



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, October 7, 2013 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

II. REVIEW OF MINUTES:

Common Council Meeting of August 19, 2013

CCM 8-19-13						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	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 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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember 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.

ADD

VII. MOTIONS AND RESOLUTIONS:

4. FROM CORPORATION COUNSEL ACKERMANN, Resolution R13-76,
Adopting the negative declaration pursuant to SEQRA for the Gateway-rezoning.

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

3. FROM MAYOR TKAZYIK, 2ND Quarter Quarterly Report
(May 2013-August 2013).

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

Mike Grande - Manitou Avenue – Distributed copies of newspaper article regarding a recent drug arrest. Two individuals were arrested with 370 glassine bags of heroin at a Manitou Avenue address, and they're still in business. This should be a Drug Free Zone. If you're within 1,000 feet of a school, there is to be no drug activity going on in that area, but it's still continuing. We have a Nuisance Committee. What about the landlords being held responsible? Even Ms. Johnson saw a girl outside and asked her what she was doing, and her boyfriend was going into the house and we know what's happening.

Rick Lambert - Parker Avenue - Owns a business and property on Parker Avenue. Spoke in favor of the zoning change at the Walkway area. Has owned his business for 16 years now. I've seen the changes (for the better) throughout the area. Some of the neighbors are skeptical – the businesses in the area. With Schatz downsizing, Smith Brothers no longer there, the boxcars not coming through there, it's necessary for the Poughkeepsie area. The future is medical facilities, which we have; colleges which we have (with the Culinary) and tourism, which comes with the train. This is a new industry for us to take over those jobs that have gone...I know my neighbors are skeptical – by them losing their businesses, but they haven't been on the bridge, as I have, to see the traffic out there. It would be convenient for those people in the city to bike in the Poughkeepsie area by making it accessible. Feels that the zoning is important and should be “pushed through” and will benefit the area. He talked about putting in a bike shop through the zoning change to accommodate all of this. He hopes that once his neighbors see it, they won't be as resistant to it. There are not that many but they have a viable industry – that they have the high paying jobs – I don't. But if there are more people like me, that would attract them from other areas, it will only benefit the City of Poughkeepsie.

William Smith - 42 Columbia Street – Not here for the Walkway or anything. I want to know who is looking out for the City of Poughkeepsie residents? It's not the Common Council. The Common Council agreed to lay off Sanitation workers, impose garbage fees for pickups, increase water and sewage, and in the same token gave \$115,000 for Recreation. I don't understand that. One of the things I'd like to get is my tee shirt, because over here, the tee shirt summer program for \$4,000. I'd like to get my tee shirt; I'm a resident of the City of Poughkeepsie and I think I'm entitled to a tee shirt, at least. If the youth wants recreation programs, let them raise their own money. Let them have fund raisers, bake sales, car washes; all kinds of fundraisers, like other communities do outside the City of Poughkeepsie. Thank you.

Ken Stickle - 118 Catherine Street – Wants the City to give the Council the Master Plan of the entire city before voting on the rezoning issue. Tired of people who want to put money into the City, but it takes 3 to 6 months to be told, “No, you can't put a business here.” We need to have a Master Plan. Doesn't want an outside firm coming in telling us how to do Parker Avenue or anything off the Walkway. I'm sick and tired of people

coming in to Poughkeepsie. Our Waterfront now looks like Newburgh's, Kingston's and Beacon's. We have restaurants and a little bit of housing. We have nothing different on the Waterfront...stop complaining about the Waterfront. We have enough restaurants in the Hudson Valley. What I want to see is the Master Plan before we rezone anything in the City. Back in the 1970's we had this "great little company, called Urban Renewal," the Federal government that came in and said they were going to give the City a ton of cash. We're going to make Poughkeepsie the modern city. They ripped down 600 houses, ripped up Main Street, devastated our business district because people were fearful to go shopping on Main Street. Two little malls on South Road, the Poughkeepsie Plaza and the Hudson Plaza and then the South Hills Mall did us in. Now, the South Hills Mall is in terrible dismay. This will continue if we keep allowing people in to run this City. We need to run it ourselves and we need to get it together folks. Enough is enough. We have no Master Plan for the City. Finally, can we please get a Master Plan? Let's not make a fatal mistake like we did back in the '70's with Urban Renewal. Thank you.

Naomi Brooks - 56 Dutchess Avenue - In support of the rezoning. Used to live in Pleasant Valley and saw Poughkeepsie like most suburban people would – a place to drive through on my way to somewhere else. There's a town historian there (Pleasant Valley) by the name of Fred Schaeffer, who took me around showing me some of the potential of the City. I started coming and lingering and I loved the bridge and the water. My children had grown, the dog died so I'd decided to come here and make a life here. I wanted a walkable community, vibrant city and I'm here to try to help with that. I'm seeing some of it unfolding on Main Street – some new businesses, artists, activities during the day and evening. Now when I'm on the Walkway and the Rail Trail, I find it hard to tell somebody where to go if they're getting off and walking around. The bridge's former use was zoned for Industry. The new use around that bridge needs us to be flexible and support its new use. My sister and I go away for a two or three-day vacation each year, trying to pick a community on the East Coast, that's a small walkable community that has restaurants, a place to hike. I like bike riding, she loves the water, I love going to parks – I love history. We picked a variety of places. This year, I'm encouraging her to come to Poughkeepsie. I hope she has as good a vacation here as we've had in the past. I hope future visitors will find as many interesting things to do around our current places. With this new zoning, I'm hoping that will happen. Thanks.

Vivian Alexopoulos - 18 Cedar Avenue – I've had several conversations with the City Administrator regarding this garbage pickup. He explained that it was the Common Council that came up with this ill-conceived plan, to have those of us who pay our bills, pay double because there are tons of people in the City of Poughkeepsie that are not paying their bill. This is a terrible plan. I already pay \$76.00 every 3 months. Whoever came up with this plan needs to rethink it. Let's go private, let's go for \$3.00 per bag, or whatever it was...this plan for me to pay for those people for those who don't pick up or don't pay their bills is ridiculous. I'm guessing all of you live in the City. I'm sure none of you want to shell out another \$76.00 every 3 months because people are not paying their bills. This is terrible. I can't believe you guys came up with this plan and didn't figure out how to collect from people who don't pay their bill. I'm not going to pay an

extra \$77.00 because you guys didn't come up with a good plan. Paul Herman, my Councilman is a great guy. He's been trying to help me with this ridiculous plan. You guys need to come up with a much better plan that fits all the city residents; those who don't pay and those of us who pay, because those of us who don't pay cannot get on the backs of us who pay. I don't know how much money you guys make, but I know how much I make and I'm not willing to dish out another \$300.00 per year to cover people who are not paying their bills. I pay all the bills as they increase. You're taking things away, rather than giving us stuff for the money that we pay. You need to come up with a better plan and to figure out how to collect from those people that are not paying their bills. I'm not going to pay an extra \$300.00 per year because you guys didn't come up with a good plan. My bills increase every year; taxes, water, sewer. You're taking things away, rather than giving us stuff for the money that we pay. This is ridiculous. I hope you can come up with a fair plan that covers everybody and figure out how to collect from those who are not paying their bills...I pay my bills. Otherwise, you'd have a lien against my house – you'd be handling it. Figure it out. I'm not going to pay an extra \$77.00 every quarter.

Constantine Kazolias - 47 Noxon Street – Those garbage fees will be paid or else the deed will be sold and will eventually go into the sanitation enterprise system. Let this thing come around, but the proposal in the budget to double it is ludicrous and a scare tactic as far as I'm concerned. I just want to say one thing in passing. That woman that was killed in Washington was uncalled for and that local police officers should have federal training coast to coast. Read a statement (see attached). **Stated he had a report that the Council could also read...**Let the sanitation enterprise system go full cycle, and reducing it to \$13.00 is ridiculous.

Sean Reilly – Employee of Poughkeepsie Water Plant – Employed by the City of Poughkeepsie for 15 years. The Council votes for budgets. When the Water Board came up with a proposal, Mr. DuPilka said, "Let's privatize, save money and privatize the lab." We had 24 hour monitoring. We went private; 6 months later you got a problem. You all need to take blame for it, because you all voted on our budget to get rid of our two positions. How much money did it save you? You're not paying your bills. I've worked here 15 years – my insurance comes out of my paycheck. I had emergency surgery two years ago. The bills haven't been paid yet. Mr. Bunyi doesn't want to pay them; he says I handed them in too late. Well, I send the bills as I get them. I don't know why the bills come to me – I pay my insurance through my paycheck, so my insurance is paid. My co-pays are paid. I have several thousands of dollars of credit ruining my credit, because he doesn't want to pay his bills. He's ruining the City. You want to privatize Sanitation – go ahead. The buses...everything; this place is going to be a dump. So, people aren't going to pay, privatize everything. See where it gets you. Have a nice day.

Jeff Anzevino – Director of Land Use Advocacy for Scenic Hudson - Thank you for the opportunity to address you once more about some of the benefits that would be provided by the Walkway-Gateway Zoning, because a recent media report indicated that a business owner expressed some concern that proposed zoning should help local business. I want to reiterate some of the ways we've reached out to the business

community and the people who live along Parker Avenue and crafted the zoning to respond to their concerns. Before we started the process, we sent notices to 116 property owners and invited them to a meeting on June 26, 2012, a kick-off meeting to get their input. Someone suggested another meeting was needed and should be held on a weekend, and closer to the Gateway area so that others might attend. We thought it was a good idea and we held a second meeting on Saturday, October 20th at 10:00 a.m. in the basement of Our Lady of Mount Carmel Church. Based on input from both meetings, draft zoning was prepared and refined with the benefit of further input at meetings at City Hall on September 25th. Also, at the Italian Center on April 16th. There were about 50 or 60 people at each meeting, including several Council members. Fifteen months ago, when we started, I didn't think there was much call for Light Industry along Parker Avenue, but I was educated by the people of the very first meeting. They told us about businesses, like Taylor Mfg. and Harmon and Castella Printing. So, we added a zoning district called the Gateway Office Mfg. so that Light Industry can continue operating as permitted uses. But that district allows professional offices, art galleries, industrial bakeries, hotels and inns, fitness centers and upstairs apartments. Those are uses currently not permitted in that district. So if someone has a business and wants to sell it, the chances of a sale under the Walkway-Gateway Zoning are improved because there are more choices in the types of businesses that can be conducted there. Council President Mallory and Rick and Lisa Lambert (owner of Sidetracks) convened a meeting of other property and business owners (mentioned several). Heard a comment earlier regarding imposing some program on the city. This program is a result of the Dutchess County Regional Chamber of Commerce (DCRCC) – I have a letter of support from them. Walkway and Scenic Hudson and the DCRCC are all City organizations and we've been working closely with Council members and Paul Ackerman, Tom O'Neil from the Planning Board from the Planning Board. In closing I have a short story. My good friend is a professor at Bridgewater State University, in Massachusetts. He told me he asked his students where they're from. One young woman, a freshman, said, "I don't need to tell you – you've never heard of it. It's a small town." He replied, "Well, try me – I'm a geographer." She said, "Well, I'm from Poughkeepsie." James said her face lit up when he said, "Oh, I've been to Poughkeepsie. That's where Walkway-Over-the-Hudson is." So, I'd call this Poughkeepsie Proud and I'd like to see the pride that's been instilled in the City of Poughkeepsie because what we have here at Walkway, extended out onto Parker Avenue so that the whole city can benefit from this zoning. Thank you so much for the opportunity to address you tonight.

