THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, February 28, 2011 6:30 p.m. City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

II. REVIEW OF MINUTES:

Common Council Meeting of June 7, 2011

CCM 6-7-11						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Solomon	Voter	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember Coates	Voter	☑	☐	☐	☐
	Councilmember M lory	Voter	☑	☐	☐	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

Common Council Meeting of Public Hearing of June 7, 2010

PH 6-7-10						
			Yes/Aye	No Nay	Abstain	Absent
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Solomon	Voter	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember Coates	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

Common Council Meeting of November 15, 2010

CCM 11-15-10						
			Yes/Aye	No Nay	Abstain	Absent
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember Johnson	Voter	☑	☐	☐	☐
	C uncilmember Solomon	Voter	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember Coates	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

Public Hearing of November 15, 2010

PH 11-15-10						
			Yes/Aye	No Nay	Abstain	Absent
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Solomon	Voter	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Council ember Coates	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

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

<u>ADD:</u>

VII: MOTIONS AND RESOLUTIONS:

1. **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,** Resolution R11-24, waiving the thirty (30) day notice period for the license application of River City Hospitality, Inc., d/b/a Brasserie 292.

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

7. **FROM MAYOR TKAZYIK,** Quarterly Report – Fourth Quarter 2010 (October 1, 2010-December 31, 2010).

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

<u>Janet Houston 114 Rinaldi Blvd</u>

<u>Gus Kazolias 47 Noxon Street</u>

V. MAYOR'S COMMENTS:

Mayor Tkazyik

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Klein

VII. MOTIONS AND RESOLUTIONS:

1. **A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.**

RESOLUTION
(R-11-22)

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the City of Poughkeepsie and Dutchess County have previously entered into an agreement dated June 25, 2007 whereby the County reimburses the City for the cost of conducting STOP-DWI patrols; and

WHEREAS, the STOP-DWI patrols are conducted in addition to the city's routine patrols utilizing overtime, other participating agencies and special equipment from the County; and

WHEREAS, the County is desirous of renewing the agreement with the City and the City is desirous of renewing the agreement with the County for 2011 in an amount not to exceed $11,100; and

NOW, THEREFORE,

BE IT RESOLVED, that the terms of the original agreement dated June 25, 2007 are extended in all respects except for those amendments provided for in the attached "Extension Agreement"; and be it further

RESOLVED, that the Mayor and the City Administrator are hereby authorized to execute this Agreement and to do all things necessary and convenient to give full effect to this Resolution.

SECONDED BY COUNCILMEMBER PARISE

R11-22						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Solomon	Voter	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember Coates	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

2. **A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.**

   Councilmember ____made a motion to _____ the resolution, **Councilmember ____**seconded the motion.

			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember Johnson	Voter	☐	☐	☑	☐
	Councilmember Solomon	Voter	☐	☐	☑	☐
	Councilmember Flow rs	Voter	☑	☐	☐	☐
	Councilmember Coates	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☐	☐	☑	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

   Councilmember ____made a motion to _____the resolution, **Councilmember ____**seconded the motion.

			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Solomon	Voter	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Council ember Coates	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

R E S O L U T I O N
(R-11-23)

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, in accordance with City Charter §2.09, the Common Council of the City of Poughkeepsie is required to make appointments of City residents to serve on the City of Poughkeepsie Redistricting Commission by March 1st of each year ending with the digit "1"; and

WHEREAS, such Commission shall consist of five members, four of which are appointed by the Common Council and whereby no more than two members shall be of the same political party; and

WHEREAS, the Redistricting Commission is tasked with drafting and proposing to the Common Council a plan of redistricting reflecting the number and geographic boundaries of the wards based on the latest census data; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints the following individuals to the Redistricting Commission to serve pursuant to City Charter §2.09 and §2.10:

Steven Horning (R)
Adam Wood (I)
Vanessa Cutchin (D)
Joan Sherman (D)

SECONDED BY COUNCILMEMBER PARISE

R11-23						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Defeated ☐ Accepted ☐ Accepted as Amended ☐ Tabled	Councilmember Johnson	Voter	☐	☐	☑	☐
	Councilmember Solomon	Voter	☐	☐	☑	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember Coates	Voter	☑	☐	☐	☐
	Cou cilmember Mallory	Voter	☐	☐	☑	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

3. **A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.**

R-E-S-O-L-U-T-I-O-N
(R-11-24)

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, RIVER CITY HOSPITALITY INC. d/b/a BRASSERIE 292 has applied for an on-premises liquor license to enable the sale of alcoholic beverages at the premises known as 294 Main Street, Poughkeepsie, New York; and

WHEREAS, New York State Alcoholic Beverage Control Law Section 64 requires every applicant, whether new or existing, to notify the municipality of their intent to file an application with the State or obtain a waiver from the municipality; and

WHEREAS, the request been reviewed by the nuisance committee and has no objection to the application of RIVER CITY HOSPITALITY INC. d/b/a BRASSERIE 292 and has had sufficient time to investigate the proposed application; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie by copy of this resolution to the New York State Liquor Authority hereby waives and notice requirement pursuant to NYS ABC § 64 for RIVER CITY HOSPITALITY INC. d/b/a BRASSERIE 292 and acknowledges its intent to apply for a liquor license.

