they would review it and that there is potential that that would either be put into the law, subsequently after the adoption of this law that it would be amended to provide for that. There are some cases going on right now that everybody is monitoring and watching and that may be a reason why at this time it was not included, but what was included I think is helpful to the municipalities so we would probably suggest that this council pass the resolution at least supporting it.

**Minority Leader Klein:** Tell me, this bill it seems like it has some laudable provisions, particularly in a municipality like ours where we have homes that were abandoned but we also must recognize that, if I am familiar with the foreclosure process, a lot of folks do not abandon the home if they do not pay their mortgage, they stay there for months and even years. Tell me, whenever you have a law that kind of comes down on one side it is kind of like coming down on a water bed – goes down on one side and up on the other. Has there been any input, or did the

Attorney General seek any input, from the residential banking industry? In other words, if you want to impose conditions upon what mortgagees do, that become for them very burdensome and expensive, for instance having to post a bond – that may be a good thing to do – are they going to stop writing residential mortgages in NYS because of that? In other words, has any input been sought from them, not that you're going to do whatever the banks tell you to do, but has there been any input gotten from them about what they are going to do? Property values are down and it's a bad situation. So I am just wondering if there has been any input gotten from the banking industry regarding provisions like this.

**Corporation Counsel Ackermann:** That's a good point and we've had the conversation with them at the Attorney General's office because the lenders are going to be strong and I think the position at the Attorney General's office, and I don't necessarily disagree with it, is that when you propose a bill, you propose what is most favorable to you because you know at the end of the day with the banking industry it is going to get watered down. So they'll present an opportunity for them to comment on it, for the bill to go through amendments and the lobbying from the mortgage broker's associations that will go out and support it. So, at the end of the day what we see now is not what is going to get adopted, so there will be that opportunity. But my position to the Attorney General's office, and part of the conversation I had with them, is that a lot of what's included in this legislation is stuff being proposed that most of the lenders have already agreed to, in they've agreed to federal regulations – whether it be Fanny May or Freddy Mac – and those regulations contain some provisions, they were just never enforced. The federal government doesn't enforce them, so they can't really be surprised that these are the requirements that are now being posed onto them because for the most part they have already agreed to them when they packaged and sold or they agreed to the regulations of the federal government. So I don't think it should be anything that should be a shock to them, but I think at the end of the day that it will be something that will be discussed and what we see today probably won't be the final product but if we can get anything out of it it's probably going to benefit the city of Poughkeepsie.

**Councilmember Perry:** I am just wondering why the process dealing with foreclosure is so slow and then at some point no one knows if the banks own the homes or if the so called property owners own the homes. In the meantime, while all of that waiting process is going on we have accumulated over 300 houses in the city that are abandoned or empty for that matter. Why is the process so slow?

**Corporation Counsel Ackermann:** If you want my dissertation on this we will be here until well after midnight. I'll give you the condensed version. First of all there really is no legal discrepancy about who owns the building, there is a discrepancy in the person that may live in the building or may have the mortgage, in the fact that they feel if they don't pay their mortgage that they turn their keys over to the bank or write to the bank and say "I am not paying my mortgage anymore, I am walking away from it so it's yours" – that doesn't change legal title of the property, they are still the owner of the property and technically they're still responsible for it. Whether or not the bank actually forecloses on the property, legal ownership of the property does not transfer from that homeowner to the lender or to somebody else until an actual foreclosure proceeding is done and complete. And that completion is the point where the legal interest changes. But there is this misnomer to many people that 'when I leave the property and I

abandon it and leave my stuff out that I am no longer the owner of it' and that's just not the case. Why does it take so long? Because for various reasons that generally support the mortgage industry, in that either they don't want to take the responsibility and they don't want to take the ownership of the property right now, because they know if they go through the foreclosure proceeding they are not going to get nearly what their mortgage is worth and they're under water in it so they'll sit on it and they'll hold it and wait until the real estate market comes back and they'll be able to get a little bit more value from it, so that's one reason. The other reason is that maybe they don't have the proper paperwork to foreclose and the foreclosure process, federally regulated and somewhat state regulated, is just cumbersome that it is just hard for them to do. It is not an easy process, everyday there are more and more regulations on the foreclosure process and how you accomplish it and that is time consuming. I am sure Councilmember Klein can testify also that from the time that you file the first step in a foreclosure action to the day you actually get a judgment of foreclosure, if everything is smooth and everything goes in the right direction, it could be six months. And that is a time consuming process and an expensive process for the banks to do and sometimes they just don't have the proper paperwork to do it.