Ann Armater – 53 Adriance Avenue - Thank you for the segway on "Poughkeepsie Proud," because I'm here tonight to informally represent a lot of different neighbors. We're becoming, "Poughkeepsie Nervous," we live in an area of town where there's suddenly an increase in crime. I'm a little disappointed that there hasn't been some kind of Public Notice or letter from you, Mayor or the Chief of Police informing the residents know (perhaps a chance of plan) of how the crime rate is being addressed. We suggest that there should be some kind of commentary made to us about some plan of action. Maybe the way Police are being scheduled but might be changed. There's been an attempted break in at my home. The Police were extremely responsive, but also quite positive that this happened in the broad light of day and for the dog that lives with us.

They think that she is the reason why the break-in wasn't a success. We would respectfully request that some kind of commentary be made for City residents about any plan of action that might be in play, to address crime and perhaps reallocate Police resources appropriately. Thank you.

Tron Melton - Morgan Avenue – Before I started, I wanted to give an apology to the Mayor because of erroneous and false allegations that were made. I was led astray, but that's no excuse and I should have checked it out first. I was going to apologize to you in private, but since I made those allegations in public, I felt that that was the way to go. So, it wasn't true what I said. Something appalling and degrading happened to me a few weeks ago. While looking at and verifying an abandoned house, a neighbor located at 129 Hooker Avenue, next to the abandoned house approached me, as has been the case when looking at other abandoned houses. So I explained that I was checking the condition of the house and making sure no one was living there to be considered viable and possibly add it to the list. If it wasn't secure, we'd secure it either by closing an open door, or putting wood on it. I informed them that we have almost 400 properties that are abandoned and could provide housing for different people and we also want to prevent them from deteriorating to a point where there's no redemption in those properties. People start to stay there, committing fires and creating all types of crimes. So he left. As I was taking pictures from various angles, Nina Boyd drove up the driveway. So, I went to greet her. So, as I went to greet her, she asked me if I was looking to buy this house. I told her I was not. She then stated that Mr. Ackermann stated to her that nothing could be done with this house. I said, "I didn't know anything about that." She again asked me if I was trying to buy this house, because the neighbors at 129 Hooker did not want to have any poor people living next to them. And, I felt shocked and hurt by this. How could you tell me the neighbors don't want poor people living next to them? How can they even say that? I felt like I was living in 1913, instead of 2013. As I was talking to Nina, then comes Ellen Staino, a woman out of the house with a baby in the carrier and the man with two boys. He said it was dangerous where we were standing because there was asbestos in the building and outside of the building there was black mold. So, I'm thinking, if there's asbestos and mold, why would you be standing here next to me with an infant and two little boys? That didn't make sense to me. This may have been a ploy, because they might have figured I was trying to buy the house (which wasn't the case), but they thought I might be trying to buy the house and that they didn't want me there, living next door to them. I thought this type of mentality, in 2013, had passed. The way that I was treated made me feel like I wasn't even a man, not even a black man. I felt like the lowest form of life at this point. And for this to go on the way it has been; and these were the neighbors...I didn't know them...

Chairman Mallory: Mr. Melton, would you wrap it up, please?

Tron Melton: ...so I felt like the lowest form of life, which means to me like the "N" word. I shouldn't have to feel like this in this day and time. And, I found out why the people had moved out. It had nothing to do with asbestos or anything like that. I just felt that these neighbors, from this neighborhood wanted to keep the neighborhood "pure" and didn't want any black or brown people living there.

Darrett Roberts - 148 Franklin Street – I was just listening to the people talking about the sanitation system and doubling up the payments every quarter. He knows a lot of people who cannot afford to pay \$300.00 per month extra, especially, if you're on a fixed income as it is and they don't have enough money to go around and pay extra for sanitation. Especially, since other people aren't paying it, it would be an outrage. I'm grateful for the recreation part, because in a sense because that \$150,000 is for the children will also help keep them off the streets where they get themselves into trouble. It's good thing and a bad thing as far as I'm concerned because we do need the recreation to keep our youth occupied. I wish we could get more support for jobs in this community. It would really help out in the long run with everybody. But I do agree with the people who have to pay the sanitation tax for extra money for their property, which they're paying for. They're the ones paying the most while others are not paying. That's not right either. That's all I have to say on the matter. Thank you very much.

Doug Nobiletti - 145 Academy Street – Also a property owner at 328 and 330 Main Street. Good evening, Council. Good evening, Mayor. I certainly can agree with what was said. We have definitely got our hands full with problems. Our reputation is rapidly declining...the City is back-sliding. We are losing precious ground which we've made over the past few years. Crime seems to be running rampant. Murder seems to be at an all time high. I really wanted to come here and talk about the proposed parking issue for Market, which is also being pilot planned for parking meters up and down Main Street to the Waterfront. One of the reasons why you heard some businesses were in agreement with the metering was because they needed better parking rules to facilitate them doing business. Some, such as the restaurants needed greater parking terms than 1 hour parking terms and others, like small retailer businesses that need the availability of short term parking. Metering is acceptable if executed at reasonable rates, and in small 15 – 20 minute increments with a maximum limit of say, 2 to 3 hours. I may be wrong, but my understanding is that we're going to a \$2.00 per hour rate and can there are no lesser increments. You buy it by the hour. That's going to put all the small retail businesses that sell newspapers, gum and anything else that's a convenience for people to come downtown to get...no one's going to want to pay another \$2.00 on top of their newspaper fee. In addition, the manner in which it's being discussed is detrimental to the City as a whole. It's being discussed in terms of being a revenue generator and it sounds predatory, when in fact, it's supposed to be used as a tool to facilitate the needs of the businesses and the subsequent revenue is the secondary benefit. Sadly, the message we give is at odds with the message we need to give. Instead of saying, "Come to our busy downtown," we're saying, "If you come, we're using you to fix our financial shortcomings and do so at your expense." With the murders and the crime, it will be a wonder if anyone wants to come to the City. We cannot charge admission to a city where people do not feel is a safe, "walkable" community. He feels that rezoning Parker Avenue is a step toward making that neighborhood more "walkable." It's where the Walkway is. He used to be fearful that such rezoning would create business opportunities to replace what's going on on Main Street, but sees the City in such a sense of decline, that he's willing to take everything and anything to improve the odds that our City succeeds. That is a job that all of you must tackle. He doesn't agree with Mr.

Stickler that it sometimes does take an outside force to give a better perspective on things. Because “Self-Management,” is sometimes the death knell for many a business. Thank you.

Barbara Clark - 29 West Arnold Road – the City has a rare opportunity to make history. I tried reading through this, “Bible” but didn’t get through it all. What I grasped is we’re leaving the onus on the Planning Board and Development (whatever that potential development may be). I believe that regardless of new development and what happens with the Planning Board, the City needs to take ownership by starting the ball rolling in placing signs and getting, “pedestrian ready,” for what’s to come. I go on the Walkway 3 to 5 times per week. And noticed that we have an overabundance of “Leaf Peepers.” They think walking on the Walkway is wonderful but they don’t know what to do after that. I’ve walked the “Loop,” as it’s called and it’s very easy for even residents to get lost. When people get lost, they tend to feel fearful and that’s the last thing we want. So, in addition to this lengthy proposal I urge you to make the signage better and make it more friendly for our tourists. Thank you.

V. MAYOR’S COMMENTS:

Mayor Tkazyik: Thank you, Mr. Chairman. Good evening Council Members, members of the public. Thank you all for attending this evening. Before you tonight is the adoption of the Walkway-Gateway Zoning District (W-G). Going further, onto some of the comments and highlights that were mentioned here tonight, this is exactly what the proposal is going to do. It’s going to be a further tool for the City of Poughkeepsie to attract those other different types of amenities within the Walkway-Gateway neighborhood. Right now, it’s restricted to an old Industrial Zone. This amendment of course, will allow for additional opportunities with existing properties, vacant properties and future growth and development with a corridor that has seen over a million visitors. Being the second visited State Park, right here in Poughkeepsie, right next to Niagara Falls. The Walkway-Over-the-Hudson has certainly been the single most economic development engine for the City of Poughkeepsie and Dutchess County as a whole. So we strongly support this amendment. This amendment of course, has been taken into account working with City staff, the “Chamber,” with various groups and organizations and community outreach and support and input. And, all of these areas in which this new language is going to be adopted, all of course, centered itself around an existing Master Plan which was created back in the early 1990’s. However, with change and with area growth and development and new opportunities, some of these changes need to occur through zoning amendments. And, this being an additional piece of that puzzle on top of an entire Zoning Code which we intend to adopt city-wide by the end of this year. In relation to some of the other neighbors on Adriance and other parts of speaking about crime or crime-related issues, I would be happy to meet (and the Chief would be happy to meet) with any group, organization or neighborhood association regarding strategies, implementation or deployment of Police personnel services as well as our collaborative efforts in working with the State Police and the Sheriff’s Department, and a Task Force through various initiatives. So, I would be happy to meet and discuss that with any neighborhood committee or association that would like to discuss the issue of crime within a particular corridor. In relation to the Sanitation User Fee: The Sanitation User Fee is in a

crisis. The City is only receiving approximately 60% of the revenue. This is a separate enterprise fund which is adopted for the 2013 Budget. When the Enterprise Fund runs short, how is the City going to meet the payroll? We're only collecting 60% of the revenue. Where are the additional funds going to come from to cover the payroll expense for the sanitation service to be provided? We talk about tax liens. Yes, people who do not pay their water bill, their sewer bill, their taxes, it becomes a tax lien. That doesn't get recouped for 2 years, and that's dependent upon the City actually receiving close to 100% of collection. These are difficult, challenging times. I agree with some of the comments. Shut it down and go private, because that would be the most cost effective way for the homeowners and taxpayers to proceed with this process. However, it's an emergency situation going forward, because when you're only collecting a certain amount of the revenue coming in, and the expenses being what they are how are we going to cover that expense to continue to provide that service? We will have these deliberations and discussions during the budget review sessions, but I wanted to outline the scenario in relation to the Sanitation User Fee. It is its' own enterprise fund which is not collecting 100% of revenue. That is going to become a problem. It's going to get worse as this gap continues to build and we're not going to be able to pay the manpower to be able to provide the service. And, when that takes place, an emergency situation will have to occur. So, these are the types of discussions and serious exchange that the Administration will have with the members of the Common Council as we proceed through the 2014 deliberations on the Budget. It's something that we're all taking very seriously. We worked very hard to reduce debt and control spending and to seek many of the recommendations that the Office of the New York State Comptroller has encouraged the City to incorporate into its 2014 Preliminary Budget. So, I wanted to at least express where we are and the justification for looking at that increase verse shutting it down and letting the City go private, which I have said from Day 1 – is the most cost effective way for the taxpayer. Thank you, Mr. Chairman. That concludes my comments.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Mallory: Thank you, Mr. Mayor. Good evening, all. Just to clarify for those who expressed their concern and follow up a little bit with the Mayor. What is proposed about the double rate and all, is his 2014 Proposal that will be coming to Council for discussion. It has nothing at this time to do with the Council in itself, but his 2014 Budget Proposal. In regards to the Walkway...rezoning, I should say on that one. Participation by City residents, City of Poughkeepsie Charter Boards with this Administration and Council developed a partnership as it pertains to amending the zoning area of the Walkway that will be before us later this evening. By working together, the amended zoning code in the Walkway-Over-the-Hudson area will bring revitalization and opportunity to the North side of Poughkeepsie. The 1st, the 5th and 3rd Wards are impacted by this amendment. As you have heard from Councilmembers, those speaking at public hearings, seen in our previous and current packets and e-mails, this amendment can have a positive effect on the City of Poughkeepsie overall. The Town of Lloyd, Highland has approved the rezoning of Gateway to the Walkway by their entrance in Ulster County. If my colleagues on this Council choose to vote favorably on this rezoning amendment, I assure all efforts will continue to utilize involvement with our Gateway to Walkway Committee. Businesses and City residents will work in collaboration with representation from Ulster County to promote and market the

properties in the designated areas, but also maintain the integrity of our neighborhoods. At this time, the Council will go into Executive Session to discuss personal issues.

Motion to move to Executive Session by **Councilmember Solomon** and seconded by **Councilmember Boyd**.

Councilmember Solomon made a motion to resume the regular meeting, **Councilmember Boyd** seconded the motion.

VII. MOTIONS AND RESOLUTIONS:

1. A motion was made by Councilmember Solomon and seconded by Councilmember Boyd to receive and print.

Corporation Counsel Ackermann: Thank you Mr. Chairman, members of the Council. This was tabled from your last meeting. Before you is a proposed Environmental Easement to finalize the State Assistance Contract with New York State for the DeLaval site. This is the final document that will close this matter. We entered into the State Assistance Contract in 2005 to help financing of the remediation at the DeLaval site, and all the members of the Council had questions at the previous meeting. I think most of those have been answered. If there's any other questions I can help answer...

Councilmember Boyd: Is this also going to be a 99 year lease?

Corporation Counsel Ackermann: This will not end.

Councilmember Boyd: OK, so this is a 99 year lease.

Corporation Counsel Ackermann: No, this will go on until the end of time.

Councilmember Boyd: So, there's no term limit on this?

Corporation Counsel Ackermann: No, there is not.

Councilmember Boyd: So, if this has no term limit how does this work?

Corporation Counsel Ackermann: What's going to happen is, this is dictating certain controls over the property along with the site easement is a site management plan that will be filed with DEC and we will have to follow that site management plan and these controls that are set on this property, and it regulates the uses that can be used on this property and for commercial use only does not allow for residential...(inaudible)...

Councilmember Boyd: OK, so my question is, is the City giving out a lease...to Mr. Bonura?

Corporation Counsel Ackermann: This has nothing to do with the lease. This is just environmental easement with New York State; when we abated those environmental issues there...

Councilmember Boyd: I understand this has nothing to do with the lease. But, are we giving Mr. Bonura a 99 year lease...eventually on this property?

Corporation Counsel Ackermann: There is an agreement with the City that was entered into previous to 2005 and previous to this Council that provides for development of three parcels, which includes the Shadows parcel, PURA and the DeLaval properties.

Councilmember Boyd: OK, so this is just behind the property he owns right now. We're just going to extend the 99 year lease, it started at a different term, a time limit?

Corporation Counsel Ackermann: This has nothing to do with...

Councilmember Boyd: I understand that, but that was one of my questions. My other question is, since once we receive the certificate, is Mr. Bonura going to start doing something on the property?

Corporation Counsel Ackermann: From the knowledge I have, my understanding is that he is. That's correct.

Councilmember Boyd: But, we don't have a lease with him, so why would he want to develop the property if we don't have a lease with him?

Corporation Counsel Ackermann: Well, he has a significant interest in developing the property. He's expended a lot of resources already into that property, into the Shadows Development that he's already done, so the amount of investment into that parcel...he has a significant investment in it.

Councilmember Boyd: But, through the conversation that we had with him, he said that he's already put "X" amount of dollars into this property, but he does not have a lease with the City. Eventually, he will have a lease with the City. I understand this has nothing to do with the lease for the City, just the certificate for the completion of the clean-up, but...

Corporation Counsel Ackermann: Right, but there is an initial agreement that was approved for the development for that site. Based on that initial agreement he has done some work on DeLaval already which includes finalizing some of the capping and installing some of the utilities, based on some of the plans that have already been approved by the Planning Board and this body.

Councilmember Boyd: OK, thank you.

Councilmember Rich: Yes. Paul, can you give me the exact number of money the state paid to clean up DeLaval to its current use as a commercial property and how much the City owes (we floated some bonds)?

Corporation Counsel Ackermann: I can't answer that, but somebody from Finance could, probably.

City Administrator Bunyi: The State reimbursed us for \$9 Million. The total debt that the City has on DeLaval is about \$23 Million.

Councilmember Rich: Including the \$9 M?

City Administrator Bunyi: Including the \$9 M.

Councilmember Rich: So, you take \$9 M from \$23 M?

City Administrator Bunyi: Correct.

Councilmember Rich: \$14 Million and we're talking about not being able to bond anything...I remember voting because we had to get rid of asbestos, and give them more money to clean it up.

City Administrator Bunyi: If I remember correctly, Mr. Rich, what you voted on was the final \$6 Million the City was already at \$17-18 Million before that vote happened.

Councilmember Rich: That's a lot of money between us and the State. What do we get out of it then? Do we get some kind of income from the DeLaval site once it up and operating? How do we get something back?

Corporation Counsel Ackermann: The biggest benefit to the City of Poughkeepsie, is having a very attractive parcel that's now clean and free of environmental issues – including asbestos and other much more dangerous toxic material that was in that site. So we have a clean, buildable site, which is a very valuable thing.

Councilmember Rich: It's blocked off...you can't go there. I understood we were going to have a public park along the river and at the southern end, maybe something like an aquarium. That's been mentioned by Mr. Bonura on a couple of occasions. I'm just trying to say, we're making money on Shadows and the Grandview, I believe. Are we making money on DeLaval? Or, did we just get it cleaned up to be used for someone else? I want to get it straight so I can tell people what we did was a really good idea.

City Administrator Bunyi: At this point, I don't know how or when we'll make money on it, but the first thing that has to happen is the easement has to be done, it has to be filed. If I remember very clearly, at the conversations we had on the 4 and 4, basically, we had said it was going to take about 6 months to go through the process with the State before we get a free clearance to the property. At that point, my understanding is that Mr. Bonura is going to enter into an agreement with the IDA for a pilot. If not, a Full Assessment to be able to get this project done.

Councilmember Rich: Are we talking about PURA 14 or what are we...?

City Administrator Bunyi: Both.

Councilmember Rich: Are they connected? I thought PURA 14 is different than DeLaval.

City Administrator Bunyi: Mr. Ackermann can correct me, but I think he wants to handle both properties at about the same time.

Councilmember Rich: But, they're separate properties?

City Administrator Bunyi: Correct.

Councilmember Rich: It was through IDA, right?

Corporation Counsel Ackermann: They'd both be through the IDA.

Councilmember Rich: DeLaval was and is City owned property. It was supposedly public park property or we thought it was and used it as that.

Corporation Counsel Ackermann: That was addressed back when the original agreement.

Councilmember Rich: I know it was, Paul. It's in the 2nd Ward. I went down there and there were concerts, flea markets and dogs could be let loose (like a dog park). We got some use out of it before the clean up, and I'm assuming we're going to get a public park out of it along the Waterfront. I have no problem in voting for this, but I'm asking what's the future for us? All we'll get is debt? Do we get anything back for investing in this clean up?

Corporation Counsel Ackermann reiterated his previous answer with a clean, buildable and valuable piece of property and anticipates Mr. Bonura will want to capitalize on the investment he's made. He's got Planning Board approval for the project, etc.

Councilmember Rich: Do we get a pilot? Some money in some way, back?

Corporation Counsel Ackermann: Yes. That's part of the original agreement. Absolutely.

Councilmember Rich: How do we determine the overall worth of the property – before or after the development?

Corporation Counsel Ackermann: It will be dependent on the overall development of the property.

Councilmember Rich: I'm asking if this would be a pilot, because the City needs revenue. I want to be able to tell people that we have a new revenue source such as the pilots from the Upper Landing and the Poughkeepsie Commons.

Councilmember Perry: Thank you, Mr. Chairman. Who owns the property now?

Corporation Counsel Ackermann: The City of Poughkeepsie.

Councilmember Perry: How did the Bonuras get to clean it up?

Corporation Counsel Ackermann: The City cleaned that parcel up.

Councilmember Perry: What is meant by, “No term limit?” The 99 year lease has been floating around for quite some time. What does that mean?

Corporation Counsel Ackermann: The question is that this will continue in perpetuity as opposed to any 99 year lease and that’s based on the fact of how the property was cleaned up and to what levels it was cleaned up. So, unless it’s cleaned up to a different level than it is now, this Environmental Easement and the terms of conditions will continue to apply to that piece of property.

Chairman Mallory: If you don’t mind...I think she’s asking about this resolution before us now.

Corporation Counsel Ackermann: Yes, that’s correct.

Chairman Mallory: Will hold...

Corporation Counsel Ackermann: Perpetuity.

Chairman Mallory: ...any type of development.

Corporation Counsel Ackermann: Any type of future development on that property...

Chairman Mallory: No matter who leases it out, or anything else...that’s what she wanted to know. Continue; sorry about that.

Councilmember Perry: So, the 99 year lease will eventually go to these proposed owners – The Bonuras?

Corporation Counsel Ackermann: That’s correct.

Councilmember Perry: So, no one else is in line to get that property.

Corporation Counsel Ackermann: No, there’s already agreements in place for the development of those three parcels with the Bonura Family.

Councilmember Perry: So, that’s where the 99 year lease...you just said that’s an agreement, so there’s an agreement somewhere.

Corporation Counsel Ackermann: There’s an agreement but ultimately, the final lease, known as a 99 year lease people refer to as an agreement – that lease cannot be executed until this is done and some other things need to be done in order to transfer the properties.

Councilmember Perry: So, let me understand it clearly, this resolution that will be done between the City and the State - that has to be done regardless.

Corporation Counsel Ackermann: Regardless, correct.

Councilmember Perry: And from that point on, you can go into an agreement with the Bonuras? Is that it?

Corporation Counsel Ackermann: Yes.

Councilmember Perry: That agreement will be with no limits?

Corporation Counsel Ackermann: I don't know what you mean by no limits?

Councilmember Perry: Let me start all over. This resolution will be signed to facilitate the needs of the State...between the City and the State.

Corporation Counsel Ackermann: Correct.

Councilmember Perry: Am I clear on that?

Corporation Counsel Ackermann: Yes, you're clear on that.

Councilmember Perry: When that is done, what is the next step?

Corporation Counsel Ackermann: This will be filed. We will get from the State, a Certificate of Completion for this property, closing out this project. This, from the State's perspective stating, "City, you're free to go and develop your property however you see fit, transfer however you see fit within the terms of this Environmental Easement that was filed and approved by the Common Council.

Councilmember Perry: But, once that is done, the City can go into an agreement with someone else or just the Bonuras?

Corporation Counsel Ackermann: Well, the City has already obligated the property to the Bonura Family, so the next step would be that the City would then turn around and enter into the final lease with the Bonuras for the DeLaval property.

Councilmember Perry: For 99 years...or no limit? Which one?

Corporation Counsel Ackermann: 99 years. That's the agreed upon term already.

Councilmember Perry: Thank you, Mr. Chairman.

Councilmember Johnson: The final lease agreement – will that come before the Council, or is that done in the Mayor's Office?

Corporation Counsel Ackermann: No, the final lease agreement will come before the Common Council within the terms of the agreement that have already been adopted by the Common Council. Let me just put it this way, certain terms of that lease agreement have already been agreed to in prior agreements between the Common Council and the Bonura Family which allowed him to go forward and go to the Planning Board with a Site Plan and what-not. Within the terms of that, the final lease agreement will be developed. It will come to the Common Council.

Councilmember Johnson: OK, so the City invested roughly \$23 Million in the clean up of the DeLaval property. How much did the Bonuras contribute to the clean up?

Corporation Counsel Ackermann: Well, there was no obligation for the Bonuras to clean this parcel.

Councilmember Johnson: Exactly, so it was the State and the City.

Corporation Counsel Ackermann: Well the City is the owner of the property and it was our obligation to clean it.

Councilmember Johnson: With the State Grant?

Corporation Counsel Ackermann: Correct.

Councilmember Johnson: So basically, the monies came from the City and the State. They didn't invest any money in the DeLaval clean up?

Corporation Counsel Ackermann: No.

Councilmember Johnson: OK. Now, the 99 year agreement, the prior agreement, was under what Mayor?

Corporation Counsel Ackermann: I believe they were executed under Mayor Cozean.

Councilmember Johnson: OK, we have to make that clear. Under Mayor Cozean...

Councilmember Solomon: I think it was Collette.

Corporation Counsel Ackermann: Well, let me just clarify that. The process began under Mayor LaFuente. Those agreements were executed under the Administration of Mayor Cozean.

Councilmember Johnson: Correct, along with the 50 or 99 year lease along with the MTA and the Upper Landing parking lot? Is that a 50 year lease?

Corporation Counsel Ackermann: Off the top of my head, I don't...

Councilmember Solomon: 99.

Councilmember Johnson: And that was done under what Mayor?

Corporation Counsel Ackermann: I believe it was under Mayor Cozean.

Councilmember Johnson: OK, just to make it clear.

Councilmember Perry: 99 year lease is a long time and no one here will be around to answer to that.

Corporation Counsel Ackermann: In legal terms, 99 year leases are kind of fictitious ownerships and what it's meant to be is we are selling them the property. Tomorrow, with the DeLaval site...excuse me, with Shadows, that site that was already developed, the Bonuras

have always had the right to turn around for \$1.00 and purchase that property and be transferred Title outright. But the 99 year lease is a mechanism that is used to develop parcels. It's commonly done, and for the sole purpose of pilot agreements with the IDA...it's a legal structure, where ownership is meant to be transferred, but it's held because of economic benefit reasons.

Councilmember Perry: But, for example...

Corporation Counsel Ackermann: I'm sorry, can I just say one thing before it leaves my head?

Councilmember Perry: Yes, go ahead.

Corporation Counsel Ackermann: Nobody ever really thinks or anticipates that the parcel will ever come back to the City. It's just a mechanism to hold the parcel, pending their decision to actually take title to the property.

Councilmember Perry: But, is there a great benefit to a 99 year lease? You mentioned the word, "fictitious," and I'd hate to think I'm sitting here voting on something that's fictitious.

Corporation Counsel Ackermann: It's a fictitious legal mechanism. We benefit right now by having the property leased, as opposed to an outright purchase. It's in our interest to do that and we will continue to do that until they make a decision as to if they want to take actual Title to the property.

Chairman Mallory: What I'd like to share with Council members is that 99 year leases or any kind of leases are obviously a concern for all of us. We can continue this discussion under Unfinished Business, New Business or before we get to that lease.

Councilmember Johnson: I have a question.

Councilmember Rich: Are we voting on this now?

Chairman Mallory: That's what I'm getting at, Councilmember Rich.

Councilmember Johnson: We went into the initial agreement back in 2005?

Corporation Counsel Ackermann: The State Assistance Contract. That's correct.

Councilmember Johnson: OK. At any time when the project was cleaned up, could they have, without this easement started construction on the property? Because we all thought that by now there would be something there, because I saw plans in the past. So, could they have started construction prior to this Environmental Easement?

Corporation Counsel Ackermann: There were some hiccups to this, but the answer is, there is things that they could have done to start to develop the project and things they've already done. Utilities have been installed on the property, the cap has been completed. The

State was not in a rush to get this done because we weren't rushing the State because of the pending development of the project.

Councilmember Johnson: Is there a start date?

Corporation Counsel Ackermann: I can't answer that.

Councilmember Johnson: Is there development, because right now, we have the upscale steakhouse, the 3 parcels for \$100 and that's sitting as vacant land, and the DeLaval is sitting there...it's a great deal like you said, at some point with the 99 year lease, they may be able to purchase it for \$1.00. As far as construction, is there any...because I had a funeral (unfortunately, one of my constituents) so I wasn't able to attend the 4 4 meeting, but at any point during the meeting did they state when they might begin construction or building of some sort?

Chairman Mallory: He did share it with our meeting, and when we get that back from the State which is within a 6 month period he's looking to start something.

Councilmember Johnson: When?

Chairman Mallory: As soon as we hear back from the State.

Corporation Counsel Ackermann: I've been in contact with his attorney. Once we get a Certificate of Completion, he intends to move forward with the lease on the property, so...

Councilmember Johnson: So the pilot agreement program hasn't been worked out, yet. We'd have to wait for that.

Corporation Counsel Ackermann: Right.

Councilmember Rich: Yes, I also met with Mr. Bonura and it's basically what the Chairman said. Once this gets approved by the State, in say, 6 months, Mr. Bonura will start to get ready to build what was proposed. They will be building two buildings two stories in height so they don't block the view from Hudson Pointe. My understanding why we did a 99 year lease back in 2005, is because we had trouble selling this land for the price we wanted. Is that parkland?

Corporation Counsel Ackermann: No. It was swapped back, I believe in 2005.

Councilmember Rich: So, DeLaval is not parkland, but Shadows is.

Corporation Counsel Ackermann: No. Those parcels are not.

Councilmember Rich: But, in the back it's parkland?

Corporation Counsel Ackermann: There's a strip along the water that will continue to be the City of Poughkeepsie's.

Councilmember Rich: And a strip along DeLaval, that would be our park?

Corporation Counsel Ackermann: That's correct.

Councilmember Solomon: We keep referring to it as the DeLaval property, yet somehow or other, the City paid to have it cleaned up. What is the reason that the DeLaval Creamery Separator Company didn't pay for cleaning it up?

Corporation Counsel Ackermann: That's part of entering into the State Assistance Contract, because now they'll try to recoup if possible, monies not only from them, but other court fees they may have.

Councilmember Solomon: Oh, I wish them success.

R E S O L U T I O N
(R-13-72)

INTRODUCED BY COUNCILMEMBER SOLOMON

WHEREAS, the City of Poughkeepsie (the "City") is the owner of certain real property located at an unnumbered lot on Rinaldi Boulevard in the City of Poughkeepsie, formerly known as the "DeLaval Separator Property" and more particularly known as Tax Map No.: 6061-43-752749; and

WHEREAS, the City of Poughkeepsie entered into a State Assistance Contract ("SAC") with the New York State Department of Environmental Conservation ("NYSDEC") in November 2005 (SAC No. C302762) to allow the City to seek reimbursement for a portion of the costs necessary to remediate environmental hazards the site; and

WHEREAS, the site was remediated to commercial use levels only which includes passive recreation use; and

WHEREAS, the SAC requires the City grant an Environmental Easement to NYSDEC covering the property and to run with the land restricting the use of the property in compliance with New York Environmental Conservation Law ("ECL") Article 71, Title 36 for properties remediated for commercial use levels only; and

WHEREAS, a copy of the draft Environmental Easement is attached hereto as Exhibit "A"; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby authorizes, directs and empowers the Mayor of the City of Poughkeepsie to act as the representative on behalf of the City of Poughkeepsie in all matters related to, required by or necessary to fulfill the State Assistance Contract with the New York State Department of Environmental Conservation; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized, directed and empowered to execute all documents and take all actions necessary to comply with the State Assistance Contract including, but not limited to, execution and recording of the Environmental Easement in substantially the same form and substance as attached hereto and execution of such other documents as are necessary to convey the Environmental Easement to the New York State Department of Environmental Conservation, and to otherwise act for the City of Poughkeepsie in all matters related to the State Assistance Contracts and the Environmental Easement; and

BE IT FURTHER RESOLVED, that the execution and delivery of such Environmental Easement shall be conclusive evidence of approval of any such changes and of the authorization and direction by the Council; and

BE IT FURTHER RESOLVED, that the City Chamberlain shall be and is directed to transmit one certified copy of this resolution to the New York State Department of Environmental Conservation' and

BE IT FURTHER RESOLVED, that the Common Council hereby determines that this action is a Type II action pursuant to Title 6 NYCRR Section 617.5(c) (20) and (27) since it constitutes a local legislative decision in connection with routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment and as such no further review under SEQRA is required.

SECONDED BY COUNCILMEMBER BOYD

R13-72			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	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 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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. A motion was made by Councilmember Solomon and seconded by Councilmember Boyd to receive and print.

Corporation Counsel Ackermann: Thank you Mr. Chairman, members of the Council. This Resolution simply will set a public hearing for the Mayor's proposed 2014 Budget, pursuant to Administrative Code 14.04. That hearing is proposed for November 18th at 5:30 p.m. in the Common Council Chambers.

Chairman Mallory: Before there are any questions, I just want the Council to know that this is just setting down the initial Public Hearing on budgets. If we need to move and have other hearings on various budgets, amendments, etc. we can do that. This just sets a date to get public input on the first meetings.

**RESOLUTION
(R-13-74)**

INTRODUCED BY COUNCILMEMBER SOLOMON

WHEREAS, the Common Council has received the Mayor’s proposed 2014 budget for the City of Poughkeepsie and the budget message from the Mayor; and

WHEREAS, the City of Poughkeepsie Administrative Code section 14.04 requires that upon such receipt, the Common Council shall set a public hearing thereon, giving the public notice of at least ten (10) days in the official newspaper; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of setting such public hearing.

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie shall hold a public hearing to receive comment from the public concerning the proposed 2014 budget on Monday, November 18, 2013 at 5:30 pm in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York and the Chamberlain is hereby directed to publish proper notice of the above hearing.

SECONDED BY COUNCILMEMBER BOYD

R13-74						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	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 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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. A motion was made by Councilmember Solomon and seconded by Councilmember Boyd to receive and print.

Corporation Counsel Ackermann: Thank you Mr. Chairman, members of the Council. Three applications have been received by the Historic District and Landmarks Preservation Commission for designation. They are 328-330 Main Street, 83 Worrall Avenue, 317 Main Street and 115 Hooker Avenue. These are being referred to you by the Historic District and Landmarks Preservation Commission, pursuant to Section 19.4-54(f) of the City Code, the Council shall hold a public hearing. That public hearing is being proposed for November 6, 2013 at 5:30 p.m. for all three properties.

Councilmember Boyd: How far back are we with this Historic Preservation? I understand that we were backlogged because we couldn't get a quorum. Has the Mayor contacted his personnel that are on this committee to find out whether they were still interested or what has taken place?

Corporation Counsel Ackermann: I will find out what the backlog is and respond to you and also with regard to what's been done with the members and attendance at the Preservation meetings.

Councilmember Boyd: Thank you.

Councilmember Rich: I have a comment. We've already done a number of these Historic Preservation votes after they went to the Historic Preservation Commission – we've got three more to go. It seems to me that, not only is it good for the sake of history it's also good for the sake of the City of Poughkeepsie, being a historic city – one that people might like to visit and look at all the historic buildings that are protected all over the City. So I think it's a step in the right direction to make us a place people will want to come.

A RESOLUTION OF THE CITY OF POUGHKEEPSIE, SETTING A PUBLIC HEARING REGARDING THE PROPOSED NOMINATIONS OF 328-330 MAIN STREET, 83 WORRALL AVENUE, 317 MAIN STREET, AND 115 HOOKER AVENUE AS LOCAL HISTORIC LANDMARKS

(R13-75)

INTRODUCED BY COUNCILMEMBER SOLOMON

WHEREAS, 328-330 Main Street are commercial multiple-use structures owned by Nobus Group, L.L.P., whose Principal Executive Officers are Doug and Mechelle Nobiletti who are desirous of securing a designation of 328-330 Main Street as local historic landmarks; and

WHEREAS, 83 Worrall Avenue is a single-family residence owned by Gary Privratsky who is desirous of securing a designation of 83 Worrall Avenue as a local historic landmark; and

WHEREAS, 317 Main Street is a commercial, multiple-use building owned by 317 Main Street, Corp., whose Chief Executive Officer is Roy Budnik who is desirous of securing a designation of 83 Worrall Avenue as a local historic landmark; and

WHEREAS, 115 Hooker Avenue is a single-family residence owned by Nancy Cozean and Donald Jacob who are desirous of securing a designation of 115 Hooker Avenue as a local

historic landmark; and

WHEREAS, the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter “HDLPC”) held public hearing regarding the nominations of the above properties; and

WHEREAS, the HDLPC voted in favor of the proposed nominations and approved the applications; and

WHEREAS, pursuant to Section 19-4.5(4)(f) of the Code of Ordinances of the City of Poughkeepsie, the HDLPC’s approved applications were forwarded to the Common Council for consideration on October 1, 2013; and

WHEREAS, the Common Council is required to hold a public hearing prior to the designation of any historic landmark within sixty (60) days from receipt of the approved application from the HDLPC; and

NOW THEREFORE,

BE IT RESOLVED, that the City Chamberlain be, and she hereby is authorized and directed to publish a Notice of Public Hearing to be held on November 6, 2013 at 5:30 p.m. concerning the designation of 328-330 Main Street, 83 Worrall Avenue, 317 Main Street, and 115 Hooker Avenue as a local historic landmarks.

SECONDED BY COUNCILMEMBER BOYD

R13-75		Yes/Aye	No/Nay	Abstain	Absent	
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	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 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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Motion to receive and print by Councilmember Solomon and seconded by Councilmember Boyd.

Corporation Counsel Ackermann: Thank you Mr. Chairman, members of the Council. Before you is a resolution issuing a negative declaration. Later today you will be voting on a Local Law 13-2 which amends the Zoning Code to provide for the new Walkway-Gateway District (W-G) and its sub-districts. Before you is just a SEQRA Resolution which indicates that there's no environmental negative impact. We've considered the SEQRA regulations and those criteria contained in it and that you can vote on this today after reviewing this. And, this will be filed with the Clerk's office and transmitted to all the other interested agencies and in to the State.

Chairman Mallory: At this time I would like to take a 5 minute recess. Minority Leader [Parise] has brought to my attention that we have students that need their paperwork signed.

Corporation Counsel Ackermann: Thank you Mr. Chairman, members of the Council. Before you is a proposed Local Law that will amend the Zoning Code of the City of Poughkeepsie, by amending Section 19, 3.25 to approve Walkway-Gateway district. This has been the subject of a public hearing previous. It's been circulated to the County, the responses were obtained and incorporated into it. The Council just voted for the SEQRA Resolution with a negative declaration and, at this time, it would be appropriate for the Council to entertain the adoption of a Local Law.

Councilmember Herman: I want to be in favor of this proposal. However, I've talked to a couple of business owners who were kind of concerned. If the property becomes for sale, and it goes past a year and if someone wants to come in and purchase that property for what it was sited for, they wouldn't be able to. Is that correct?

Corporation Counsel Ackermann: Depending on the use, if it's a use that's now not permitted in the district of the subject district that it is obtained in, it would be considered a Non-Conforming Use, which would continue as long as it is being used. If in our code provides in Article V that, if the property is not continuously used for a year, then that Non-Conforming status would no longer apply and that use may not be permitted in the new district...depending on the use.

Councilmember Herman: Is there any way we can put in an appendix in this? I don't think it's fair if they've been there for 40 years and then decide to retire or sell, but can't sell because of economic times. However, if they get a buyer 14 months after the fact, for that business, he's not going to be able to do that. I'm all for advancement in the City...I'm a big proponent of it, but I don't think it's fair to the people that have been loyal to the City, been taxpayers to the City, that if they sell their property and it's not within a year, let's say the guy has a comic book store or a body shop and decides to retire suddenly. However, he's not getting any "bites" on his property. He can't sell it, but has a buyer for it 14 months later the buyer can't make it a body shop that it was originally built for. I think there should be an appendix in this local law to protect property owners and business owners to this community

to give them some kind of safety net. If a guy buys a property and doesn't want to use it as a body shop, that's his prerogative. But I think if a guy wants to buy the property 18 months down the road and use it for the use it was built for, I think he should be well within his rights to do that. So, unless there is an appendix for that that can reflect this, I'm going to vote, "No," on this because I don't think it's fair for the people that have settled in the City years ago. It's no secret that these are economic times and the guy wants to use it for what it was designed for and he's not going to be able to. I don't think it's right. So, I don't know if you can add an appendix or it's out of the realm to ask...

Chairman Mallory: We have here Jeff Ancevino from Scenic Hudson. I'd like to get a motion to suspend the rules to get his input on it, and have Corporation Counsel respond as well.

Motion to suspend the rules by **Councilmember Solomon** and seconded by **Councilmember Boyd**.

Mr. Jeff Ancevino: Sure. I think we can speculate about what might happen and who may or may not want to come in or what conditions may happen 14 months later. I think the reality is that we're giving...we're expanding the list of uses that are going to be available in that district. So there's going to be the chances of someone wanting to come in and purchase a building that was used for something else – perhaps an auto body store or shop or something else. The list of uses is going to be greatly expanded under the new zoning, so it would give much more opportunity for other types of uses. While what you're saying is valid, it may be that if more than a year passes, first of all a person would have a full year to sell it. If that use (i.e. as an auto body shop) is lucrative, someone would come along and buy it and use it as such. The reality is, on that corridor, with 500,000 people a year, visits a year coming to Walkway there's going to be lots of other types of uses, that will be as lucrative or more than some of the other uses are in that corridor.

Councilmember Herman: Well, there's been a diner that's sat there for 5 years and that's a big job/business opportunity for someone to open a diner by the Walkway. It's been there for 5 years.

Mr. Ancevino: The Walkway's been open now for 3 years. The reality is, someone can't come in and open a diner in that spot because it's zoned Industrial.

Councilmember Herman: It's an existing business. Why wouldn't they be able to?

Mr. Ancevino: It's not in existence. It's been out of existence for over a year. So, in an Industrial district you now have a vacant diner sitting there that can't be put back to use as a diner. It would have to go into some type of...maybe someone wants to open an auto body shop where the diner is.

Councilmember Herman: How is that fair if someone wants to open a diner there and it's an existing structure as a diner. You want to bring people in to come off the Walkway to

have breakfast, but now you're saying they can't use that structure as a diner. How is that fair?

Mr. Anzevino: Well, that's under your existing code. It's not under the code that...the code that we're proposing, it could be used as a diner. Perhaps I wasn't clear and I'm sorry.

Chairman Mallory: Corporation Counsel, can you explain what Councilmember Herman's asking about?

Corporation Counsel Ackermann: Just to go back to the other original question. The main point was dependency. It's not possible to attach a dependency to a zoning code that would provide certain protection for certain individual businesses in that corridor. I don't think that's something we can do...that can be done.

Councilmember Herman: I don't think it's fair. I'm all for advancement, but to tell someone what they can and cannot put there...that's an existing business there is ridiculous. How do we say this to the public that have been loyal taxpayers, loyal business people, have "bit the bullet," and stayed, "If you don't sell it within 14 months, you can't sell it for what it was designed for." I don't think it's right and is something that should be looked into. Like I said, I'm all for it. We've got to protect the people that are there who've invested their money, tax money, business people that are within that corridor for something in the future. That's something...you've got Harmon and Castell print shop – everybody's going to Staples now and he's out of business, and wants to sell the property. Yet, he can't sell the property. If someone comes in 14 months later and wants to buy it and use it as a print shop, but it can't be a print shop anymore – it can only be a bike store or something that conforms within the new local law.

Mr. Anzevino: Yes, just to be clear, print shops are permitted uses in the Office-Manufacturing district.

Councilmember Herman: I'm giving hypotheticals.

Mr. Anzevino: OK. I just want to make sure your hypothetical is grounded in fact.

Councilmember Herman: Well, the ground in fact that I'm concerned about is a business owner that's been here for 40 years, has multiple properties in the City has been told that if he decides to sell and can't sell within a year, he can't sell it for what it's designed for. Is that correct?

Mr. Anzevino: If he can't sell it, as Corporation Counsel says, a business that is not permitted which your auto body is one example, you're right. But as I say, there are a raft of many other choices that could be used that aren't available now.

Councilmember Herman: How is that fair to the guy who's been loyal to the City for 40 years? That's not right. That's not fair. If a guy comes in and says, "I want to give you a million dollars and I want to make it a cracker stand," that's fine, but if the guy wants to buy

it and keep it as it was designed, then he should be able to. You're basically strong holding and saying, "You have a year to sell it and if you don't, guess what? It's never going to be a body shop again." I don't think it's fair, so if we can't come to an agreement on some kind of amendment or to protect the people that are current business owners there, I'm going to be a "No," I'm going to be on record saying I'm going to be a "No," for this because I don't think it's right.

Councilmember Rich: Paul, a long time ago I was on the Zoning Board of Appeals and I remember something that was the most difficult to get, called a Use Variance, vis-à-vis an Area Grant Variance, which just meant there was a problem with sidewalks and driveways. If someone came before the Zoning Board of Appeals (ZBA), could they not get a Use Variance if the time is expired? Could they build the diner if the ZBA says yes?

Corporation Counsel Ackermann: Like you said, they're hard to get. There is the ability to get a Use Variance for properties and they would have to meet certain criteria, in order to see if they're eligible to do that. Economic return is one of them and you don't...it doesn't mean you'd get less economic return as they would as an auto body shop, using that example; it would just mean that they can't get any economic use out of the property as it is designed.

Councilmember Rich: OK. So if this goes into effect, they get one year to be able to make it a diner, and if it's more than one year, they'd have to go to the ZBA if they want it to be a diner?

Corporation Counsel Ackermann: That's one avenue, correct.

Councilmember Rich: So they have up to one year and they don't have to go anywhere.

Corporation Counsel Ackermann: They have one year. Under our existing code, a Non-Conforming Use can exist for up to one year.

Councilmember Rich: You've got to show proof that it's a really good idea, to go against the zoning.

Councilmember Johnson: So, we're talking about the diner. I used to love that diner. Councilmember Perry and myself were talking about it today. So, if someone were to purchase that building, they could not open up a diner.

Mr. Anzevino: Let me make sure that I'm clear. Its existing Industrial Use, a diner would not be permitted in that building.

Councilmember Johnson: But, a diner had been there for many, many years. It was already Industrial Use, wasn't it?

Corporation Counsel Ackermann: Right, it could have been a Non-Conforming Use either. Because it was there before the Zoning Code was adopted, or some appeal was granted, whether it be a Use or Area granted

Councilmember Johnson: It was a diner for many, many, many years. But now, all of a sudden, a diner can't be there so that's why I'm kind of confused as to now, all of a sudden a diner really can't be there. We know a diner is already there. It's just not occupied, and it was occupied before...I think that's the confusion.

Corporation Counsel Ackermann: Just assuming Mr. Ancevino is correct whether or not that is Industrial...

Councilmember Herman: It is. I have the zoning map right here.

Corporation Counsel Ackermann: It would have continued for a Non-Conforming Use and it would be allowed to continue be used for that purpose. Once it no longer is being used for that purpose...

Councilmember Johnson: You mean, once they closed, it would mean that Non-Conforming Use, that a new person cannot go there and re-establish that diner?

Corporation Counsel Ackermann: Under the new Zoning Code, assuming it's under the Industrial area, which I...

Councilmember Johnson: I find that strange because that particular diner was opened and closed quite a few times. I remember when we had the Grand Opening there with the new owners, so how were they able to get past all of this?

Corporation Counsel Ackermann: I don't think that they were ever closed for a year, and then reopened.

Councilmember Johnson: So the timeframe was short between the two owners?

Corporation counsel Ackermann: Probably, or it changed hands and never even closed.

Mr. Anzevino: And, Councilmember Johnson, that zoning was designed so that it can be re-established as a diner. So that's now going to be the zoning that we're proposing that is in the Gateway-Commerce district that allows things like diners.

Councilmember Johnson: That particular diner can be opened?

Mr. Ancevino: If that zoning gets passed, yes. That's why we're looking to re-establish these types of uses that belong in that area.

Councilmember Johnson: So, what is Councilmember Herman's concern?

Mr. Anzevino: Well, he's concerned about one particular business – an auto body shop.

Councilmember Herman: You just said that if someone wanted to come in and open it as a diner, they couldn't open it as a diner.

Mr. Anzevino: That's because the zoning right now is Industrial. Hopefully, we're going to change it so we can open that diner back up.

Councilmember Johnson: But it doesn't apply to the auto body place Councilmember Herman is referring to.

Mr. Anzevino: Right. An auto body shop is not permitted in a Gateway-Commerce district.

Councilmember Johnson: I understand what you're saying now. I recall you saying something like that before...I wasn't too keen on auto body shops and things of that nature.

Councilmember Herman: So a guy who's been a taxpayer for 40 years

Councilmember Johnson: Is he closed...

Councilmember Herman: No, he's not. But, a few people have asked me questions about it and I'm just trying to get educated between Gary Beck and Paul. I just don't think it's fair that it's limited to a gentleman who's been a loyal taxpayer to the City. Because of economic times, you close your shop and in 13 months you have a buyer, but it can't be what it was designed for. I don't think that's right, unless you want to "grandfather" that property in for somebody that wants to buy it as a body shop, fine. If not, then he can open it as whatever he wants. I think it's about fairness – you're kind of shutting the door to people who have been paying their taxes on that strip when the rail bed was nothing going across the river. Now, all of a sudden it's, who wants shops, we want everybody to come in but those people who have had businesses for a long time in the City should hope that they don't have to sell.

Councilmember Perry: Thank you Mr. Chairman. I was listening to Councilmember Herman and I thought that all the businesses that are there now would be allowed to stay and not have to in a year if they don't sell, they wouldn't be able to use it for what was used before. Am I understanding that correctly?

Mr. Anzevino: That's not correct.

Corporation Counsel Ackermann: I think you may be mistaken in that so long as the businesses continue to operate, they're free to stay as long as they operate. If they shut down and are shut down for more than a year, whether it be tomorrow or 20, 100 years down the road, that gap over one year will make their properties Non-Conforming. When it's re-established, it gets re-established under the new Zoning Code.

Councilmember Perry: Is that what the zoning is going to be, or is that the existing zoning?

Corporation Counsel Ackermann: The new zoning provides that city-wide, that Non-Conforming Use status. However, the new districts, that are provided the districts with several sub-districts will provide for new uses that are permitted and like Mr. Anzevino said, a lot of them are more...the districts have more permitted uses in those areas.

Councilmember Perry: So the diner will not have an opportunity to be open since it's been closed for over one year now?

Corporation Counsel Ackermann: Under the existing Zoning Code, that is in an Industrial area and therefore it was a Non-Conforming Use. Had it never closed, it would've continued to be operated in the Zoning Code as Non-Conforming Use. Now that it's been closed for more than a year, under the existing code, be re-established in that district. However, under the new Zoning Code, it would, under this new amendment to the Zoning Code, allowed to be established because now that is a use that is permitted in that area.

Councilmember Perry: Thank you, Mr. Chairman.

Councilmember Boyd: Asked Mr. Anzevino how he thought this would affect Main Street in the City, to revitalize it somehow.

Mr. Anzevino: I think it has some strengths going for it. It's been the commercial center for Poughkeepsie for a long time. It's got a good connection to the river, it's got a restaurant district there and I think by having a strong Walkway, it's going to make the whole city stronger and establish a better connection with Main Street. I don't think it's going to compete with Main Street. In fact, it's part of the Gateway-Walkway program. In addition to the zoning, there's branding. So, we're going to be having signs that direct people from the Walkway to Main Street. It's going to be called, "The City Downtown Discovery Zone." We want to make sure that when Parker Avenue is lifted up by its bootstraps and becomes a nice neighborhood, it's not going to compete, but that when people come to visit the Walkway, they're going to know how to get to the city downtown, Main Street, the Waterfront, Little Italy, all the other districts. We think this is a really comprehensive program that includes not only the zoning but the branding that's going to help distribute people throughout the City of Poughkeepsie to help support businesses in other neighborhoods as well.

Councilmember Boyd: Thank you.

Councilmember Solomon: Wanted to reiterate that the current Zoning Code does not allow a Non-Conforming Use to cease operations for more than a year. It cannot restart after that. Has had several instances in which that happened in her ward, and stated that that is the current law. Is hoping to broaden the base.

Councilmember Johnson: Zoning for re-establishing the diner is clear. Besides the auto body shop, what other businesses would be affected as a Non-Conforming Uses under the new Zoning Code in that area?

Mr. Anzevino: The gas station, convenience store, auto repair...

Councilmember Johnson: Would that include Hudson Valley Auto Shop?

Councilmember Herman pointed out all the industrial businesses in the area and a discussion ensued with Mr. Anzevino confirming all the businesses Mr. Herman named. It was determined that there is approximately 90% industrial businesses there that would lose the use if left vacant for more than a year – from the diner west is Industrial.

The answer to Councilmember Johnson's question was that Hudson Valley Auto Shop was located in the Town of Poughkeepsie and so it would not be affected by our Zoning Code.

Mr. Anzevino pointed out the fact that by having the Walkway there with 500,000 visits per year, what do you want to see there? What would make the area more lucrative – a tire store, junkyard or auto body shop [existing uses] if the business goes out of business and can't sell before one year's time? Stated that it's a decision the Council will have to make.

Councilmember Herman: If they're paying \$30,000 to 60,000 a year in taxes a year, now they're off the tax rolls, correct?

Mr. Anzevino: They'd be off the tax rolls one way or the other.

Councilmember Herman: I understand, but you've got to make it happy for the people who are existing.

Councilmember Rich: Why is it one year for a Non-Conforming Use – can't it be two years...? One year is not that much time.

Corporation Counsel Ackermann: The City has provided in the Zoning Code provides for a Non-Conforming Use. Obviously, you don't want to give too much time between if it's your goal that these are the standards and this is what's appropriate for that area. We want to make sure that what's there is appropriate to that area. Once the Council establishes by zoning, what they feel is appropriate the goal is to get those properties into conformity.

Councilmember Perry: Is this plan that is being worked on, would it be a financial gain for the City of Poughkeepsie, itself? Would it be a boon for the City by giving it financial help?

Mr. Anzevino: I certainly think there's a potential for that. And I think part of the reason you see such abandonment there is because there's not a lot of call for businesses like industrial businesses and that type of thing. So, we're opening up the opportunity for many different types of uses that could occur there. The chances of someone wanting to buy an abandoned building or vacant lot or another business there are greater because there are more things that can happen there under the new zoning than now when it's under the Industrial (and those types of uses).

Councilmember Perry: Mr. Chairman, if I go back to one of the statements one of the citizens said this evening, that there was a great plan years ago to construct the Main Mall. At that time we had parking meters and everything there. It was ripped up at least twice to facilitate a mall right in the middle of Main Street. Most cities love to have their Main Street. We wanted to turn it into a mall, and it failed miserably. I'm very concerned about what we're talking about on Parker Avenue and I'm hoping that you have a greater assurance than those great planners that constructed the Main Mall years ago. That's why I'm asking if it will be a financial boost to our City as opposed to the crisis and the problems that we had constructing a Main Mall that we really didn't need. That was poor planning back then and I'm hoping your plan will be a better one.

Chairman Mallory: Councilmember Perry, I would just like to emphasize that if it was voted favorably, I don't believe it stops here. I do agree with you. I do also believe that conversation with Administration, the Mayor, his staff continue to work on that one as I shared beforehand in my opening remarks. I do think the City needs to work hand in hand with Ulster County to market accordingly, on properties on our City-owned properties. So we need to do our due diligence of doing something different of marketing this particular area with the potential that it has onto that one. With just one idea or just one zoning onto that one, if it was approved it just doesn't stop or shouldn't stop with us signing off on it. I believe the committees in itself consisted of representation from the Planning Board, Corporation Counsel and others (developers, etc.) need to give their input about marketing and push that along accordingly. We don't have a Planning Department, but we can utilize those resources we have or expand the field to include other resources. So, I do hear your concern, but I believe if it's passed favorably, we shouldn't just have it stopped...done...passed...and hope for the best. We need to take a more active role.

