



# THE CITY OF POUGHKEEPSIE NEW YORK

## COMMON COUNCIL MEETING MINUTES

**Monday, December 16, 2013 6:30 p.m.**

**City Hall**

**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL**

**II. REVIEW OF MINUTES:**

**Common Council Meeting of October 21, 2013**

CCM 10-21-13			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.**

NONE

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

**Frank Clark – 50 Rinaldi Blvd.** – Thank you, Chairman and Council members. I’m going to try to read fast. The following is a timeline of what I’ve done to try to get an answer to one question. I attended the public hearing on the County Budget. I stated that if it were found to be illegal for the Mayor to give away the City buses to the County and the County Executive accepted them, he would be in possession of stolen property. I attended the December 5<sup>th</sup> meeting on the County Budget itself. A Legislator, who I did not know said that I really should go to the Attorney General’s office to find out, if it is illegal for the Mayor to do what he says he can do.

Monday, December 9<sup>th</sup>, I went to the Attorney General's office, and on an unrelated issue, asked them this question: "Does the Mayor of the City have a right to eliminate the city bus service and give away equipment needed to run that said service without legislative approval?" They told me that I needed a response from the City Corporation Counsel. I then told them he may not give me an answer. They told me if the Corporation Counsel did not give me an answer in a reasonable amount of time, to come back to this office and along with the other issue that you brought to our attention, an investigation would be initiated of his office. Tuesday, December 10<sup>th</sup>, I spoke to the Deputy County Executive and asked if the County's legal department was asked about this issue. The reply was, "Doubtful. The Mayor can do what he says he can do. But, the ruling would have to come from the City's Corporation Counsel." Wednesday, December 11<sup>th</sup>, Mr. Ackermann canceled the meeting with me at 1:00 p.m. He called me. I asked him the exact same question. I said, "I would like an answer by Friday, December 13<sup>th</sup>. He told me he couldn't guarantee a response by then. At 3:15 p.m. I called to speak to the Mayor Thursday, December 12<sup>th</sup>. The Mayor had not called me back yet, so I left for work early, around 3:30 p.m. I came to City Hall with a note asking the Mayor, "Who advised you to make the statement that it would be an executive decision only, and where did the information come from?" Friday, December 13<sup>th</sup>, the Mayor finally called me, and I asked him that question. His answer was it's his interpretation of the City Charter. I know I can't ask Mr. Ackermann or Mr. Tkazyik to bring the City Charter out here and to point out where it says that, and show it to Chairman Mallory, where he can read it to the Council and to the public. I hope I won't have to go back to the Attorney General's office on Wednesday, without an answer. Thank you.

**Sheila Drew – 66 Washington Street** – Am here alone tonight, but I'm pretty much representing all the people at Inter-Faith Towers. They still stop and ask what's going on with the buses. There are some other issues I'd like to discuss too, but until this is settled, I guess I'll have to settle for that. The buses are a lifeline to people like me, senior citizens that are...I'm lucky, I can get around pretty well, but some of them are getting on buses with walkers, and being helped by bus drivers and other passengers. Some people are going to work; some bringing children to daycare; kids from the schools. I raised 4 children who turned into teenagers pretty quickly and if it was too hard for them to get to school and I was at work, there was a good chance that they weren't going. If they have a bus there, it's certainly more incentive for them to do that. The buses are also a social mechanism for people to meet each other and have conversation. I've met some of my neighbors that way. It's a necessary part of life. Mr. Mayor, all these people elected you. You're a public servant and are expected to do what we wish you to do. When there's a preponderance of people who really want these buses. I missed the bus at the Galleria one day and had to wait for the Loop bus. One came and it was the Loop B going to Beacon. The next one came and it was the Loop B, but it was going to Poughkeepsie. I had to ask the drivers where they were going to know if I got the right bus. When I got off the Loop B it suddenly turned into Loop E and was going to the station. You can't get a decent schedule. Another thing, when you give your power away, and it's gone, you have no control over it. She wished everyone a very happy holiday, whether it's Christmas, Chanukah or Kwansaa – and Happy New Year.

**Kevin Newman – 288 Church Street** – Read attached statement.

Testimony of Kevin Newman  
288 Church Street, Poughkeepsie NY

Although the Mayor has repeatedly said, in these chambers and to the press, that the proposed surrender of our busses to the County Loop system will not result in service cutbacks even a cursory read of the Dutchess County Bus Service Expansion Feasibility Study demonstrates widespread cuts are planned. We need to discuss these openly and honestly to determine if they are necessary and helpful. Denial is a river in Egypt not a tactic for a healthy democracy.

Example 1:

The (New Loop Routes) map **does not show** a bus route going on Hudson Ave. in the City of Poughkeepsie. Hudson Avenue is a main thoroughfare for low income housing at Smith Street, the new adult 55 and over, disabled and veterans housing. This street and the low income housing is currently served by the City Bus Northside route.

Example 2:

The new service map does not show a bus route along Forbus and Fulton Streets. This residential street has apartments and medical offices. This street is currently served by the City Bus Main St. and Shoppers Special routes

Example 3:

The new service map shows a route into the senior apartments at St. Simeon and St. Anna but the new route does not continue to the shopping and commercial venues on US Rt. 9 – these are currently served by the City Bus Southside route.

Example 4:

The service map shows a route going past the Marist College townhouses on Cedar Ave. but **not going on US rt. 9** for the actual college and the plaza. This is currently served by the City Bus Northside route.

Example 5:

An example of schedule cutbacks is the switch from hourly to every two hour service on the Southside route to St. Anna., St. Simeon and the Fox Hill Condos.

These are only examples. The Feasibility study clearly suggests widespread and serious cuts in both route and schedule. Let us discuss these matters honestly and openly. Our analysis of the costs shows no case has been made either for the city bus being a drain on city finances or that a giveaway would result in greater efficiency. If we are going to cut service we can do that with out giving our bus system away.

**Jo Ann Dourdis – 14 South Grand Avenue, President of the Poughkeepsie Day Nursery Bd. of Directors** – Wheaton Park and Poughkeepsie Day Nursery are part of one of the darkest periods in our community’s history. A time when our children were in real trouble; a time of limited nutrition; a time of poor medical care, non-existent parks and playgrounds, crowded, unsanitary living conditions and single mothers forced to lock their children in the house when they went to work, because daycare (as we know it) did not exist. 100 years ago, our community refused to tolerate these conditions for its children and Poughkeepsie Day Nursery and Wheaton Park were born. 100 years later, again, our children are in crisis. Alarming obesity rates have become a threat to the health of our children in recent decades as diets high in salt, sugar and fat have become the norm as children have become less physically active than prior generations. Growing numbers of children are developing diseases once seen only in adults. And children born since 1980 are predicted to be the first in America to live shorter lives than their parents. Another disturbing trend is more Americans are employed in minimum wage jobs and this fast-growing unemployment sector is projected to account for two out of every three new American jobs during the next decade. Many parents with low wage jobs are single mothers whose earnings barely meet or fail to meet basic needs like food and housing. Children exposed to the stress of deep economic insecurity are usually among the least ready for school. Child advocates have also pointed out that physical activity and contact with nature have been rapidly disappearing from the lives of our young. For a variety of reasons, our society has moved our children indoors and into a sedentary lifestyle. In 1974, 66% of all of our children walked or biked to school. By 2000, that number has dropped to 13%. The sedentary nature of childhood has been increased dramatically by growing amounts of screen time among kids. The average child spending approximately 11 hours a day tethered to various electronic devices and sometimes more than one device at a time. Faced with these alarming trends, child development experts are encouraging communities to intervene at an earlier and earlier age and place a much higher priority of finding ways to reconnect children to nature and physical exercise, along with teaching healthier eating habits that will last a lifetime. These are the goals of Poughkeepsie Day Nursery. 100 years ago, Poughkeepsie Day Nursery leaders provided innovative solutions to some of the community’s toughest problems. We hope to do the same in this beautiful landmark building, which has been our home for the past 101 years. We thank you for your continuing faith in the important work we do every day.

**Constantine Kazolias - 47 Noxon Street** – I thought the hearing was at 6:00 p.m., not 5:30 p.m. so I’m against...keep the garbage situation the way it is – as a fee to write it off your own property. Common Core...there was no input from the students, teachers or parents. You have to look at the buses here. You got new bus routes; you’re not listening to the people that use the buses. On top of it is the school district. I brought it up at the Board of Education, about them coming in and sending a position paper regarding these buses. A lot of kids take buses to school. I believe you shouldn’t raise the cap – try to live within it. The thing is, 70% of the budget goes for public safety and most of that is pensions the last 3 years which isn’t the same thing as Social Security. That cap will be gobbled up with just the pensions change at the State, but the school districts are not included in the 2% cap. Something has to be done about that. We’ve got some of the best golf courses in this country. I think we should keep them. This is one thing we definitely have in the City.

About the buses...Frank [Clarke] talked about the legality. I talked to County Executive, Marc Molinaro and asked what's going on with the buses. He said, "Gus, if they give us the buses we'll take them." I'm glad Frank talked about the legality here. Let's do the routes over. Let's service these people. As I come in, I see the statue down in front...that big fire bell, Bob (inaudible) did that on his own. Bob (inaudible) was a great Mayor. He said one thing, "Just remember, you're in public service. You're servicing the public." Let's service the public and let's try to get this city back together again and let's go from there. As far as the Taylor Mfg. move, I knew the jail's going to be built here. When you rezoned it, Taylor can't expand and they're getting out of the city. The jail's going to be built in the city, whether you like it or not, OK? I appreciate your time if I ran over. Keep it the way it is.

**Ken Stickle - 118 Catherine Street** – Saturday night during the snowstorm, the City was out plowing, doing a fantastic job. I had a little scare by my house. Between my fence and a telephone pole by Beulah Baptist Church a car went over the curb and into the parking lot. I called the City P. D. first. A female dispatcher said, "Sir, I'm afraid they're very busy. I'll pass the message on." That wasn't much to help calm my nerves. I was thinking the next car will come around and knock my house out or the light post. The next best thing, I called the Mayor's phone number. Got his voicemail...left him a message. I want to give a shout out to two of the City workers, Pat Coyle and Cy Van Tassel. I wasn't able to get hold of the Mayor, so I did the next best thing. I called Cy Van Tassel. They got there, cleaned the street and salted it. I live on a very bad curve...it's been a disaster. I've had the light post taken down in my neighborhood, I've had cars rammed up against that light post. I'm opposed to the Mayor's idea about raising the Sanitation fee to \$13.50 for the simple fact that I pay my Sanitation bill. A lot of you pay the Sanitation bill. I don't care how we do it. These guys...5 guys from Sanitation Department worked until midnight. They were back out at 7:00 a.m. on Sunday morning. Seven hours later, back out again. The City needs to do one thing. We have people criticizing the way our guys plow. It's not their fault. Go around the City, you'll see cars still, with snow covered over. The trucks go in and around these guys...it doesn't matter where you go – Main Street, all the side streets... The City of Kingston and the City of Newburgh enacts a City Snow Emergency – not a State Emergency, a City Emergency. You get the guys off the streets. Let them plow. If you're on a street like Catharine and have parking on only one side of the street. Plow the one side of the street, then let the people park on the other side of the street so that side can get plowed too. Open up the City Parking Lots to get the people off the street also, to make it easier for the guys to get out there and clean these streets up. Right now, I don't know if they're going to have enough time to get the streets cleaned up tomorrow, before the next snowstorm hits and it's a damn shame. Our guys are really "busting their humps" for the City, so I'd really like everybody to give them applause. Thank you.

**Steven Planck - 81 Carroll Street** – I think I've gotten a chance to speak to everybody one way or another, and I want to say your doors have always been open. We're never going to agree, but at least we're communicating, which is a good thing. The other thing I want to say before I forget to the Mayor is, the City of Poughkeepsie really is your resume and I talk to a lot of the people and know you get flack a lot of the time, but I still believe in you. I think if you give the people something to hold onto and you give them something to hope for, and would follow you all the way to the Senate if that's what's in your heart. That's my belief at

least. I've been angry about the Sanitation fee since it happened over a year ago. That's what brought me into this building; was the creation of the Sanitation fee. Make no mistake, if every single property owner in the City of Poughkeepsie was required to pay the Sanitation fee, I wouldn't be here. I'd be home, playing with my 7 week-old son. I don't want to be here. I don't need to be here, but what irks me to death and what drives me to come here month after month after month is the fact that something happened, and a tiny little phrase was added to the local law when it was created, and those words are, "elect to receive," which is a result of what happened with Ken Levinson and everybody else when they sued the City of Poughkeepsie and they settled out of court. OK? And, that drives me nuts because I don't think it's fair that you don't get to pay, but you have to pay (pointing) and you don't have to pay (pointing elsewhere), you have to pay (again, pointing elsewhere), you can hire someone cheaper, but me...? Hit me with another fifteen bucks; smack everybody in the face behind me. That's my problem with the Sanitation fee. I can't let it go. I sent a letter to Rich DuPilka back in March, 2013. You've been given a copy; I'd like it added to the record. You've also been given a copy of a second letter which was handed to everybody today. It was hand-delivered to everybody in this room that matters, including Corporation Counsel. You can tell me where to go, but I would like some sort of an answer. (See attached copies). Tell me I'm nuts, tell me I'm wrong, tell me where to go, or tell me I'm right. Tell me something and I'll go home and I'll never come back again. The other thing that needs to be said here is a blaring contradiction being said publicly about the union contract, which has not been renegotiated yet. The President of the CSEA, who I think is a great guy and a stand-up guy that I would go out and have a beer with, is saying that he's asking for the Mayor to talk and negotiate; the Mayor is saying the same thing. Somewhere, something's happened, and I hope it's not a political ball that you're playing to get some favors for votes later on, and I don't believe that. I'm totally against the property tax cap, and I'll tell you why. We had a gigantic tax lien sale. We know people are having a hard time paying taxes. I think it's a shame to add something to their plate that they're already having a hard time with. According to statistics, 25% of our population is below the poverty level. There are 637 properties in the City of Poughkeepsie that are in some state of foreclosure, and over 1,400 of them are for sale. If that doesn't tell you what's going on, and what these people are being faced with, I don't know what does. I think there needs to be an end to the platinum packages that are going on in the unions; I think the jail expansion is a horrible idea. I can't imagine, with the new zoning we just created, we're going to put the jail expansion directly across from a bed and breakfast. Who thinks of this stuff?

**Chairman Mallory:** Finish up, please.

**Mr. Planck:** I am finished. Merry Christmas or Happy Chanukka – whatever works. Thank you.

Steven Planck  
Po Box 3658  
Poughkeepsie, NY 12603  
stevenplanck@gmail.com

December 16th, 2013

Greetings and Happy Holidays,

It seems hard to believe, but this letter represents a culmination of one years time, dozens of common council meetings, hours of research and countless telephone conversations with different reporting agencies and various State Departments. Needless to say, I have put a lot of energy into writing you - and I pray that you will consider the following facts, recognize my plea for exemption from the LL-12-3 (the User Sanitation Fee) and support me by acknowledging these truths and allowing transparency at the next Common Council meeting on December 16th, 2013.

By standard of the definitions in LL-12-3, I meet the requirements for MIXED RESIDENTIAL USE as explained in Section 9-62 paragraph (b), which reads,

MIXED RESIDENTIAL USE - A structure designed for and consisting of one or more residential dwelling units and a portion of which is devoted to business, professional or commercial use

So, whereas the definition Mixed Residential Use is defined by this law and hence not subject to another departments definition, and, whereas I own a house located at 81 Carroll Street which consists of one or more residential dwelling units that a portion of which is being devoted to business, and, whereas it is universally accepted and understood that the word "business", as so defined in People v. Com'rs of Taxes, 23 NY. 242, 244 is that which occupies the time, attention, and labor of men for the purpose of a livelihood or profit, and, whereas the Internal Revenue Service and the New York State recognize my business by collecting taxes on the profits I receive from that business, I am thereby meeting the definition of the phrase Mixed Residential Use as so defined in LL-12-3, signed December 17th, 2012.

Therefore I request that I be allowed to exercise my right to elect to receive refuse collection & hauling by the City of Poughkeepsie, **which I am not**, as outlined in LL-12-3, Section 9-64, paragraph (a), which states,

The Department shall collect and dispose of all residential solid waste (including institutional, mixed residential and multiple residential users **electing to receive** and which qualify for City solid waste collection services)

I **do not elect to receive** refuse collection by the City of Poughkeepsie and your continuation of this law against my properties is a **violation of my rights**. I want to hire a private hauler - which mind you - I can get for a third of the cost the City is charging me.

yours truly,  
Steven Planck

Official Minutes of the Common Council Minutes of Monday, December 16, 2013

March 12, 2013

Steven Planck  
25 / 81 Carroll Street  
Poughkeepsie, New York 12601  
(845) 473-7192

Rich DuPilka  
Commissioner of Public Works  
26 Howard Street | DPW Complex  
Poughkeepsie, New York

Dear Mr. Rich DuPilka,

I'm in receipt of a Sanitation Bill for both of my properties, one located at 25 Carroll Street and the other located at 81 Carroll Street, both in the City of Poughkeepsie. I am requesting that I be allowed to return these bills to the City unpaid and without prejudice, that I be allowed to hire my own private garbage hauler, and that I be allowed to exercise my option to not opt into the City of Poughkeepsie's fee based sanitation program for garbage pick up as so described by under the newly amended local law.

Both 81 Carroll Street and 25 Carroll Street are multi unit properties consisting of three (3) units each, for which I file a schedule C (profit and loss statement with the Federal Government and NYS) for income and losses that I report each calendar year. Additionally, there is approximately 1000sq ft. of space consisting of 2 basements, 2 garages and 4 closets that is solely devoted to the maintenance, support and day to day operations of these two properties.

According to the local law amending Chapter 9, section 9-62 "Definitions", whereas definitions are set forth in this chapter to mean certain things and not subject to the classifications set forth by any other department, my properties are, as described;

Mixed Residential Use - A structure designed for and consisting of one or more residential dwelling units and a portion of which is devoted to business, professional commercial use

Furthermore, Section 9-64, "Public Collection and Disposal of Solid Waste", reads that,

The Department shall collect and dispose of all residential solid waste (including institutional, mixed residential and multiple residential users electing to receive and which qualify for City solid waste collection services) originating in the City

I would like to exercise my right to not opt into the fee based user sanitation program that the City of Poughkeepsie has implemented, as defined in Section 9-64, because my properties meet the necessary criteria for "Mixed residential Use", as so defined under section 9-62.

Sincerely Yours,  
Steven Planck

**Alex Serroukas - 3 West Winding Road** – I was born and raised in the City of Poughkeepsie. I went to Krieger School, Poughkeepsie Middle School and Poughkeepsie High School. I'm 41 years old. I love the City very much. My father started a business in 1964 opposite Alex's Restaurant. It was a little donut shop. My first memories, back when Main Street was bustling.

**Chairman Mallory:** Could you speak a little louder into the mic, sir?

**Alex Serroukas** – Sorry. I'm here today to express severe concern about what's going on right now on Main Street. The only thing I can do is offer my recommendations at the grata, at a crossroad right now where it's detrimental to the health of our city. I recommend that...the best way I can explain it...we purchased 292 Main Street, which is the Elting Building. We restored it and made it beautiful. I opened up the Brasserie Restaurant. In the past, since we opened, business was great. Artist's Palate and we were probably one of the top 5 restaurants in the County. We have a significant draw to the area. The unfortunate alm is that people don't want to come back, and that's because of Main Street. They're scared for their lives, literally, and we really don't need to do something about it. The best way I can explain it is that portion of Main Street is that it's the largest block in the City of Poughkeepsie. When it was designed by our forefathers, it was not meant to be that long. Garden and Liberty Streets were drivable. The alm is you get people that are from out of town put it into their navigation system and it takes them to our doorstep. The problem is that they don't know that they can park on either side of the street and as soon as they drive to Academy Street, they say, "Honey, let's get out of here." They don't feel safe because they can't find parking. It's like having a stroke – no blood is going to your head. There's no oxygen. Therefore, you're paralyzed. The City's paralyzed right now. All my friends had jobs on Main Street when we were growing up – House of Cards, Pizza Shop, all the Law Firms...bustling. Shopping at 'Army and Navy'. I used to take the bus when I was 12 years old - I felt safe. This is horrible. I'm scared for my employees when they get out of work...I'm scared for my customers. We need access. We can't be paralyzed anymore. We need access to the parking garage and to Liberty Street parking. There are no signs. Those roads have to be opened up. I can guarantee you my life – if you open these roads up...and, there's a lot of people that don't want to be in the mall.

**Chairman Mallory:** Could you finish up, sir?

**Alex Serroukas:** Yes. They want to be on Main Street. They want to open up businesses on "Main Street America," and it's not happening because of that. Thank you.

**Candace Lewis President of Dutchess County Historical Society – 2 Loockerman Avenue** – (See letter attached). This is from myself, Betty Kopstein, Executive Director, who's here with me this evening and from our Board of Directors.

**Chairman Mallory:** Thank you.

**Candance Lewis:** If you have any questions...

**Chairman Mallory:** This is not the forum for that one. Thank you.

**Candace Lewis:** Thank you.

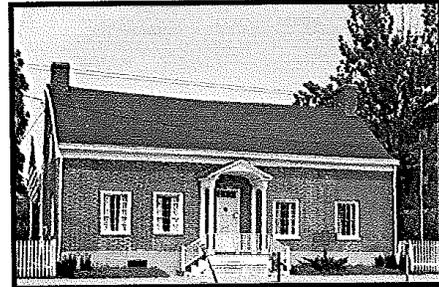
Dutchess County Historical Society  
P.O. Box 88  
Poughkeepsie, NY 12602  
[dchistorical@verizon.net](mailto:dchistorical@verizon.net)  
845-471-1630

December 16, 2013

Via Hand Delivery to City Hall  
Mr. Milo Bunyi, City Administrator  
Municipal Building  
62 Civic Center Plaza  
Poughkeepsie, NY 12601  
Tel: 845.451.4072

Mr. John Tkazyik, Mayor  
Members of the Common Council

Dear Mr. Bunyi, Mayor Tkazyik,  
and Members of the Common Council,



The Glebe House, 635 Main Street, as it has looked in the past -- well cared for.

We are here advocating for the Glebe House and historic tourism in this Centennial Celebration year of 2014 for the Dutchess County Historical Society. The Glebe House, located at 635 Main Street, was originally built in 1767 as a home for the minister of Christ Church. It is presently owned by the City of Poughkeepsie and operated by the Dutchess County Historical Society (under contract) as a small museum and gathering place.

We at the Society wholeheartedly thank the City for the badly needed new roof, installed in November 2012, for \$50,000. Thank you also for cutting back foliage close to the house to allow the building to dry out.

- 1) As you can see from the photo on this page, the interior has sustained serious damage from age and water incursion. In the interior, the kitchen has water damage and the second floor has leaks in six places. The front portico and fence are also in poor condition. Last summer we arranged with Milo Bunyi, City Administrator, and Gary Beck, Building Inspector, a plan to have the Society carry out improvements using left-over CDBG funds dedicated to the Glebe House (in the amount of \$20,000). We have obtained three bids and chosen a contractor in conformance with our verbal agreement with the City. We would like to ask that the City release the funds for us to do the work. I would remind our esteemed elected and appointed officials that we are a very small not-for-profit, operating on a shoestring budget and we are extremely careful with money.
- 2) We would also like to ask the Council to reinstate the \$10,000 annual payment to the Society per the contract between the Society and the City of Poughkeepsie (running through 2023). Unfortunately, the City has cut back these funds in the last two years, but we are asking for a reinstatement of this payment per the contract. It would be enormously helpful as we will be opening the Glebe House for tours and gatherings during our Centennial Celebration in 2014. The Glebe House is a valuable asset for the City; please help us preserve and present it.



The Glebe House, Kitchen ceiling and back wall, water damage. Spring 2012.

Sincerely,

Candace J. Lewis, Ph.D.  
President of the Board  
With Betsy Kopstein-Stuts, Executive Director  
And the Board of Trustees

**Terry Clayton - CSEA President – 13 Plaza Road, Wappingers Falls** – A couple of things here. At this point, it's obvious now as we've gone along in this bus nonsense that the buses should stay here. They should not be given to the County. It's obvious by the people – the people who elected all of you; they want it to stay here. Also, at the last meeting, I was a little taken aback by the Mayor's comments, where he chose to bash unions in the City, saying how we don't want to negotiate. As to where I had negotiating meetings set up, they were going to cancel it, because Mr. Bunyi feels that I'm giving information to the Council, or I'm leaking or I'm not trusted so I confronted him on this. I said, "I'd like to sit down with you and straighten that out, because that's not how I am." And, he proceeded to tell me he is not going to speak to me until January 1<sup>st</sup>. So, I don't see that's how we're not wanting to negotiate. We want to keep our medical costs down. I feel what I need to do is sit down and negotiate for the people of my union to get a good contract and was basically told to go away until January 1<sup>st</sup>. Instead of bashing the unions, maybe we can say what a great job we did on the snow with limited materials, and trucks that are down, waiting for them to be approved and basically playing a game of Russian Roulette with the people and the workers of the City. We're basically down to the bare minimum, as far as plows, trucks, getting salters up. We're just putting people in dangerous situations where it shouldn't be. I know Mr. Herman had asked if we were ready for a storm. When the storm started, the first one, we weren't ready, but the gentlemen in the garage that worked, worked their butts off and got them ready and out there so we could take care of the streets and the citizens. Fortunately, no one was hurt and all went well, especially with this last storm. It just feels like it's a constant battle and shouldn't be that way. If we all worked together, things will go smoother. That's where I sit. I don't see the need...we don't bring anything public or, maybe there's some animosity toward the last regime, but we're new officers and would like to be given a fair shake here and not be pigeon-holed as people who are going to give out or any information or leak, and stuff like that because the fact of the matter is, I'm willing to negotiate sooner than later. Thank you.

**Ken Levinson - 24 Garfield Place** – I guess in the last few months, you've had a tough thing with the budget. I just want to express some thoughts and concerns with the budget as I see it. Earlier this year we sold the Bonura garage, next to the Civic Center and hotel. I guess that parking garage wasn't making a lot of money; it needed some work. So, we sold it for a little over \$1 million. Now, in the new budget, we have \$1.3 or \$1.4 million in parking revenues for meters on Main Street. I'm trying to understand how meters are going to be more productive than parking at a garage, which captured everybody at the Civic Center and everybody at the hotel. We have an experience right across the river in New Paltz. They had parking meters in town...they were \$.50 an hour. They raised them earlier this year to two bucks an hour, and everybody revolted. All the merchants lost business. It was devastating. They've since rolled back the meters to \$.50...actually last year they had a hiatus and made everything free during Christmas to encourage shoppers. So, we're all trying to get some activity on Main and Market Streets, and so what does the City do? I know we're short money, but to put in parking meters seems like a way yet, to keep people away. We're being counterproductive, and this is going to keep people from coming to Artist's Palate, Brasserie 292 and the few establishments that we still have downtown. So, I don't think the meters downtown are a great idea; I know we're trying them. I think the budget is unrealistic. I think they get \$1.3 or \$1.4 million that aren't yet in place is, kind of "pie-in-the-sky." I think

the Comptroller's office in New York State had indicated in the past, that the city budgets were unrealistic because the numbers didn't make any sense. If you look at the parking meters and how many people have to park and pay, that's probably unrealistic as well. The last thing on the budget or course is the parking fees...I mean, the garbage fees. The garbage fee should be a user fee as part of taxes. That way, people could at least deduct them. I think the way it is now is counterproductive, and nobody wants to pay. It's hitting everyone's pocketbook. Additionally, I think the fees for some of the garbage pickups are above market and with the latest proposal, they're raising the \$39.00 just seems totally ridiculous. That needs to be relooked at. The Council Chair said they'd be looking at that in a year. It's been a year. We need some kind of relief. That fee needs to be changed to some extent. It's very tough right now because the economy's tight. Water and sewer have increased by 7.5%. Now, we're proposing increasing the budget more in these very difficult times. So, I urge you to really look at things closely and try to get things in perspective and get something realistic. Thanks very much. I appreciate your help. I wish you all a Merry Christmas and a Good New Year. Thank you.

**Betty Kopstein – Executive Director of Glebe House - 100 Forrest Hill Road, Pleasant Valley** – I'm also a native Poughkeepsian who has grown up and has gone to all the schools and love the City of Poughkeepsie. Having retired from one area, I came back to the City of Poughkeepsie to help run the Dutchess County Historical Society. We should be proud that we are in the City, as owner, is a wonderful house called the Glebe House. Let it make a wonderful place for tourism to come. In order to do so, we really need to get it into a shape where we can have our Docents back, our kids back and our programs open for the community. Two points: One, you cut back on a contract. We only get from the City to maintain this place, \$1,500 – we were promised \$10,000...that's in the contract. We've been trying to work with the City. We know you've had a problem, but we constantly ask for...an invoice. It takes us a year later to get paid every year that \$1,500 for the last couple of years, to give you a timeframe. We're a year behind every year, getting paid. Number two: The amount of money that was in the budget for us to get the Glebe House in order, this \$20,000 – we were understood (perhaps incorrectly, but the communication was not there), that if we got the bids, submitted it to the City, they would give us the amount of money in order to do this. They have come back constantly for rebids and making us make sure that the pay is in the scale of a union pay. If that goes through, there's no way that \$20,000 is going to come in for our budget. When we last tried for an estimate, it was \$28,000 – a difference between \$16,000 and \$28,000 when we had to start going into conformity to what the City wants. If we are going to do this and do it correctly, then you're going to have to give us more money. We're trying to get it done for the cheapest possible. We are a non-profit organization and we do not have a lot of money. Let's get our City to be proud again. Let's get the Glebe House up and running. When I was a kid, I went to the Glebe House and learned how to do weaving and quill writing. Let's do that again for our kids and our community. Thank you.

**William Dykus - 96 South Hamilton Street** – I want to spend my 3 minutes saying what a wonderful job my Councilwoman has done, Mrs. Solomon. I'm going to miss her, dearly. Mrs. Doyle...I mean, Mrs. Boyd. I don't know why I call you Mrs. Doyle. Anyhow, I'll miss you and wish you a lot of luck. Mr. Parise, I wish you a lot of luck. Mrs. Johnson, I

know you're going to do very well with the County to protect our City...and I'm very proud of you. Mr. Herman, I have a lot of respect for you and Mr. Rich; from what you guys say is straight and forward and I like that very much. Mrs. Perry, you know how I feel about you. That's all I want to say and Mr. Mayor and everybody else, I wish you a Merry Christmas and a Happy New Year and whatever way you celebrate it, enjoy it.

**V. MAYOR'S COMMENTS:**

**Mayor Tkazyik:** Good evening, Mr. Chairman, members of the Council, members of the public. Thank you all, for being here this evening. First, I'd like to commend the members of the Department of Public Works for the fine job that they did during this recent snowstorm. Let's give them a round of applause.

Everyone applauded.

**Mayor Tkazyik:** Unfortunately, two weeks ago we had the washout of the Festival of Lights Parade and Celebration and had to be canceled, but the following day they had the Scavenger Hunt downtown in the Mount Carmel area, so again, I want to thank Chris Silva, from the Bardavon and Lou Stripoli and all the sponsors from the River District . We did light the tree around quarter to five and then there was a Fireworks Spectacular that took place in the area, so hopefully, it will be bigger and better next year, but again, I want to thank all the participants that took place and of course, the sponsors for making that all possible to bring in the Holiday Season. Again, I'd like to wish you all a very Merry Christmas and a Happy Holiday and a Blessed New Year. Tonight we recognize and thank the members of the common Council who have served 2 years, 4 years and a completion of 8 years. So, we'll be losing 5 members of this legislative body during this cycle, and then we'll greet 5 new members in January. I look forward to working with the new members of the Common Council, and to thank and to recognize these members for their service to the City and the people for the many years that they've dedicated to each and every one of us. So, Mr. Chairman, if you'd like to join me...

Although no microphone was used, Mayor Tkazyik presented awards to the departing Council members, recognizing and thanking them for their service and dedication to the City, and wishing them all well. In order, they were: Majority Leader Nina Boyd (2 year dedicated Councilmember for the 4<sup>th</sup> Ward), Minority Leader, Thomas V. Parise (8 year dedicated Councilmember for the 1<sup>st</sup> Ward), Vice Chair, Mary Solomon (8 year dedicated Councilmember for the 6<sup>th</sup> Ward), Gwen Johnson, who has served as the 1<sup>st</sup> female and African-American to be elected Chairwoman of this legislative body (8 year dedicated 7<sup>th</sup> Ward Councilmember). Mayor Tkazyik also wished her success in her new role as Dutchess County Legislator. Paul Herman (8<sup>th</sup> Ward dedicated Councilmember) is also leaving the Common Council.

**Mayor Tkazyik:** That concludes my comments, Mr. Chairman.

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

**Chairman Mallory:** I just want to express my pleasure in working with the Council members that are leaving today...I mean leaving at the end of the year. They brought unique, different qualities that we all learned to appreciate, understand and reveal their dedication to all. Before the Council tonight are amendments proposed for the 2014 Budget, that I feel are the best compromise from both Republican and Democratic Caucuses. I received input, such as raising the tax levy 8% to 12%, reducing Council members' budget, not having parking meter revenue, keeping \$2.00 parking revenue fees or reducing salaries of various departments, but there was no support or votes for these or other recommendations. What this amended budget does, is put the Sanitation Inspector/Recycling Coordinator back into the budget. After talking with our Police Chief, the Council was able to utilize \$57,805 from the accumulated paid vacation budget line for the Sanitation Inspector/Recycling Coordinator without affecting the Police Department's budget or performance. I'd like to thank Chief Knapp for that. What this amended budget does is address the concerns of the Fire Chief on safety at the scene of a fire. By transferring \$8,635 from the Fire Department's overtime budget line to promote a Firefighter to Lieutenant, Chief Johnson states, "This will provide the necessary personnel at the scene and reduce their overtime in 2014." Thank you, Chief Johnson. What this amended budget does is reduce parking meter fees to \$.50 per 15 minutes, to a maximum of \$1.50 an hour. What this amended budget does, is establish another revenue source for having parking meters zoned from the corner of Mansion and Market [Streets] going south to the corner of South Avenue and Franklin [Street]. What this amended budget does, is utilize \$37,333 from the Police Department accumulated on paid vacation line, to purchase additional parking meter stations for the new parking meter zone. I want my colleagues on the Council to know that Council leadership has expressed to this Administration, to pursue the most modernized and software compatible parking meter stations that not only address the needs of Poughkeepsie today, but also the needs for our future. What this amended budget does is keep Sanitation user fee at its current 2013 rate. Particularly, single families at \$25.50, two families at \$51.00 and three families at \$76.50. The City must encourage recycling from our residents. Our residents must pay their Sanitation user fee. Our current and hopefully, future Sanitation Inspector/Recycling Coordinator must continue to find us additional recycling sources. With that said, the incoming Council must be prepared to address any Enterprise fund shortcomings after the first quarter of 2014. What this amendment does is raise the tax levy rate to 4.42%. Neither caucus got everything they wanted, but voting "no," for the amended budget will result in a Sanitation user fee increasing by at least \$13.00. By voting "no" for the amended budget, parking meter fees will be \$2.00 regardless of the amount of time. By voting "no" for the amended budget, we will not be addressing a concern by the Fire Chief about safety. By voting "no" to the amended budget, we will not have a City employee to concentrate on our recycling needs. Please, look at the overall picture of the amended budget and hopefully, it will be a favorable vote. Thank you very much. I'd like to go out of order and address Local Law LL13-3, approving to override the tax cap.

**VII. MOTIONS AND RESOLUTIONS:**

**1. FROM SOCIAL DEVELOPMENT DIRECTOR HESSE, Resolution R13-87, adopting the Draft 2012 CDBG Consolidated Annual Performance and Evaluation Report for submission to HUD.**

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

**Social Development Director Hesse:** Thank you, Mr. Chairman. Good evening members of the Council. I know you have important business tonight, so I'll try and make this brief. The resolution you have before you supports the City's 2012 Consolidated Annual Performance and Evaluation Reports, which covers both the CDBG and the HOPWA Programs – HOPWA is the Housing Opportunities for Persons with HIV Aids. That was during the program year between March 1, 2012 and ending February 28<sup>th</sup> of this year. Effectively, this report is an accounting of all HUD funded activities that took place during that time. A draft of the report was released for public comments for the required number of days. No comments were received. I believe this report is factual and complete, and with your approval I think it should be submitted to HUD, but if you have any questions or concerns I'm happy to help.

**Councilmember Boyd:** Has anybody else looked at this report after you had completed it?

**Social Development Director Hesse:** Yes, as I said, this was released to the public a legal ad in the Poughkeepsie Journal. It was placed on our websites. Administration has...

**Councilmember Boyd:** Yes, I'm talking about administrative - not the public, not the Common Council, but for administrative purposes, besides yourself and somebody else that knows, that's pretty knowledgeable regarding this HUD program?

**Social Development Director Hesse:** Yes, the Administration has seen this. City Administrator, Mr. Bunyi has seen this, yes.

**Councilmember Rich:** Maybe I'll ask Corporation Counsel. What we're voting on is the evaluation done by the City of Poughkeepsie regarding CDBG for 2012...

**Corporation Counsel Ackermann:** Right.

**Councilmember Rich:** The report is over 200 pages and it evaluates where the money went (Community Development Block Grants) and to see if that money was spent appropriately, fairly and honestly?

**Social Development Director Hesse** nodded in agreement.

**Councilmember Rich:** It is simply telling the State that we did our job and we voted for this CDBG money and we had oversight and we agree that the oversight you presented to us is sufficient?

**Social Development Director Hesse:** You're exactly correct, yes.

**RESOLUTION  
(R-13-87)**

**INTRODUCED BY COUNCILMEMBER SOLOMON**

**WHEREAS,** in accordance with 24 CFR Part 91, Consolidated Submission for Community Planning and Development Programs, the City of Poughkeepsie is required to submit a Consolidated Annual Performance & Evaluation Report (CAPER) on the utilization of Community Development Block Grant (CDBG) and Housing Opportunities for Persons With AIDS Grant (HOPWA) funds for 2012; and

**WHEREAS,** the City prepared a Draft CAPER which was made available for public review and comment on November 25, 2013; and

**WHEREAS,** the Draft CAPER was available for public review and comment through December 9, 2013,

**NOW, THEREFORE, BE IT**

**RESOVLED,** that the Common Council of the City of Poughkeepsie hereby approves the 2012 Consolidated Annual Performance & Evaluation Report (CAPER); and be it further

**RESOLVED,** that the City of Poughkeepsie's Consolidated Annual Performance & Evaluation Report shall be submitted to the Department of Housing and Urban Development.

**SECONDED BY COUNCILMEMBER BOYD**

R13-87						
			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. Before you is a resolution approving a new lease agreement with the Poughkeepsie Day Nursery. The Administration has negotiated this lease over the last month. The current lease is set to expire on December 31, 2013. As you are aware, the Poughkeepsie Day Nursery has occupied the space for some time. For all intents and purposes, the lease is pretty much the same. This lease is a little bit of a longer lease – it's a 10 year, consistent with back in the '80's and '90's with the Poughkeepsie Day Nursery. The rental payment would be continued during the duration of this lease. The Poughkeepsie Day Nursery has agreed to take responsibility for some increased maintenance on the property. One of the major issues is that they will be receiving a grant for a high-efficiency boiler, which will be put into service within the building. Obviously, the property is the City of Poughkeepsie; the useful life of the boiler well exceeds the lease term and in consideration of that, as well as the forgiveness of some oil payments that are due unto the City, they've agreed to take responsibility of the maintenance up to \$40,000. The City of Poughkeepsie has agreed to work with the Poughkeepsie Day Nursery to make upgrades to the exterior of the building, and consistent with the historical nature we will assist in obtaining funding to the CDBG Grants or any other funding sources that may be available as the property owner, but for all other intents and purposes at least it would seem. If there are any specific questions of the City for representatives of the Poughkeepsie Day Nursery...

**Chairman Mallory** requested a motion to suspend the rules.

**John Mylod – 101 Beechwood Avenue – Vice President of the Bd. of PDN –** Our attorney, Yolanda Yansen, is not only an attorney; she is also an engineer. She is making a presentation before another local board tonight and will try to get here – ideally, before I'm finished. So I'm happy to answer any of the questions...we, as Mr. Ackermann had stated, we sat down and had several negotiations and have come up with a pretty good lease that the PDN board is very satisfied with. A 10 year lease is what we had been having over time, and as Paul mentioned, we'll be making significant investment in the building over the next couple of years beginning almost immediately with the installation of a new boiler.

**Councilmember Boyd:** Mr. Mylod, thank you for coming. I believe the Common Council has some questions regarding why a 10 year lease? Last year you had...or 3 years ago, you had a 3 year lease. I think some of the Common Council members have a question regarding that. Can you explain that to us?

**John Mylod:** Well, I can only explain that for years, and when I say "years," as you know, we've been in the same location since 1912 so, 101 years of service to the City. Over that period of time we had long term leases. In the '80's and '90's and prior to that, we had 10 year leases. Why it dropped to 3 year, I don't know exactly, other than what was determined 3 years ago by the Administration and accepted at the time because again, the lease was expiring.

**Corporation Counsel Ackermann:** Can I just address that just for one second? I think the important thing is to keep in mind now is the capital improvements that will be done by

Poughkeepsie Day Nursery and given the long term improvement to the property. Negotiation-wise, it wouldn't make sense for the Poughkeepsie Day Nursery to agree to put extensive money into improvement of the building that they would not have a relatively long term lease in. The City appreciates the expenditures that will be made and realize that the useful life of such as these improvements will be considerably greater than the term of this lease, so it's those individual negotiations as things as improvements to the building that dictate the terms of the lease and the length of the lease.

**Councilmember Boyd:** Do you feel you need a 10 year lease in order to cover that \$40,000?

**John Mylod:** Yes. Not only in terms of the physical changes to the building, but we're about to embark on a new curriculum that will be very exciting for the City...for the 1<sup>st</sup> Ward – for all of the City and help to serve our constituents in a much greater way in terms of improved education and opportunities. Studies show that the earlier we invest in children's education, the more significant the returns over time is for those children. That's why we're shifting the curriculum to anti-obesity programs. Again, studies show the earliest possible time that children can be taught nutrition, good eating habits, outdoor play, love and understanding of nature, the better in the long term for the entire community. Not just in Poughkeepsie, but throughout the nation. This is a trend that's just beginning throughout the nation to involve more "farm to table," "farm to schools," "farm to individuals," in terms of good, healthy food. So, we're investing in the building and we're investing in youth in that matter.

**Councilmember Boyd:** I have a few other questions. I understand you started a summertime program this...a summer camp this past summer?

**John Mylod:** We didn't start it this summer, we've had a summer camp program for years.

**Councilmember Boyd:** And, how's that working out?

**John Mylod:** It's working out very well. Obviously, parents have concerns about where their children are. They need to have daycare for their children, and summer camp program is aimed at a summer kind of learning experience and outdoor programming.

**Councilmember Boyd:** Do you feel that you've lost quite a bit of children due to the fact that the Poughkeepsie School district is now full-time Kindergarten?

**John Mylod:** You may know that for years there was a universal Pre-K program in the City, and it was run in individual day nurseries, like PDN. In 2012, I guess, the City shifted it to Smith School and is running the Pre-K program. We did lose a significant number of students as a result of going to a free Pre-K. On the other hand, we also continued to serve some of those students, because Pre-K is only a half-day and parents need a full day program. So, we have some students coming from Pre-K back to PDN and we also have an after-school program for older students that can come to the day nursery for certain programming.

**Councilmember Boyd:** Thank you.

**Councilmember Perry:** Thank you, Mr. Chairman. Did I understand you, sir that you are at that building, operating as a school for 101 years?

**John Mylod:** Not me, personally.

**Councilmember Perry:** I mean the organization – not you.

**John Mylod:** The day nursery is actually older. It began in 1907, I think and it was located in a couple of other buildings prior to coming into the day nursery 101 years ago. At our current location, at Pelton Manor and Wheaton Park. As Mrs. Dourdis said earlier, concerned people got together and formed the Day Nursery Association to address those kinds of issues.

**Councilmember Perry:** How long has it been operating at that site?

**John Mylod:** 101 years.

**Councilmember Perry:** Thank you. How much has been done in repairs in that building?

**John Mylod:** The City has invested over time, some significant money back in the early '90's about \$100,000 was put into the building for repair of the roof. Back in the '70's there was a fire in the building and repairs after the fire were significant and I assumed that was covered by insurance, but the City brought the building up to its usable condition.

**Councilmember Perry:** At some point you had a 10 year lease?

**John Mylod:** Over time, we were continually under 10 year or longer leases. Only within the last 3 years, that we are on a 3 year lease.

**Councilmember Perry:** So, why do you want to change to a 10 year lease now?

**John Mylod:** There's two reasons...going back to what Mr. Ackermann said; we plan to make a significant investment in the building and we think that requires a longer term for the payback on the investment. Secondly, in building the program, the new curriculum building that program will take time and will pay dividends over time and we want to see that build out over that time so we are not constantly coming back to the City every couple of years to renegotiate a lease.

**Councilmember Perry:** Well, that would not be such a bad idea to come back to renegotiate, because it could be in your favor as well as in the favor of the City. Three years and you come back again to reapply. I don't see that there's a lot wrong with that. After all, you've been there for 101 years, so I don't understand why the City would let you go to get someone else. You must've been a good tenant – you've been there for 101 years. That's a long time.

**Chairman Mallory:** Would you like to introduce yourself and add your comments as well?

**Yolanda Yanson** – Member of the Bd. of the Poughkeepsie Day Nursery. I'm sorry I'm late, I was at a meeting.

**Chairman Mallory:** That's

**Yolanda Yanson:** In regards to a 10 year lease; we have a building that requires some major improvements. We've been fund raising to get large amounts of money, not just money to help subsidize the tuition of the students, but to make improvements to this building. We know that the City is not in a position to make major upgrades to the building, even though they own the building, but the people that we're asking to make these significant contributions – one person has donated over \$20,000 so that we can replace the furnace. That money has been given to us. They want to know for sure (not conceptually, not out of the kindness out of everybody's heart or the history of the relationship with the City) that their investment will benefit the children of Poughkeepsie Day Nursery, not some other tenant that might be put in there. So, to them, knowing that there is a 10 year lease, makes a big difference in terms of being able to make a large donation to improvement of a building that, technically, we don't own.

**Councilmember Perry:** Well, lease can be renegotiated...always. Whether it be 10 years or 3 years or 1 year, I'm sure that happens all the time. And so, if I was doing that for 101 years, I would have some confidence that I'm a good tenant, and I would be allowed to stay there.

**Yolanda Yanson:** But, to tell the people making large donations to improving the building, that we have a 10 year lease, gives them a level of confidence in making that donation. I think it will help us a lot to have a 10 year lease, in order to solicit additional large donations. We would like to repaint and fix the outside. There's work that needs to be done on the gutters. We would like to install a sprinkler system, because then the entire building would be suitable to take care of children under 2½ years old, which right now, we can't without a sprinkler system; we can convert only two of the classrooms for that purpose. The current need, the waiting list is for that younger age group and community family development...I think they have a waiting list for that age group and we can't take them at the moment. So, really, in the next 5 years, we would like to solicit major donations to make significant upgrades and for us, we believe that our donors would like to see a long lease so that their money and their improvements – they know that it's going to benefit the children.

**Councilmember Perry:** So, all this time that you were a tenant there, no one noticed that the building needed repairs?

**Yolanda Yanson:** They did, and they can see it. The last major upgrade was done during the 10 year lease from 1990 to 2000. At that time, the City was financially in a better position than it is now, and invested \$150,000 of the City's money in upgrading that building which was wonderful, but it's not the situation we currently find ourselves in.

**Councilmember Perry:** You just mentioned that at that time, the City was in a better financial situation that you heard about the condition that the City is in now?

**Yolanda Yanson:** Yes, very much so. That's why we know the City is not going to be able to make these major upgrades.

**Councilmember Rich:** This Pelton Mansion it's called...does that have historic significance and if so, by who?

**Yolanda Yanson:** Yes, it's on the National Register of Historic Places. Any external changes that we make to the building, any changes to the landscaping immediately around the building, any changes to the color scheme of the paint, we come before the Historic Committee for approval, because they need to approve everything of that nature that we do it, and also our ability to use – the building is limited to the exterior walls, as they currently exist. There's no...we can't change...

**Councilmember Rich:** The building.

**Yolanda Yanson:** Yes.

**John Mylod:** It's also on the City's list of historic properties.

**Councilmember Rich:** Right. Within an historic designation, sometimes (not always), there's grant money that may be available for one group or another such as the Dyson Foundation, etc. How have you been doing over the last years with trying to get additional grants?

**Yolanda Yanson:** We have a preliminary grant from Dyson. In fact, to convert two of the rooms for toddler occupancy, and we want to come up with a 5 year plan. We're getting some money to help pay for consultants to come up with that 5 year plan, so that in a coherent fashion [we can] go after grants for all the components of that 5 year plan and that has also been tentatively approved. We anticipate we may get both of those funding streams in January.

**Councilmember Rich:** So, the Dyson Grant comes first before you can go out and get other...?

**John Mylod:** The Dyson Grant is pending the renegotiated lease being approved. .

**Councilmember Rich:** How much is the Dyson [grant]?

**John Mylod:** \$30,000.

**Councilmember Rich:** And, it's to evaluate what can be done, so you can open up a couple more...

**John Mylod:** No, it's largely for the changes within the building to allow for the toddler designation, that is 18 months and older, up to 5.

**Yolanda. Yanson:** Right now, we can take 2 ½ (as young as 2 years, 9 months). The toddler conversion will allow us to take children as young as 18 months. We haven't gotten approval from the Office of Children and Family Services, but we're going to be able to take in 10 or 15 children, depending on how they interpret the suitability of the space. It's better than nothing; it doesn't meet the need. The consultants that Dyson is paying for, are not only helping us with the 5 year plan, they're also helping us with revamping the program so that we could do a publicity

marketing, advertising campaign in conjunction with their work. It will help us in the immediate future with our marketing and reputation, and in the long term by helping us develop this 5 year plan, which will be the basis of soliciting our funds. We have started some of that. One of our board members has brought an architect. We're scheduled to meet with him tomorrow, who is experienced in getting grants for historic buildings. So, that would be one of the steps of going after the money that you're talking about.

**Councilmember Rich:** Do you anticipate that you can take in children, infants, down to 18 months? That would give you another revenue source?

**Yolanda Yanson:** Absolutely.

**Councilmember Rich:** Do you have any idea how that might be useful in terms of what kind of demand you see out there for that?

**Yolanda Yanson:** We definitely feel that we can fill all the spaces that we make available. The waiting list at community family development, the referral phone calls that we get indicate that 10 or 15 spaces we should be able to fill.

**Councilmember Rich:** I have a grandson; he's 8 months old. We had a hard time finding a place that we can afford for daycare, so my daughter can go to work. There are a lot of people that need that and there's competition to get that. I think you're going into a marketplace where you have a shot.

**Councilmember Johnson:** When I hear 10 year agreement, I get a flashback and it's not a good one. Like the sales tax agreement with the County, where we're losing \$20 million – 10 years to me, a decade is too long. I understand what you're saying – that the City has invested over \$150,000 in upgrades to that building, in good faith, with a \$100 per month lease and you've been there 101 years. So, I find it discouraging that someone would hold you hostage, and say, the only reason they would give you grant money of \$20,000 (or whatever...) is that you have a 10 year agreement. To me, that's like putting the Common Council under the gun. I don't like to be forced into situations, when we have basically been footing the bill for this building for over 101 years old. How much property...how many acres is that land? Because I feel, if the Poughkeepsie Day Nursery really wanted to help you, they would just do it. They wouldn't have you coming here trying to "muscle" the Common Council into a 10 year agreement. Three years seems perfectly fine. I know in the past, you've had financial difficulties. What is your financial situation right now? Your operating condition?

**Yolanda Mylod:** It continues to be under stress.

**Councilmember Johnson:** I notice here that you presently owe the City of Poughkeepsie. Is that correct? \$18,000?

**Corporation Counsel Ackermann:** Approximately.

**Councilmember Johnson:** OK. So, with only \$100 a month, for how many acres?

**Corporation Counsel Ackermann:** Let me just clarify something. The approximate \$18,000 is not in rent; it's from...

**Councilmember Johnson:** I understand that. That's from fuel. I could read. How many acres is that?

**Corporation Counsel Ackermann:** I don't know off the top of my head.

**Councilmember Johnson:** You don't know how many acres...no one knows how many acres...101 years you've been there, and

**Yolanda Yanson:** I'm trying to find it, and I'll give it to you.

**John Mylod:** We're not leasing the acreage – we're leasing the building.

**Councilmember Johnson:** Yes, but the building comes with the land.

**Yolanda Yanson:** No.

**John Mylod:** No, it's...

**Councilmember Johnson:** When I drove past there a couple of years ago, you had a lot of potholes. I personally called the City and had them filled in. I remember looking at the playground. Have you replaced the playground?

**John Mylod:** Some parts of it.

**Councilmember Johnson:** Because the playground...

**John Mylod:** Wheaton Park is a public park.

**Councilmember Johnson:** I understand, but it wasn't upgraded.

**John Mylod:** It's open for anyone who wants to come there.

**Councilmember Johnson:** You talk about obesity and exercising. I put three playgrounds in the City. The school district...they have meal plans, healthy eating so that's already being done. With the Pre-K program, did you lose the kids with the Pre-K program, since it was moved to Smith School? So, you lost those kids.

**John Mylod and Yolanda Yanson** both replies yes

**Councilmember Johnson:** So now, how many kids do you service at the Poughkeepsie Day Nursery? Because you've lost a lot of kids.

**Yolanda Yanson:** 22 at the moment.

**Councilmember Johnson:** You serve 22 kids?

**Yolanda Yanson:** Yes. We have the capacity for 45. Part of what we lost was an age cap that we were primarily servicing. So, the transition of students...

**Councilmember Johnson:** Not to cut you off, but I know all that. At the time I did come to a meeting there, I told everyone that they needed to be doing something a little bit different, to be able to get more kids from the community. There's a lot of kids in the community; I don't understand why you're not servicing more kids presently. The heat is working there.

**John Mylod:** We are in the process of redoing the program. Not only did we lose the children to Pre-K, but we've also lost children in competition with many, many, many other daycare services...most of which are "for profit." There are only 2...

**Councilmember Johnson:** How much do you charge for daycare? Do you have free services there? Do you have scholarships free?

**John Mylod:** Yes.

**Councilmember Johnson:** How many?

**John Mylod:** It depends on the individual child, and some of it...

**Councilmember Johnson:** You're saying, out of these 22, you got people are coming in for free?

**Yolanda Yanson:** We have children whose entire tuition is paid for by the Department of Social Services...

**Councilmember Johnson:** Well, it's really not free, because Social Services is picking up the bill.

**Yolanda Yanson:** ...and we have scholarships from Kiwanis and one other organization...

**Councilmember Johnson:** They're picking up the bill?

**Yolanda Yanson:** Right. And then parents, even at full rate are paying significantly less than what they would be paying in a "for profit" institution.

**Councilmember Johnson:** The whole thing is that daycare is a business. In order to pay for the operating costs and maintenance of a building, before...(and I know people really hate when they have historical buildings by neglect and then buildings deteriorate so far, that it costs so much money and there's not enough money to fix it). So, to me, the last time I was at your meeting, I saw the need for a lot of restructuring in so many different areas. That's why I'm

really having a problem with a 10 year lease. Because I would like to see...things should go in increments for you to get on your feet. Nobody wants to take the building from you. Nobody wants to take the land from you. You've been there over 100 years, but to give you a piece of property for a decade for \$100 per month and then you still owe us \$18,000. You barely got kids there. The City doesn't have any money. We're sitting here – they want to go over the tax cap. We had 600...how many was it, Corporation Counsel? How many people came here that couldn't pay their property taxes? It was 800 in the beginning. Then I know some, what? A couple of hundred people came in...?

**Corporation Counsel Ackermann:** I believe it was 390 by the day of the lien sale.

**Councilmember Johnson:** And, we already have 300 – 400 abandoned buildings, and there going to add to that, which is already draining the city. I just think the way this City is operating and the way everybody is operating, is why we are in the financial position that we're in right now. And so, is this a fast track to bankruptcy? Is this a fast track to receivership?

**Corporation Counsel Ackermann:** There's one or two things that I briefly want to point out. The Administration, during the time of negotiating this lease realized that we really don't have the resources to put into the building or maintaining the building. As part of the negotiations, that's where Poughkeepsie Day Nursery agreed to accept liability for the building, pretty much cart blanche for whatever should happen there, up to a maximum of \$40,000 which is a huge weight off the City's shoulders in case something should happen. Also, it should be pointed out that the lease contains provisions that the Poughkeepsie Day Nursery must operate it as an educational facility, daycare facility and if that ceases to happen, then this lease would cease and they would have no right to the use of the property anymore. Also, there is a provision that allows that the tenant or the lessor to terminate this lease on six months' notice.

**Councilmember Johnson:** You're saying that, you gave them...they're responsible for all the liabilities for the City, when they owe us \$18,000 already, that they couldn't pay? So now, you want the City to come off the hook, so this way we can't even bail them out when they do have problems with CDBG, or whatever. So that means that this building, that already has a lot of damage – (and, it's a lot of damage. I've been over there...will now be on a fast track of decline, because if they don't have the money and they only pay \$100 a month and they owe us \$18,000 and now you're saying, "Oh well, we're not going to help you because this is a part of the new agreement...something is just not right. It's not right. You know what I see in the future? I see this building going down, down, down; being abandoned, going so far down that it's going to be another demolition by neglect. That's what I see in the future. Put that in the record.

**Chairman Mallory:** Thank you so much for coming out.

**Motion to resume the rules was made by Councilmember Solomon and seconded by Councilmember Boyd.**

**Councilmember Solomon:** I want to change or add something. On the second page of the lease agreement, "a" says that premises shall be...the rental for the premises shall be the sum of \$12,000 which must be paid equally in a term at \$100 a month. I think, just for clarity's sake, we

should add, “for the 10 years of the length of the lease.” Because if you multiply 100 by 12, you only get \$1,200. When I read this, I thought there’s something wrong here, but I think it just needs an extra clause.

**Corporation Counsel Ackermann:** What the agreement reads is that, “for the life of this agreement the total amount will be \$12,000.” There are legal reasons why we do the full amount obligated under, as opposed to monthly sums, but we do give them the option under the lease to make monthly payments toward that \$12,000 lease term for the full amount, \$100 monthly.

**Councilmember Solomon:** I see. So, the lease is really \$12,000 and you allow...oh, I did not understand that. Thank you.

**R E S O L U T I O N**  
**(R-13-88)**

**INTRODUCED BY COUNCILMEMBER SOLOMON**

**Lease Agreement between the City of Poughkeepsie and  
Poughkeepsie Day Nursery Association, Inc.**

**WHEREAS**, the City of Poughkeepsie has previously entered into a lease agreement with Poughkeepsie Day Nursery Association, Inc. for certain premises located at 36 North Clover Street in the City of Poughkeepsie; and

**WHEREAS**, said agreement is set to expire on December 31, 2013 and the parties are desirous of entering into a new agreement for the continued lease of the premises as a day care/educational facility; and

**WHEREAS**, the parties have negotiated in good faith and have proposed a new lease which is attached to this resolution; and

**WHEREAS**, the Common Council of the City of Poughkeepsie has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617.5(c)(26) and (27), and

**NOW THEREFORE,**

**BE IT RESOLVED**, that the Mayor, the City Administrator and the Corporation Counsel are hereby authorized to execute this new license agreement in substantially the same form as annexed hereto and do all other things necessary and convenient to give full effect to this Resolution.

**SECONDED BY COUNCILMEMBER BOYD**

R13-86						
			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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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. Before you is a resolution authorizing the McCann-Caven Golf Courses, Inc., which operates both College Hill and Spratt Golf Course to increase their rates pursuant to the agreement between the City of Poughkeepsie and McCann-Caven. The Common Council has sole authority to set the rates and increase them. The last time the rates were increased was in 2008. Attached to the proposed resolution is the request for McCann-Caven Golf Course. I see a representative of McCann-Caven here if the Common Council would like to speak with him, Mr. Foster.

**A motion was made to suspend the rules by Councilmember Solomon and seconded by Councilmember Boyd.**

**John Foster:** Thank you. My name is John Foster. I'm President of McCann-Caven Golf Courses, Inc. I've been a president for 20 years and a member of the board for 30 years. The Golf courses have been run for the City for the past 37 years. Asked for fee increases. (See attachments).

**Councilmember Boyd:** How does this work? The City owns the property and you explain this a little bit to me because...

**John Foster:** The City owns the property, up to Christo's Restaurant and the Town of Poughkeepsie owns the rest of the property.

**Councilmember Boyd:** So the Town owns College Hill?

**John Foster:** The City owns College Hill.

**Councilmember Boyd:** The City owns College Hill...what about McCann?

**John Foster:** The Town owns the majority of the property, and the City owns the Spratt Park ball fields up to the end of Christo's Restaurant.

**Councilmember Boyd:** You maintain the golf course?

**John Foster:** We maintain the golf course.

**Councilmember Boyd:** You have some sort of agreement with the City to maintain it?

**John Foster:** Well, when you operate it, you maintain it. If you don't maintain it, no golfers will come. So, we do maintain it.

**Councilmember Boyd:** Is there any reason why the City has not gotten a percentage of the revenues brought in from golfing?

**John Foster:** Yes. Every year we just about break even and this year, we're going to be about \$95,000 that we're going to have to take out of our, "rainy day funds." Every year we made some money, we sunk it right back into the golf course to buy equipment and make improvements to the golf course.

**Councilmember Boyd:** Do you feel that by increasing these fees, we would minimize the golfers that are coming and playing now?

**John Foster:** I'm sure that there'll be some, by increasing fees, but as I said before, we haven't raised them in 5 years due to economics, competition and we've had enough money in the "kitty" to keep it as-is, but that's coming to an end.

**Councilmember Boyd:** Did you ever think of making it a membership club?

**John Foster:** We do sell season pass memberships, but they've fallen and for example, one of the sheets I gave out shows the 1978 membership at 275. In 2013, it's about 43. We have done it, but we still offer season passes. A person who buys a season pass at College Hill, probably pays half of what the average golfer would pay coming in. So it's really done as a convenience to the golfer. We're here to serve the golfer of the community. Compared fees of golf courses in the area and McCann-Caven's fees are the lowest. It's a golf course for the average person and it's affordable. It costs money, but it's not like going to Giants Stadium and spending your money. We're competing for the recreational dollar of everybody, so it behooves us to have a great golf course for people to come to, and we want to try to maintain it.

**Councilmember Boyd:** Thank you.

**Councilmember Perry:** Thank you, Mr. Chairman. Thank you for coming here tonight sir. I wondered if, the fact that College Hill Park as a whole is looking much cleaner now, if it would do anything as we continue to keep it up, would bring more people up there for golf?

**John Foster:** Yes.

**Councilmember Perry:** You think so?

**John Foster:** Certainly, yes.

**Councilmember Perry:** OK, so I was looking at the park several years ago and I really thought it was two parks, because I noticed that the golf course was very well manicured and kept up. The rest of it was growing up in woods and forest and bushes, and no one took care of it. Mr. Stickle, myself and others went there and cleaned it up. One day while I was up there, a young man came riding on a lawnmower. He said he came from the golf course. I was very touched by that appearance. Do you think that's going to keep up? Is he going to continue to help us to maintain that section so that people will know that there's a golf course there and that the park is a very important part of College Hill compound?

**John Foster:** It's most important for College Hill to be kept up, looking nice – there's all people there. In fact, the Acropolis or Parthenon on top of the hill is the most beautiful spot in the City and there should be more people going up there. But, yes, by maintaining it...sometimes the City maintains the entrance road and exit road and we maintain everything around the golf course itself.

**Councilmember Perry:** But, you never went beyond the golf course; just strictly the particular area there that encompasses the golf course. And, you've been up there for 31 years, you said?

**John Foster:** We've been up there 37 years.

**Councilmember Perry:** I recall many years ago, they used to have the fireworks up there. People used to go up there all the time. All of a sudden, because it was never maintained, people stopped going up there. I'm hoping, that as we continue to maintain it – the golf course and the rest of it and the people that are concerned about it, that it will bring in revenue for you, and perhaps some of the revenue might trickle down to the City somehow. Thank you very much.

**A motion to resume the rules was made by Councilmember Solomon and seconded by Councilmember Boyd.**

**R E S O L U T I O N  
(R-13-89)**

**INTRODUCED BY COUNCILMEMBER SOLOMON**

**WHEREAS**, the City of Poughkeepsie owns two municipal golf courses for the use and enjoyment of the citizens of the City and the public in general located at Spratt Park and at College Hill Park respectively; and

**WHEREAS**, these golf courses are operated on behalf of the City by McCann-Caven Golf Courses, Inc. under an agreement with the City; and

**WHEREAS**, the said agreement provides that the schedule of fees charged for the use of the golf courses and related amenities must be approved by the Common Council of the City of Poughkeepsie; and

**WHEREAS**, in order to preserve and maintain the recreational opportunity that these golf courses provide to the citizens of the City and the public in general, McCann-Caven Golf

Courses, Inc. has requested that the Common Council consider a revision to the current fee schedule which was last revised in 2008; and

**WHEREAS**, McCann-Caven Golf Courses, Inc. has provided good and sufficient justification for the requested revision; and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the schedule of fees annexed hereto to be charged for the use of the golf courses located in Spratt Park and in College Hill Park and for the use of the facilities and amenities related thereto is hereby approved by the Common Council; and be it further

**RESOLVED**, that the annexed schedule of fees shall take effect no sooner than January 1, 2014; and be it further

**RESOLVED**, that the Mayor, the City Administrator and McCann-Caven Golf Courses Inc. be and they hereby are authorized to take all steps necessary to give full effect to this resolution.

**SECONDED BY COUNCILMEMBER BOYD**

<b>R13-89</b>			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<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. A motion was made by Councilmember Solomon and seconded by Councilmember Boyd to receive and print.**

**Councilmember Rich:** Thank you, Mr. Chairman. According to the County, and their report on the Loop - City bus system potential merger, in order for the merger to happen on the last page of the document in the last paragraph, it says, “in order for this to be a legitimate sale of City to the County of its bus system, including all of its assets, that the County Legislature and Executive, Common Council and the Mayor would all have to agree ergot it would not go forward. We’ve heard something very different, but somehow the Federal Government is involved in deciding this, so I am puzzled. If the City Council and the County say, “no,” even if the Mayor says, “yes,” why would the Federal Government want to combine these bus services, because frankly, the Loop bus system is an idea that started a long time ago, but has not grown and is not a very good system. We are a good system. If we merge with the County (good with the bad), I find that bizarre. It should be the other way around. If it does happen, the Loop should merge into the City and we get appropriate funding from the County to carry it off. So, I want to go on record that the Common Council is opposed to a merger, so that the Mayor, the Federal Government and the County Legislature and Executive all know how the Common

Council feels at this time. We've heard meeting after meeting people coming here with very emotional reports. It really upset me, how the City bus system is part of their way of getting by, of living a decent life, and for me to give that bus system to a County system that is not very good, I can't do it. I'd consider it if it were the other way around, as our City bus system runs pretty well.

**Councilmember Johnson:** This resolution is significant and we're seeking all the members on the Common Council for your support in this resolution. Ms. Johnson read the 4<sup>th</sup> WHEREAS, from the resolution and the 2<sup>nd</sup> and 3<sup>rd</sup> BE IT RESOLVED aloud. This resolution will be very helpful in bringing this resolution to my colleagues on the County Legislation, as your new representative of the City of Poughkeepsie. This will be very helpful to show them that the City is very serious about our residents and the City is very serious about our bus service and our bus drivers.

**Councilmember Boyd:** I just want to make a note that the study that was given to us said that the Legislature and Executive Branch must also agree on this bus merger.

**R E S O L U T I O N**  
**(R-13-90)**

**INTRODUCED BY COUNCILMEMBERS JOHNSON & RICH:**

**WHEREAS**, on September 5, 2013 the Poughkeepsie-Dutchess County Transportation Council (PDTC) announced the completion of the Dutchess County Bus Service Feasibility Study; and

**WHEREAS**, the study found that it is possible for the County to expand its current service and become the sole bus operator in the City of Poughkeepsie at no additional county cost if specific conditions were met and that the City of Poughkeepsie could save approximately \$450,000 to \$500,000 a year; and

**WHEREAS**, since the announcement of this study the Common Council has heard the concerns of residents of the City and users of the City of Poughkeepsie bus system; and

**WHEREAS**, the concerns that were raised included (1) the potential loss of transportation needs for the elderly, school children and general population that relies on the City bus system; (2) the merger with a less efficient private bus system; (3) the loss of dedicated bus drivers; (4) the loss of routes that accommodate city residents; and (5) the accuracy of the report that was conducted; and

**WHEREAS**, while no specific plan has been presented the Common Council wishes to express its opposition to any possible merger or elimination of the City bus system; and

**NOW THEREFORE,**

**BE IT RESOLVED**, that the Common Council hereby opposes, at this time, any merger of the City of Poughkeepsie Bus System with the Dutchess County Loop Bus System, the elimination of the City of Poughkeepsie Bus System; and

**BE IT RESOLVED**, that the Common Council request the City Clerk and she shall notify the Dutchess County Legislature and the County Executive of Dutchess County of the official position of the Common Council by sending a copy of this resolution to the clerk of the Legislature and the County Executive’s office.

**SECONDED BY COUNCILMEMBER SOLOMON**

R13-90			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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**Corporation Counsel Ackermann:** Attached is a proposed resolution approving a supplemental agreement with New York State Department of Transportation for the project known as “Replacement of Hoffman Street Bridge over Metro-North Railroad.” The reason for the supplemental agreement is due to additional funding that was made available to the City of Poughkeepsie to cover unexpected expenses in engineering and right of way improvements. These expenses (\$519,956) have already been paid by the City so the additional revenue will be used to pay down the financing.

**Councilmember Boyd:** I thought this was funded through CDBG funds...the Hoffman Street Bridge.

**Corporation Counsel Ackermann:** No, I believe our local share was through a band and error funding, so the majority of it was federal and state funding. There was a local share; the \$519,956 will go towards reimbursing the City for their local share.

**Councilmember Boyd:** But there was no CDBG funds available?

**Corporation Counsel Ackermann:** No.

**Councilmember Rich:** I just want to clarify – it’s my understanding, when we got the announcement back in 2009, that the Hoffman Street Bridge had been selected by the state for development, based upon what was called the Obama Stimulus money coming in, trying to put this...

**Corporation Counsel Ackermann:** I believe that's the error funds. Correct.

**Councilmember Rich:** Right. Coming in all over the country, to get things going, especially in construction. We were not aware we were going to get this, but we got it, so it's up, it's running and cost us \$1,330,000 (which, without a doubt is a "hit") but nevertheless most of it comes from the feds, the rest is from the state - then there's us.

**Corporation Counsel Ackermann:** Correct. I believe the total project cost was \$13,655,000.

**RESOLUTION BY MUNICIPALITY  
(Locally Administered Project)  
RESOLUTION (R-13-91)**

**INTRODUCED BY COUNCILMEMBER SOLOMON**

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Replacement of Hoffman Street Bridge over Metro-North Railroad (BIN 2262560) in the City of Poughkeepsie, identified as PIN 8757.87 (the "Project") is eligible for funding under Title 23 of the U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, Resolution No. R-02-127 adopted on November 12, 2002; Resolution No. R-07-86 adopted on October 15, 2007; and Resolution No. R-10-30 adopted on February 28, 2010 and approved by the City of Poughkeepsie and agreed to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work; and

WHEREAS, it was subsequently found necessary to undertake additional preliminary engineering and right-of-way incidental work not contemplated in the original agreement authorized by the previous Resolutions; and

WHEREAS, it has been found necessary to increase the federal and non-federal share of costs for the additional preliminary engineering and right-of-way incidental work for the project;

NOW, THEREFORE, the City of Poughkeepsie Common Council, duly convened does hereby

RESOLVE, that the City of Poughkeepsie Common Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the City of Poughkeepsie Common Council hereby authorizes the Poughkeepsie Common Council to pay in the first instance 100% of the federal and non-federal share of the cost of the additional preliminary engineering and right-of-way incidental work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$519,956 (\$1,032,956 minus previous \$520,000) is hereby appropriated from 30-003797 Project 2002B HSB [~~or, appropriated pursuant to \_\_\_\_\_~~] and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceed the amount appropriated above, the Poughkeepsie Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof; and it is further

RESOLVED, that the Mayor of the City of Poughkeepsie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Poughkeepsie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefor that are not so eligible; and it is further

RESOLVED, that in addition to the Mayor, the following municipal titles: Commissioner of Public Works, City Engineer, and/or City Comptroller are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

**SECONDED BY COUNCILMEMBER BOYD**

R13-91						
			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. 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. Before you is Local Law #3 of 2013. This local law pursuant to General Municipal Law, Section 3-c will give the Common Council the ability to exceed the State Mandated Tax Cap, which at this time is actually 1.66%. This Local Law needs to be adopted prior to the adoption of the budget, and this just gives the ability for the Council to exceed that 2% tax cap...it's actually 1.66%.

**Councilmember Johnson:** Yes. Overriding the tax cap. Discussed an article in the Poughkeepsie Journal dated Wednesday, December 11, 2013 entitled, "Tax Panel Proposes Credit if Tax Cap is Met." Taxpayers can have their tax bill capped flat over 2 years, if their local governments stay within the State's property tax. Further, it calls for a \$2 billion package of property and business tax cuts within 3 years. Staying within the tax cap (implemented 2011) and limits levied, homeowners would receive a tax credit funded by the State equal to the growth in property taxes. It would mean no tax increases over 2 years. This would be estimated at \$354.00 per year for nearly 2.4 million property tax payers. This would be the reason (and please note that in the record), that I will be abstaining from voting for override of the tax cap.

**Councilmember Rich:** Yes. I was wondering if Mr. Ackermann could explain to us how this proposal from the State at this late date, affects this budget and this override that we're about to consider.

**Corporation Counsel Ackermann:** The Local Law, as it stands now (the General Municipal Law, 3-c), provides that a municipality must adopt a budget underneath the State...(inaudible) tax cap, unless the municipality adopts a local law to override that. If the municipality does not adopt this local law to override or exceed that tax cap, the Council must then adopt a budget that is underneath the tax cap. From my understanding, that would be approximately almost \$400,000.00 in cuts to the City budget.

**Councilmember Rich:** Mr. Ackermann, is it true that the City's proposed budget is above the 2%?

**Corporation Counsel Ackermann:** That's correct.

**Councilmember Rich:** ...and the proposed changes by the Common Council would go up just a little bit from the 4.1 to ...what is it...

**Corporation Counsel Ackermann:** That's my understanding.

**Councilmember Rich:** ...and that this motion doesn't pass our budget – it just gives us the right to go above the 2% tax cap?

**Corporation Counsel Ackermann:** That's correct.

**Councilmember Rich:** Thank you.

**Councilmember Solomon:** I'd just like to say that any statement from New York State about our 2014 Budget on December 11th, is really way too late. Our budget was started in August of this year. The Mayor released it to the public on October 15<sup>th</sup> and we have been working on it for the last 6 weeks. What can one do in 4 days? Too little, too late, as far as I'm concerned.

**Councilmember Johnson:** I believe you started working on the budget, (or you could have been) at the beginning of the year in January. Ms. Johnson read another article dated December 17<sup>th</sup>, entitled, "Big Winners." The State awarded \$716 million in grants and tax breaks to 824 projects around New York. Poughkeepsie was not one of them.

**Councilmember Boyd:** I have a couple of questions regarding the increase in the tax cap. Increase in user fee, increase in tax cap, increase in parking meters. Where is it going to leave the people of the City of Poughkeepsie?

**Councilmember Rich:** Paul, this is a proposal, this giveback to the taxpayers for staying at, or under 2%. This was proposed by Governor Cuomo, but it has to go to the State Senate and the Assembly, and they both have to agree?

**Corporation Counsel Ackermann:** That's my understanding.

**Councilmember Rich:** To set it straight, they haven't done it yet. Both the Assembly and State Senate will have to look at this very closely.

**Councilmember Perry:** Thank you, Mr. Chairman. I just think that increasing the user fee putting in parking meters on Main Street, raising the tax levy...all of those things at the same time, on the same people is one of the reasons why I can't support raising the tax levy or putting in parking meters. Thank you, Mr. Chairman.

**Councilmember Johnson:** The local law you have the Mayor tax levy 3.95 and your amended budget at 4.42, and I think the 4.42 was based on just reducing parking meters by \$.50? It doesn't make sense.

**LOCAL LAW NO. 3 OF 2013  
LL-13-3**

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN  
GENERAL MUNICIPAL LAW § 3-c**

**INTRODUCED BY COUNCILMEMBER SOLOMON**

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

**Section 1. LEGISLATIVE INTENT**

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the City of Poughkeepsie, County of Dutchess pursuant to General Municipal Law § 3-c, and to allow the City of Poughkeepsie, County of Dutchess to adopt a budget for the 2014 fiscal year that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

**Section 2. AUTHORITY**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the City Council to override the tax levy limit by the adoption of a local law approved by a supermajority vote of the Common Council.

**Section 3. SEVERABILITY**

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 4. EFFECTIVE DATE**

This local law shall take effect immediately upon filing with the Secretary of State.

**SECONDED BY COUNCILMEMBER BOYD**

LL-13-3			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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" 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"/>

**Chairman Mallory:** Corporation Counsel, because of the override on the tax cap, did we have enough votes for that?

**Corporation Counsel Ackermann:** No.

**Chairman Mallory:** So, bringing this up, what I proposed can't come for a vote? Then how does this affect for the Mayor's as well?

**Corporation Counsel Ackermann:** The Council must adopt the budget now - what's within the tax cap.

**Chairman Mallory:** 1.66%?

**Corporation Counsel Ackermann:** That's correct. You can't entertain the number 6, because it's not contained in the 1.66...

**Chairman Mallory:** Excuse me. Deputy Commissioner? Can you share with us, how much money we have to reduce? We'll start from the Mayor's of 3.95 – how much, roughly in savings, to get down to 1.66?

**Deputy Finance Commissioner Sorrell:** To get to that, I'll calculate it out and send you an email tomorrow.

**Chairman Mallory:** Can you give us a guesstimate?

**Deputy Commissioner Sorrell:** It's going to be over \$300,000.

**Chairman Mallory:** Alright, thank you.

**Councilmember Johnson:** They better start doing their jobs...scraping the coffers and everything else.

**Chairman Mallory:** Thank you. That's all on that one. On Presentation of Petitions and Communications, I'd like to refer line items 1 through 5 to Corporation Counsel.

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

- 1. FROM SHARON A. CARDINALE, a notice of personal injury sustained on October 30, 2013. Referred to Corporation Counsel**
- 2. FROM WILLIAM FOX, a notice of personal injury sustained on October 17, 2013. Referred to Corporation Counsel**
- 3. FROM TYLISHA QUILL, a notice of property damage sustained on August 26, 2013. Referred to Corporation Counsel**
- 4. FROM SPENCER GREEN, a notice of personal injury sustained on August 22, 2013. Referred to Corporation Counsel**
- 5. FROM MARISCOS DE ACAPULCO, a notice of intent for 395-397 Main Street to alter their Liquor License. Referred to Corporation Counsel**

**X. UNFINISHED BUSINESS:**

**Councilmember Boyd:** I'd like to make a resolution for the Glebe House, to turn over the \$10,000 so they can fix up this house in order to entertain and put this thing behind us. I spoke to Milo several times about the Glebe House. He told me he would speak to those parties in charge and would then turn over some money. That was quite some time ago. Now, the house is still not up to par, they can't do what they need to do and they're having a big festivity coming up and it's horrible that they just can't get this thing up off the ground.

**Chairman Mallory:** Anyone second that?

**Councilmember Rich:** Second.

**Chairman Mallory:** May we have a roll...

**Councilmember Solomon:** I'm just curious – what \$10,000?

**Councilmember Parise:** Where's the money coming from?

**Councilmember Boyd:** It was \$20,000 that apparently, the City has been holding for the last couple of months and they had done what the City Administrator requested. They've gotten 3 estimates to fix certain things in the building and he still...the City still has not turned over the \$20,000. When I last spoke to the City Administrator, he said he would talk to both parties. Apparently, something happened. All I'm asking for is \$10,000 so they can start fixing up their place and be able to accommodate their festivities and so, we can move ahead with this.

**Councilmember Solomon:** I'd like to amend your motion and say, "let's give them the \$20,000 which is old CDBG money, which we have. We're not talking about the contract, just their CDBG money. I believe they've gotten their estimates and made their plans and they do have that money on the books. The City is holding their money, so if you don't mind, I'd like to amend your motion.

**Councilmember Boyd:** That's quite all right.

**Chairman Mallory:** Can we get a second on that?

**Councilmember Johnson:** Since we have the Assistant Finance Director here, Ms. Sorrell, because my understanding of CDBG in respect to sidewalks, scattered sidewalk repairs, it is that the money can't roll over into the next year. You'd have to spend it all that year, so if there's leftover money, I would like to know: Is that money hidden...tucked away? Because if they didn't spend it...what year...can you clarify when the \$20,000 is referring to from CDBG?

**Acting Commissioner of Finance Sorrell:** The \$20,000 is earmarked for the Glebe House.

**Councilmember Johnson:** So, where's that money right now?

**Acting Commissioner of Finance Sorrell:** It is still CD money, in a project to be spent. The issue is, we cannot just give them a check for \$20,000. It needs to run through the City...just like we did for the roof (\$50,000). That was a bid that was done by the City and paid for by the City. It was earmarked for the Glebe House. This is the same principal. It's just a matter of them going through our process for the City's purchasing policy. We can't just cut them a check for \$20,000.

**Councilmember Boyd:** From what I believe, they did that already.

**Councilmember Johnson:** Well, this is...I think the problem is that one entity is saying one thing, the Finance Department is saying something else and this is why in the past, the Council had 4 or 5 standing committees. You need someone in between to make sure that the people at the historical house; the Glebe House, that they're fulfilling their obligations – doing what they're supposed to do, and turning in receipts and once everything is in, then see what is the holdup in cutting the check. We've been going through this since 2012. I just think we should go about it a different way, because this way is not working. There should be a committee of the Common Council to oversee this process.

**Councilmember Rich:** Read part of a report from the Dutchess Historical Society that stated that the Society arranged with Milo Bunyi, City Administrator and Gary Beck, Building Inspector plan to have the Society carry out improvements using leftover CDBG funds dedicated to the Glebe House, in the amount of \$20,000. So, does this mean that we should have voted on this last summer, Corp. Counsel?

**Corporation Counsel Ackermann:** If there was monies earmarked in previous plans and there is no reallocation of those monies, it sounds to me...and I'm just relying on the text of the letter that was submitted today, without any previous knowledge about either the CDBG budgets or anything, but if they were already allocated and are continuing to be allocated for the Glebe House purpose, and they're not being reallocated from another project to the Glebe House, then there is no need to have Council reallocate the monies, if they're already allocated .

**Acting Commissioner of Finance Sorrell:** The money is still earmarked to the Glebe House. It's not going to expire and there's no plan to reallocate it. So the money is still there.

**Councilmember Rich:** So, what have they got to do to get the money?

**Corporation Counsel Ackermann:** They need to follow purchasing policies. My understanding from Acting Commissioner, Sorrell is that they simply just have to follow through with procedures with requirements with the CDBG money that also need to be complied with.

**Councilmember Rich:** But the next sentence speaks to that, Paul. Mr. Rich read from the report stating that the Dutchess County Historical Society had obtained three bids and chose a contractor in conformance with our verbal agreement with the City. They asked for the

City to release the funds so they could do the work. So, they think they've met your criteria...if they haven't, they think they have. Since they've put it in writing, they're puzzled why they haven't been able to proceed and get the \$20,000 to fix Glebe House. Somebody is miscommunicating. The Society feels that they've done everything that was asked of them and just didn't get the money. Why didn't they get it? Is the Historical Society correct?

**Corporation Counsel Ackermann:** I think what is correct is your statement that there is some miscommunication and the fact that they have believed that they have done what they had to do to meet purchasing policy, and that's not correct with the purchasing department, but we'll have to let them know.

**Acting Commissioner of Finance Sorrell:** We can review this again tomorrow. I know we have had conversations with them, but we can follow up with them too.

**Councilmember Rich** stated that he wants this addressed so they can get their money.

**Chairman Mallory:** So, if that's the case in point, do you want to withdraw your motion?

**Councilmember Solomon:** No, I wanted to ask an additional question. I know Mrs. Kopstein brought it up...the City is asking that they pay prevailing wage, but they are a private entity and the prevailing wage, as you know is 30% or more than what they would get on the open market, so, do they have to pay prevailing wage?

**Corporation Counsel Ackermann:** This is the first time that's being asked. I'll have to take a look at it, but it is a City building and I don't know if they considered us, and if the City could give them directly the money, and then do it...

**Acting Commissioner of Finance Sorrell:** We can't.

**Corporation Counsel Ackermann:** If the City is doing the work, if the City's paying for the work, then it's going to have to be prevailing wage. And, if the CDBG rules or purchasing requirements say that it's not a grant to the entity, then it's going to be subject to prevailing wage.

**Councilmember Solomon:** They really just have to redo their bids and get to prevailing wage. That means they're going to get that much less done out of that, but good.

**Councilmember Johnson:** I think this seems to be a cat and mouse game. I believe this will be my last Council meeting, but moving forward for those that will be here and for the incoming people, I would say that you should have the Finance Commissioner, Purchasing Officer, whoever...come here with whatever bills they have from the Glebe House. Let them bring in what they think was submitted and let's see what matches up and what needs to be done. If we're not going to have a committee, let everybody bring their bills to the Common Council and let's straighten this out, once and for all because something is not right. Either they're not doing something right and they expect the City to do this; the City is saying they

need to do this and we can't do that – everybody needs to be on the same page. Rules and Regulations must be followed when dealing with a City property and dealing with unions and prevailing wages. If you're not going to have a committee to oversee this, or have a Committee of the Whole meeting...whatever/however...at the next Common Council meeting, have the City bring whatever. Purchase orders they have from them and have them bring theirs and see what the problem is, because this is just going to go on and on like it has been.

**Chairman Mallory:** Vice Chair, Solomon, are you going to withdraw, or are we voting on this?

**Councilmember Solomon:** My understanding is we are voting to give them the \$20,000.

**Councilmember Johnson:** They're not going to get it.

**Councilmember Solomon:** There is no reason not to give them the \$20,000. It's just that they have to abide by the purchasing requirements of the City, so I...

**Chairman Mallory:** Let's have a roll call vote on it.

**Councilmember Solomon:** Let's do it.

Deputy Chamberlain DeLuca began roll call.

**Corporation Counsel Ackermann:** Wait, wait one second. I'm sorry. You're voting on the amended resolution just to be clear.

**Chairman Mallory:** Right.

**Corporation Counsel Ackermann:** OK, because you have a...yes.

R13-93						
			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 type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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:** The paper states, "City faces Trash Fee Shortfall," of I believe the City Administrator said, \$621,000 as of November 30<sup>th</sup>? The Commissioner of Finance, Bill Brady that recently just left, told us that we weren't going to have...if any, shortfall and that would be taken until the end of December. Holds up newspaper and said, "So, I don't know what this is all about."

**Acting Commissioner of Finance Sorrell:** That figure is based upon the amount that was billed, to what has been collected.

**Councilmember Boyd:** As of November 30<sup>th</sup>?

**Acting Commissioner of Finance Sorrell:** Correct.

**Councilmember Boyd:** How do you feel we're doing at the end of, because nobody tells us what the figures are on a month-to-month, or quarterly basis. We just have figures that come out of the newspapers.

**Acting Commissioner of Finance Sorrell:** Well, normally, we do have the monthly reports that are submitted. I know this particular meeting, we did not submit that, but that's normally where they come from.

**Councilmember Boyd:** OK. I'd like to see where the shortfall is; exactly where we stand with the User Fee. I feel that these figures are being "pulled out of the air" and they really don't make any sense to me unless I see something on paper.

**Chairman Mallory:** Can you just send us all an email on that?

**Acting Commissioner of Finance Sorrell:** Sure.

**Chairman Mallory:** Thank you.

**Councilmember Rich:** Asked for clarification from somebody about the User Fee. The Marist Budget has approximately a 50% increase in User Fee, and the majority of the Common Council is not interested in raising the User Fee. But, now that we have defeated the 2% cap, going above it – what happens to that part of the budget that involves the sanitation pickup, which is funded by the so-called User Fee? Is the Mayor's part then in play? Or, can we amend it?

**Councilmember Johnson:** The Mayor's budget wasn't approved either.

**Councilmember Rich:** I didn't ask that. I asked, "Can we amend the Mayor's Budget?"

**Corporation Counsel Ackermann:** You need to adopt a budget that's underneath the tax cap, prior to the end of the year.

**Councilmember Rich:** But my question is...I know that's true. I know that part. User Fee – what is happening there with keeping the 2% tax cap, as we have voted to do? What about that, my fellow Council members?

**Corporation Counsel Ackermann:** You can amend those fees.

**Councilmember Rich:** In what budget?

**Corporation Counsel Ackermann:** The Council did not approve exceeding the tax cap. They need to adopt a budget that's underneath the tax cap.

**Councilmember Rich:** OK, that's what we are, then. We've got to go ahead with looking at the Mayor's Proposed Budget and get it under the 2%...

**Corporation Counsel Ackermann:** Correct.

**Councilmember Rich:** And, at that time, we can take a look at...among other things, the User Fee.

**Corporation Counsel Ackermann:** Correct.

**Councilmember Rich:** OK, thank you.

**Councilmember Johnson:** Neither budget was approved, so it's not the Mayor's budget, it's whatever budget you come up with. It's like if you were making amendments to a budget, whatever budget you come up with. In the Democratic Caucus budget, you are not addressing the Sanitation User Fee at all. You were letting the \$400,000 in the red...what was it?

**Acting Commissioner of Finance Sorrell:** Something like that.

**Councilmember Johnson:** Whatever it was, you were letting that roll over to 2014 to see what revenues were coming in for end of year revenues. The Democratic Caucus budget, which Chairman Mallory was proposing was an unbalanced budget. You were missing that component, correct?

**Acting Commissioner of Finance Sorrell:** Yes.

## **XI. NEW BUSINESS:**

**Councilmember Johnson:** This Saturday, even though we had a big snowstorm, at 1 o'clock my seniors – they are the absolute best – at Maplewood, we still had our Senior Holiday Luncheon at Maplewood. The walkers came out in full force, the electric wheelchairs were left in the apartments. They braved the cold, even though they didn't shovel the snow at the complex. They still came out – a full house. So, I just want to thank the volunteers (I had to find my own volunteers for a private facility) that came out to help me. These are the true unsung heroes in the City of Poughkeepsie that really care about people: Mae Parker Harris, Gilda Smith, Councilwoman Ann Perry, Doris Brown, Councilman-Elect, Randall Johnson, his beautiful girlfriend Alexander Willis, my little daughter Dominique Johnson and, if it couldn't get any better, Mr. Flowers came with Santa Clause bearing gifts. Uncle Bob was there playing music, and we had a fabulous time for 4 hours. The food was delicious. They had everything. I just want to thank those who came out and I wanted to tell my seniors because it was my last holiday party with them that I love them so much and will do anything for them. Things will go on with the new Councilpersons. So, thank you.

**Chairman Mallory:** Just one last question for Corporation Counsel. For either budget that's proposed that's down to 1.66, it has to be voted on and approved on December 31<sup>st</sup>?

**Corporation Counsel Ackermann:** Correct. Actually...

**Councilmember Johnson:** What about the veto aspect?

**Corporation Counsel Ackermann:** Right. You need to allow time for the Mayor to veto the budget.

**Councilmember Johnson:** 10 days?

**Councilmember Boyd:** 20 days? 10 days?

**Corporation Counsel Ackermann:** 10 days, by resolution.

**Chairman Mallory:** That's a Saturday.

**Corporation Counsel Ackermann:** Theoretically, you would have to vote on it by Friday, the 20<sup>th</sup>.

**Councilmember Solomon:** That's til the end of this week.

**Corporation Counsel Ackermann:** Right.

**Councilmember Johnson:** I guess you got to burn that midnight oil.

**Corporation Counsel Ackermann:** Right. For override on the 31<sup>st</sup>.

**Chairman Mallory:** OK, so that's on for whoever's budget it is. Alright.

**Councilmember Perry:** Thank you, Mr. Chairman. I just want to say that it's been a pleasure working with Councilmember Parise, Councilmember Johnson and Councilmember Solomon. It's been a pleasure. I've learned a lot from each of you in your own way. To Councilmember Johnson, now that you've been promoted or graduated to County Legislature, I hope you'll not forget us, and if you happen to see that \$2 million over there somewhere, that you will try to retrieve it for us, so we can bring it back to the City of Poughkeepsie so our revenue will build up a little bit. Councilman Herman, you've been very quiet, but when you speak, I do pay attention. I want you to know that. Mr. Parise, you were wonderful...you have that wonderful smile, and you made such a difference in your quietness and Councilwoman Boyd, thank you for all the hard work you put in to these budgets, the Sanitation Fees and everything you've done, I truly appreciate it. Councilwoman Solomon, thank you for your frequent advice, mentoring and counseling. I wish you all the best in whatever you do from this day on. God Bless You All. Thank you, Mr. Chairman.

**Councilmember Johnson:** I just want to say, I've been counting the seconds, the minutes, the hours for the last meeting. I can't wait to leave...(laughs)

**XII. ADJOURNMENT:**

A motion was made by Chairman Mallory and Councilmember Parise to adjourn the meeting at 9:00 p.m.

**Dated: January 28, 2014**

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, December 16, 2013 at 6:30 p.m.

**Respectfully submitted,**

**Deanne L. Flynn  
City Chamberlain**



## COMMON COUNCIL MEETING

Common Council Chambers

Monday, December 16, 2013

6:30 p.m.

*5:30 p.m. Public Hearing regarding the proposed amendment to Chapter 9, Article V of the Code of the City of Poughkeepsie by adding a new collection procedure for the solid waste collection fee*

### I. PLEDGE OF ALLEGIANCE:

#### ROLL CALL

### III. REVIEW OF MINUTES:

Common Council Minutes of October 21, 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 SOCIAL DEVELOPMENT DIRECTOR HESSE**, Resolution R13-87, adopting the Draft 2012 CDBG Consolidated Annual Performance and Evaluation Report for submission to HUD
2. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-88, approving a lease with Poughkeepsie Day Nursery.

3. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-89, adopting an increase in the fee schedule for McCann-Caven Golf Course.
4. **FROM COUNCILMEMBER RICH AND COUNCILMEMBER JOHNSON**, Resolution R13-90, Council's opposition of City and County Bus Merger.
5. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-91, amending the project agreement with DOT regarding the Hoffman Street Bridge.
6. **FROM CHAIRMAN MALLORY**, Resolution R13-92, adopting the 2014 Budget with amendments.

**IX. ORDINANCES AND LOCAL LAWS:**

1. **FROM CORPORATION COUNSEL ACKERMANN**, Local Law LL13-3, approving to over-ride the tax cap.

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

6. **FROM SHARON A. CARDINALE**, a notice of personal injury sustained on October 30, 2013.
7. **FROM WILLIAM FOX**, a notice of personal injury sustained on October 17, 2013.
8. **FROM TYLISHA QUILL**, a notice of property damage sustained on August 26, 2013.
9. **FROM SPENCER GREEN**, a notice of personal injury sustained on August 22, 2013.
10. **FROM MARISCOS DE ACAPULCO**, a notice of intent for 395-397 Main Street to alter their Liquor License.

**XIII. UNFINISHED BUSINESS:**

**XIV. NEW BUSINESS:**

**XV. ADJOURNMENT:**