**Councilmember Perry:** I think, in my opinion, that's designed to happen that way. And no one rushes that because it sits there. If you look at all the buildings in the city of Poughkeepsie that are run down, this, what you just described is the cause of that in most cases. But, yet I can guarantee you that in six months from this I will be sitting here asking you the same question and you will probably give me the same answer – because nothing has happened between that time. I am not blaming you; I am blaming the system that creates that. Something should be done about it; it's amazing that when those things are happening no one has an answer. And so the city of Poughkeepsie can continue to have 300 miserable looking buildings and the neighborhoods decline and it goes on and on and the banks, who are the rich people and the poor persons are the ones who purchase the home cannot pay their mortgage. There has to be a time set on the table and maybe some decisions, so that our cities and not just the city of Poughkeepsie don't continue to deteriorate. But as for the banks and all these other people who are going nothing about it, its time they start doing something, otherwise our cities will continue to go down. Someone should be looking at doing something about it and not going so slow about it because you could look at the city and see the condition that its in – how long are we supposed to wait?

**Corporation Counsel Ackermann:** I don't normally make philosophical comments about stuff, but I think and always have said this, is that the only way this is going to turn around is if the economics make sense again. Until you bring up the property values and it makes sense for these banks to foreclose and the properties are not so underwater anymore, that's when you will see resolutions on this process and I think you say 'someone needs to do something about this' and I think this council is doing something about it when they adopt say the, pace and initiative to strengthen your downtown. When the economics come back and make sense, that is when you will see a resolution to this problem and you're not going to have these abandoned properties.

**Councilmember Perry:** Thank you for that comment sir, I appreciate that. But if you look at the fact that there are many homeless people, while 300 homes are either abandoned or empty, how do we solve that problem?

Official Minutes of the Common Council Meeting of Monday, May 5, 2014

**Councilmember McClinton:** Just wanted to say one thing, we wanted the signs put back up on Main Street and Hamilton that stipulated you needed to have your dog leashed and have a pooper scooper because the dog poop on Main Street is despicable. You really have to play hopscotch, and the gentlemen that came before who was in a wheel cheer, I promised him I would look into the fact that the signs were taken down for some reason that say you could be fined and that you are responsible to pick up your dogs fecal matter.

**Chairman Mallory:** Well the City Administrator can take care of that, or DPW can take care of that for you.

**XII. ADJOURNMENT:**

A motion was made by **Councilmember Petsas** and seconded by **Councilmember McClinton** to adjourn the meeting at 10:00 p.m.

**Dated: July 29, 2014**

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, May 5, 2014 at 6:30 p.m.

**Respectfully submitted,**

**Deanne L. Flynn  
City Chamberlain**



**COMMON COUNCIL MEETING**

Common Council Chambers

Monday, May 5, 2014

6:30 p.m.

**I. ROLL CALL**

**III. REVIEW OF MINUTES:**

**Common Council Meeting of Monday, April 7, 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:**

- 2. FROM COUNCILMEMBER HERMANN, Resolution R14-34, amending the Administrative code to require attendance by Board Members.**

3. **FROM CHAIRMAN MALLORY**, Resolution R14-35, providing for the segregation the Joint Water Board operating funds.
4. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R14-36, Municipal Home Rule Resolution supporting amendments to the enabling legislation for the Poughkeepsie City Library District regarding nominations of trustees.

**IX. ORDINANCES AND LOCAL LAWS:**

1. **FROM CORPORATION COUNSEL ACKERMANN**, Ordinance, O-14-5, amending Article 9 of Chapter 13 entitled parking meters.

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

7. **FROM WENDELL ENERGY**, a presentation regarding the financials on the LED lights.
8. **FROM CORPORATION COUNSEL ACKERMANN**, a communication regarding the proposed amendments to parking regulations on South Avenue between Montgomery Street and Franklin Street.
9. **FROM BRIAN DOYLE**, a communication regarding a grant for Family Partnership Services.
10. **FROM ADAM YASIEJKO**, a notice of property damage sustained on April 9, 2014.
11. **FROM HECTOR MORALES**, a notice or property damage sustained on April 9, 2014.
12. **FROM ABIGAIL MORALES-ROSADO**, a notice or personal injury sustained on February 21, 2014.

**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT:**