Councilmember Perry: Thank you, Mr. Chairman.

Councilmember Johnson: How many businesses are there that will be affected with the new zoning? You mentioned junkyards and auto body shops and others...how many businesses that are related to the auto industry would you say are there that would not be in compliance if they closed their doors for a year?

Mr. Anzevino: I haven't actually counted them...

Councilmember Johnson: Maybe Councilmember Mallory can share.

Chairman Mallory: You have parts of Garden, Washington Street and one section of Bain and I think on one side of Orchard.

Councilmember Johnson: How many businesses would fall under the category of auto?

Chairman Mallory: Three or four.

Councilmember Johnson: Wouldn't that be a problem with the oil and gas contamination from the pumps for a buyer who would have to then go and get the property cleaned up

before he could then make it into a new use? Would that cost be considered in the price of the property?

Corporation Counsel Ackermann stated that not all sites are contaminated, so that's not always the case.

A lengthy discussion was held between Chairman Mallory, Councilmember Johnson and Mr. Anzevino regarding the pros and cons of the proposed Zoning Code. Councilmember Rich again brought up the possibility of changing the Zoning Code to a two year period for Non-Conforming Use instead of one year as it is currently. Corporation Counsel Ackermann and Chairman Mallory agreed that it could be possible to change in the future but it would have to be uniform throughout the City.

**RESOLUTION
(R13-76)**

**State Environmental Quality Review (SEQR)
Resolution Authorizing Filing of Negative Declaration**

INTRODUCED BY COUNCILMEMBER SOLOMON

Whereas, the City of Poughkeepsie Common Council is the SEQR Lead Agency for conducting the environmental review of a proposed amendment to the Zoning map and the text of the City of Poughkeepsie Comprehensive Land Use and Zoning Ordinance, City of Poughkeepsie, Dutchess County, New York, and

Whereas, there are no other involved agencies pursuant to SEQR, and

Whereas, the Common Council has reviewed a Full Environmental Assessment for (EAF) for the action dated August 14, 2013, the probable environmental effects of the action, and has considered such impacts as disclosed in the EAF.

Now, Therefore

Be It Resolved, that the Common Council adopts the findings and conclusions relating to probable environmental effects contained within the attached EAF and Negative Declaration and authorizes the Chairman to execute the EAF and file the Negative Declaration in accordance with the applicable provisions of law, and

Be It Further Resolved, that the Common Council authorizes the Chairman to take such further steps as might be necessary to discharge the Lead Agency's responsibilities on this action.

SECONDED BY COUNCILMEMBER BOYD

R13-76						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	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 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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

- 1. Motion to receive and print by Councilmember Solomon and seconded by Councilmember Boyd.**

**LOCAL LAW AMENDING CHAPTER XIX, ARTICLE III OF
THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED DISTRICT REGULATIONS AND MAP
(L-13-2)**

INTRODUCED BY COUNCILMEMBER SOLOMON

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

SECTION 1: The official Map of the City of Poughkeepsie as adopted by the Common Council on February 20, 1979 and as amended thereof is further amended by the addition of Section 19-3.25 entitled “Walkway-Gateway District” was is attached in is entirety hereto.

SECTION 2: Section 19-3.1 of Chapter 19 entitled “List of Districts” is amended by the insertion of “W-G Walkway-Gateway District” to the list following “H-M Hospital-Medical District”.

SECTION 3: by separate resolution the Common Council has previously determined that the action is found not to have a significant impact on the environment as stated in the Declaration of Significance, for the reasons stated therein; pursuant to 6 NYCRR Part 617.

SECTION 4: that the City Chamberlain be and she hereby is directed to amend the official Zoning Map in accordance with this Ordinance.

SECTION 5: This Local Law shall take effect immediately upon compliance with all provisions of the law, including but not limited to the requirement of filing this Local law with the New York State Secretary of State.

SECONDED BY COUNCILMEMBER BOYD

LL13-2						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	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 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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM PATRICIA RANDOLPH**, a notice of property damage sustained on June 30, 2013. **Referred to Corporation Counsel**
2. **FROM RUTBERG BASSO**, a notice of personal injury sustained by Linda Saland on August 29, 2013. **Referred to Corporation Counsel**
3. **FROM MAYOR TKAZYIK**, 2ND Quarter Quarterly Report (May 2013 – August 2013).

Chairman Mallory: Commissioner of Finance Brady, would you like to talk about the 2ND Quarter Quarterly Report? We'll direct all questions to you at a later time and date.

Corporation Counsel Ackermann: It's not the financial report.

Chairman Mallory: Sorry about that. I was wondering why you were looking at me that way.

X. UNFINISHED BUSINESS:

Councilmember Boyd: City Administrator, I received quite a few Contract Services but I was wondering about the Finance Department. We have expense ledgers with a summary listing of \$12,000 from January until June, and I don't have a sheet that says, "Contract Services," for Finance.

City Administrator Bunyi: Finance is part of the General Fund.

Councilmember Boyd: Finance is part of the General Ledger...if that's the case, if you have several employees that are already in the budget, so if they're already in the budget, why are they noted as Contract Services?

City Administrator Bunyi: For example...like if I went and had...my name should be on there because I did get a reimbursement for a Travel and Travel is under Contract

Services. That's the main reason that you will have employees being paid under Contract Services, because they're being reimbursed for an expense that they have.

Councilmember Boyd: OK, so it's a reimbursement then?

City Administrator Bunyi: Correct.

Councilmember Boyd: You have several people on this list that are employees of the City of Poughkeepsie and that are also in the budget.

City Administrator Bunyi: Correct. If you notice Education, for example, the Fire and Police Departments (especially the Police) there are a lot of people taking classes. They will have a 1099 that has to be issued to them. Once you get a 1099, and everybody here is familiar with that, you automatically become a contractor. Contract Services, because that has to be filed separate from your income when we file for the Income Tax.

Councilmember Boyd: All right. I have another question. When you supplied me with this, I made copies for the rest of the Council. The Debt Service Employee Benefits, Non-Department. This list is as of August 30, 2013 and is not up to date. A lot of people on this list have passed away and I'm wondering what this list actually means? Are these people that had worked for the City getting medical insurance?

City Administrator Bunyi: I'm not sure what you mean. If you give us a copy, we'll get back to you.

Councilmember Boyd: As for the User Fee brought up in the 2013 Preliminary Budget from the Mayor and the Mayor's current Administration, we, the Common Council (I'm speaking for myself and the Democrats), did not increase the User Fee. We have no intentions of increasing the User Fee. I have worked on this very diligently and have spoken to Corporate Counsel, Paul Ackermann to see if it would be feasible for us to put it on the taxpayers' bill, as the Water, Sewer and User Fee should be going on there as a tax. This way, we should take that tax, put it on the tax bill and collect it quarterly and I think that will suffice the problem of not collecting for the 30% or 40% that are not paying. Everybody would get a quarterly tax bill, and everyone will be responsible for their own quarterly tax bill. As for the crime, I don't blame the Police Department or Chief Knapp for the problems that we're having with the crime in the City of Poughkeepsie, but I want to let everyone know that from June until September of this year, I have lost 5 families due to crime. They just "Got out of Dodge," and actually lost several thousands of dollars selling their homes due to the crime. If this is a problem with the City, maybe the City needs to do something different. Maybe we need to contact New York State, the County, etc. because whatever we're doing right now is not working. Does anybody know anything about the bus service? If anyone has been in contact with the County, as far as drawing up a Mutual Agreement with them and will the Common Council have any right in voting on it. I have been personally attacked tonight by someone in the audience about a piece of property that happens to be in my ward of 125 Hooker Avenue. Yes, my constituents have contacted me on several occasions

regarding gentlemen that are there, trespassing. This house has been in foreclosure for some time and I think Corporation Counsel, Paul Ackermann would back me up on that. I feel that I went to that property because my constituents called me because they were very concerned about trespassing – it has nothing to do with poor people. It has to do with trespassing on other people’s property that is not owned by the City. That piece of property is in foreclosure and is owned by the bank.

Councilmember Johnson: I wanted to thank my Block Captain for always coming forth to speak about the drug dealers. We have one drug dealer; they might have gotten rid of the other one. The house is or was being sold, but the family is still there. They’re still doing business there even though there was a drug bust. My Block Captain has come here so many times about this problem and takes his life in his hands while doing so. I saw a woman sitting in her car in the driveway one night talking to a man who was on a cellphone. He went into the house as I approached the woman. I asked her, (as I have told my Block Captains to do) if they were lost or needed help. I was told everything was fine, why? So I said that it was my job in the Neighborhood Watch and as Councilmember Boyd said, there’s a lot going on. So we try to find out what’s going on...who’s coming and going. So I noticed that when the gentleman came out, he proceeded to go down the block and told her that house was known for illegal activity, you’re sitting here in a car. The house is probably and hopefully under surveillance. When can I get some satisfaction here? We call, give descriptions, etc. Nothing gets done. The only thing we can do as citizens is to contact City Hall – which we have done repeatedly. Tip Hotline...really? What do we have to do? Are these landlords going to be held responsible? Is the landlord being called in this week? Where are we with this?

Corporation Counsel Ackermann: I spoke to several landlords on your block and I don’t want to divulge any information here, but I’m happy to speak privately with you.

Councilmember Johnson: Obviously, it didn’t have any effect because they’re still at it. I’m really trying not to have a shooting in my ward. Shootings are mostly related to drugs. There was a shooting in broad daylight around Soldier’s Fountain. Like Councilmember Boyd, I had someone who got sick and tired of it, move out off my block, too.

Councilmember Solomon: The young man who runs the Ice House told me that tent that’s over the side patio...I said, “Did you get permission from the City for this?” He said it was okayed by the Waterfront Advisory Committee (WAC). I was surprised, because if I understand correctly, the WAC is advisory to the Common Council. Their actions are brought to the Common Council, then the Council votes on it. So, the WAC cannot OK anything – the Council can. Do I understand that correctly?

Corporation Counsel Ackermann: I’m not sure what tent, but we’ll take a look at it. The awning over the door?

Councilmember Solomon: Not the one over the front door, the one on the side, where the snack area is.

Councilmember Boyd: Over the concession stand.

Corporation Counsel Ackermann: I'll take a look at it.

Councilmember Solomon: It's ugly as sin. I couldn't believe my ears. The WAC okayed it? I don't think that's right.

Corporation Counsel Ackermann: The Council approved their license agreement with includes that area over there. Any of the other issues, like signs placed, go to the WAC and maybe to the Planning Board if necessary.

Councilmember Solomon: Who does the WAC advise?

Corporation Counsel Ackermann: Many people. They advise the Common Council, the Planning Board on issues pending before the Planning Board, the Zoning Board of Appeals (ZBA) on issues...

Councilmember Solomon: But, they do not OK anything...I hope that's the case.

Corporation Counsel Ackermann: That's correct.

Councilmember Solomon: It's very important to me.

Corporation Counsel Ackermann: That's correct. They don't approve anything.

Councilmember Solomon: So, we need to have an understanding with the WAC.

Corporation Counsel Ackermann: The point is the Common Council does not approve awnings on buildings.

Councilmember Solomon: No, it would be the Planning Board. I would like to have the second set of approvals in place, if possible.

Corporation Counsel Ackermann: I'm not saying that they're not, is my point. He may have said that, but not realizing it. I'm not sure that they're not.

XI. NEW BUSINESS:

Councilmember Rich: From a letter from Councilmember Herman, I would like to make a motion to request the State Police, the Sheriff and the FBI to assist the City of Poughkeepsie in its recent outbreak of violent crime in the City. If I get a second, I'll speak to it.

Councilmember Boyd seconded the motion.

Councilmember Rich: I think it's time we realize that we're in a situation that we cannot win. We don't have the troops, the bodies to go out and do it. It's not wrong to ask for help when you've got a problem. If you can't solve your problem and you know where there might be help, go ask. I would like our Council, our City to request assistance in our criminal problems from State Police, Sheriff and FBI. Thank you, Mr. Chairman.

RESOLUTION

(R-13-77)

INTRODUCED BY COUNCILMEMBER RICH:

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby requests assistance in fighting crime from the FBI, State Police and Dutchess County Sherriff.

SECONDED BY COUNCILMEMBER SOLOMON.

R13-77						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	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 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 Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Councilmember Boyd: Councilmember Solomon brought up the Waterfront Advisory Committee (WAC). I believe the last minutes that the Common Council received was April 9th. Those minutes are supposed to go to the City Chamberlain, and put in our packet as well and we have not received anything since April 9th.

Corporation Counsel Ackermann: I'll check with the Waterfront Advisory Committee.

Councilmember Boyd: Thank you.

Councilmember Perry: Thank you, Mr. Chairman. Corporation Counsel I'd like to bring your attention to 117 North Hamilton Street. It has been approximately 3 months since it was torn down or attempted to be torn down. What is the status of its removal is to this date?

City Administrator Bunyi: Ms. Perry, I just want you to know that we had a meeting today and the Building Inspector is getting a price for removing the debris. As soon as

we get a price tomorrow, the Administration will make a decision and see if we can apply for CDBG Funds to clean up that place.

Councilmember Perry: Thank you. I feel very badly about my neighbors, who live directly over this mess and cannot even open their window...it's 6 feet away from that and three months is a long time, so whatever you can do, to assist me in appeasing my neighbors, and prevent this from becoming a health hazard. For three months I've been asking about it. It's time for something to be done. Thank you for anything you can do. Thank you, Mr. Chairman for your assistance in this matter, and to Mr. Milo. And to Jessie, in the Water Department who came the same day to the aid of a neighbor with a leak and it was fixed that day.

Corporation Counsel Ackermann: If I could just add to that. If we had the resources, we could go out tomorrow and abate that property, level it off and make it a nice, buildable lot. Then we could lien the property. One of the issues is the cost to the City to do that is that it would cost a lot more than the private sector because of prevailing wage issues and other things. So, by the time we're said and done cleaning that lot up and putting a lien on the property, the lien is going to be significantly more than the property is worth and will be an issue. Our other avenue to address it is to do what we've been doing, is to take them to court to force the owner of the property, who is ultimately responsible for it, to abate the issue and to clean it up. The problem with that avenue is that it's just a little bit slower. We're at the whim of the court, and scheduling conferences and lawyers and their calendars...it's not a quick process. Eventually, it will get done and we will be successful, but it's nothing quick. If we can find the resources to do this, we will do it as expeditiously as possible with those resources, but that's what we face; the resources and actually doing it. I don't want to make excuses, but it's an issue. I know nobody wants to live next to that, but without the resources, we can't just go out and do it tomorrow. But, we'll do it as expeditiously as possible, and I know you appreciate that.

Councilmember Perry: Thank you, sir. I just hope I'm still on speaking terms with my neighbors when this is finally removed. May I speak, Mr. Chairman?

Chairman Mallory asked **City Administrator Bunyi:** Do you have something to add to that?

City Administrator Bunyi: I just wanted to let the Common Council know that the initial estimate that we have to clean up that place is about \$40,000 to \$50,000.

Councilmember Boyd: Where'd you get that price from?

City Administrator Bunyi: We've asked two people. We got two prices of \$40K and \$50K and we're going to get a third price and hopefully the price will come down to about \$30,000.

Corporation Counsel Ackermann: I imagine that's before they find asbestos.

City Administrator Bunyi: Correct

Councilmember Perry: Before what, sir?

Corporation Counsel Ackermann: Before they find asbestos. Then you can double that.

Councilmember Perry: In the meantime, the property owner is being fined for this length of punishment he's placed on us in that vicinity?

Corporation Counsel Ackermann: Yes.

Councilmember Perry: You can't miss it. People are beginning to ask me, "What are you going to do about that?" As long as we're going to be cleaning up the Parker Avenue area to make it nice for our visitors, it would be nice to clean up the rest of the City, bringing it up to some standard of beauty, including the 5th Ward. We had an event at College Hill last Saturday, the 28th. There was church music there. Someone called the Police for loud music. The music was not loud at all. It could barely be heard, but a neighbor decided to take the Police off the street from fighting crime to come to the event for no reason. We had a permit that allowed us to be there from 12:00 p.m. to 4:00 p.m. and had done nothing wrong. People who call the Police for non-issues are keeping them from doing their jobs of making our streets safe.

Councilmember Johnson: Congratulated newlyweds, Mr. Paul Ackermann and his new bride and also congratulated Erian Buckley (the Mayor's secretary) and her new husband. The Council applauded them. Best wishes to Mike Brady, former Assistant Corporation Counsel. He did a fantastic job and will be missed. Stated that the new playground at Waryas Park was beautiful and asked City Administrator Bunyi what the status of the fence was.

City Administrator Bunyi: The award of the new fence was awarded today by the Engineering Department. There were three quotes on it. It's going to cost \$5,000. It's a 5 foot, chain link fence.

Councilmember Johnson: Why a 5 foot fence?

City Administrator Bunyi: The Engineering Department advised us that the children can easily climb over a 4 foot fence and decided that the 5 foot fence was safer.

Councilmember Johnson: OK. Maybe we can get some donations in the future to get the black iron fence because that'll last longer. Chain link, you know with our kids really is a temporary fence.

City Administrator Bunyi: And, for the Common Council, it was taken out of CDBG Funds.

Councilmember Johnson: Did you cost out the black iron fence?

City Administrator Bunyi: It's \$13,000.

Councilmember Johnson: Well, maybe we can get some of that money from some of our developers, because I'd really like to see the black iron fence which will stand the test of time. So this is a temporary fix, and I appreciate you doing that because this is a collaborate effort with Councilmember Parise. There is no cost for safety when it comes to kids.

City Administrator Bunyi: We had someone continually monitoring the snow fencing. Because the older boys would come by and take it down or cut it apart. But we had the weekend crew plus Muggy who took turns making sure that the orange fencing was up the whole time.

Councilmember Parise: And I was down there several times, also.

Councilmember Johnson: And I went down there on a couple of occasions and it looks beautiful. Is it completely installed now with the cement, etc.?

City Administrator Bunyi: Yes, ma'am.

Councilmember Johnson: When are we going to have a ribbon cutting for the new playground?

City Administrator Bunyi: I would assume you'd want the fence to be up?

Councilmember Johnson: Yes, and we want to have all the Council members there for our wonderful, beautiful playground and for those who are watching, the old playground is still there where the swings are and will not be removed.

Councilmember Solomon: Next Saturday, October 12th, there will be Autumn in the Park at Bartlett Park on Hooker Avenue and we will have as usual, free pony rides, a petting zoo, Bob Martinson's Band, "B" The Clown, foot races, run by our own Richie and also participant of John Flowers, who runs in the races the first three steps and a good time to be had by all. So, if you have little kids, it's geared to kids up to 8 or 9 years old.

Chairman Mallory and Councilmember Johnson: What time?

Councilmember Solomon: 12:00 p.m. to 4:00 p.m.

Councilmember Johnson: What happened to the cow?

Councilmember Solomon: We had so much trouble with the little bull last year and I said, “Only a cow, and it’s got to be docile.” We can’t be running around the field trying to catch a bull – it’s too crazy.

Councilmember Parise: Yes, this is a busy weekend in the City, because the next day is the Pulaski Day Parade, Sunday October 13th. The parade begins at the Italian Center. We march up to Pulaski Park for the ceremony. After the ceremony and laying of the wreath and the line up at the Italian Center will be at 11:30 a.m. The Parade starts 12:00 noon, sharp. After the ceremony we come back down to the Italian Center, free admission. We dance to the music of the Maestro Men from 2:00 p.m. to 6:00 p.m. Refreshments will be served.

Councilmember Perry: Thank you, Mr. Chairman. I too, would like to congratulate you, Mr. Ackermann. In spite of what it looks like, I think you’re a fine young man and I’m happy that you found a nice wife. I would also like to congratulate Erian. She’s always been very pleasant to me when I come to the Mayor’s office and I wish her well. As for Mr. Brady, I wish him well. Please tell Mr. Brady I will miss him. And I thank him for the times when I’ve come to his office to talk about the concerns I’ve had with my ward. He’s been very gracious and kind to me, tell him I appreciate that. Thank you.

Chairman Mallory: For myself, I’d like to thank the Police Department, the emergency vehicles, residents in my neighborhood on Garden Street for all working together to address what could have been a very serious situation. I thank them all.

XII. ADJOURNMENT:

A motion was made by Chairman Mallory and Councilmember Parise to adjourn the meeting at 10:15 p.m.

Dated: November 25, 2013

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 7, 2013 at 6:30 p.m.

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**



COMMON COUNCIL MEETING

Common Council Chambers

Monday, October 7, 2013

6:30 p.m.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

III. REVIEW OF MINUTES:

Common Council Meeting Minutes of August 19, 2013.

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

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

VI. MAYOR'S COMMENTS:

VII. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VIII. MOTIONS AND RESOLUTIONS:

- 1. FROM CORPORATION COUNSEL ACKERMANN, Resolution R13-72, authorizing the filing of an Environmental Easement for the DeLaval Property.**

2. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-73, setting a public hearing for the 2014 Budget.
3. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-75, setting a public hearing for the proposed designation of 328-330 Main Street, 83 Worrall Avenue, 317 Main Street and 115 Hooker Avenue as local historic landmarks.

IX. ORDINANCES AND LOCAL LAWS:

1. **FROM CORPORATION COUNSEL ACKERMANN**, Local Law LL-13-2, Amending Chapter XIX, Article II of the City of Poughkeepsie Code of Ordinances Entitled "District Regulations and Map".

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

4. **FROM PATRICIA RANDOLPH**, a notice of property damage sustained on June 30, 2013.
5. **FROM RUTBERG BASSO**, a notice of personal injury sustained by Linda Saland on August 29, 2013.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT:

Official Minutes of the Common Council Meeting of October 7, 2013