SECONDED BY COUNCILMEMBER PARISE

R11-24						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Accepted as Amended ☐ Table	Councilmember Johnson	Voter	☑	☐	☐	☐
	Councilmember Solomon	Vote	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember Coates	Voter	☑	☐	☐	☐
	Councilmember Mallory	Voter	☑	☐	☐	☐
	Councilmember Parise	Voter	☑	☐	☐	☐
	Councilmember Herman	Voter	☑	☐	☐	☐
	Councilmember Klein	Voter	☑	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

1. **A motion was made by Councilmember Herman and seconded by Councilmember Parise to receive and print.**

ORDINANCE AMENDING CHAPTER 13, §§13-212, OF THE MOTOR VEHICLES AND TRAFFIC ORDINANCE (O-11-3)

INTRODUCED BY COUNCILMEMBER FLOWERS_____.

SECTION 1. Section 13-212 of the Motor Vehicles and Traffic Ordinance entitled "No standing anytime" is amended by certain additions to read as follows:

Section 13-212 No standing anytime

When appropriate signs giving notice thereof are erected, the following locations are hereby designated as no-standing-anytime zones:

Winnikee Avenue, on the west side between Thompson Street and Harrison Street

SECTION 2. This Ordinance shall take effect immediately upon adoption.

SECONDED BY COUNCILMEMBER HERMAN

Underline and bold denotes **ADDITION**

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1) **FROM KEVIN P. BARRY, ESQ.,** a notice of property damage sustained by Michael Nicholas on January 21, 2011. **Referred to Corporation Counsel.**

2) **FROM STEVEN ROBERT THORNTON,** a notice of property damage sustained on January 21, 2011. **Referred to Corporation Counsel.**

3) **FROM ALLSTATE INSURANCE COMPANY a/s/o DAMIEN N. VALITUTTO,** a notice of property damage sustained on February 16, 2010. **Referred to Corporation Counsel.**

4) **FROM CHRISTOPER A. HORTON,** a notice of property damage sustained on April 2, 2009. **Referred to Corporation Counsel.**

5) **FROM SEAWAY NAVIGATION**, a notice of intent to renew its Liquor License. **Referred to Corporation Counsel.**

6) **FROM EMPIRE MANAGEMENT & PRODUCTIONS, INC.,** a notice of intent for the Chance to renew its Liquor License. **Referred to Corporation Counsel.**

X. UNFINISHED BUSINESS:

Councilmember Johnson

Councilmember Mallory

Councilmember Flowers

XI. NEW BUSINESS:

Councilmember Mallory

Councilmember Johnson

Councilmember Mallory

Councilmember Solomon

XII. ADJOURNMENT:

A motion was made by Chairman Klein and seconded by Councilmember Herman moved to adjourn meeting at 8:37 p.m.

Dated:

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, February 7, 2011 at 6:30 p.m.

Respectfully submitted,

Deputy City Chamberlain

COMMON COUNCIL MEETING

Common Council Chambers
Monday, February 28, 2011
6:30 p.m.
6:00 presentation regarding the Earline Patrice Park Sign
6:15 p.m. public hearing regarding proposed amendments to the Waterfront Advisory Commission

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

III. REVIEW OF MINUTES:

Common Council Meeting of June 7, 2010
Public Hearing of June 7, 2010
Common Council Meeting of June 21, 2010
Common Council Meeting of November 15, 2010
Public Hearing of November 15, 2010

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 ASSISTANT CORPORATION COUNSEL ACKERMANN,** Resolution R11-22, approving a contract with Dutchess County for the Stop DWI program.

2) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,** Resolution R11-23, appointing members to the Redistricting Committee.

IX. ORDINANCES AND LOCAL LAWS:

1) **FROM ASSISTANT CORPORATION COUNSEL ACKERMANN,** Local Law LL-11-02, approving amendments to the Waterfront Advisory Commission.

2) **FROM COUNCILMEMBER FLOWERS,** Ordinance O-11-3, amending Section 13-212 to provide for "No Standing" on a portion of Winnikee Avenue.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1) **FROM KEVIN P. BARRY, ESQ.,** a notice of property damage sustained by Michael Nicholas on January 21, 2011

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XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: