



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Wednesday, April 3, 2013 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

All Present

II. REVIEW OF MINUTES:

Special Informational Mtg 9-19-12						
			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 type="checkbox"/>	<input checked="" 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"/>
	Chairman Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PH 12-10-12						
			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 type="checkbox"/>	<input checked="" 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"/>
	Chairman Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

CCM 12-10-12						
			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 type="checkbox"/>	<input checked="" 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"/>
	Chairman Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Official Minutes of the Common Council Meeting of April 3, 2013

CCM 12-17-12						
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled			Yes/Aye	No/Nay	Abstain	Absent
	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 type="checkbox"/>	<input checked="" 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"/>
	Chairman Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

REMOVE

VII. MOTIONS AND RESOLUTIONS:

2. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-31, approving a parking agreement for North Hamilton Street parking lot with the Family Partnership.
3. **FROM CORPORATION COUNSEL ACKERMANN**, SEQRA and Sale Resolution, R13- 32 and R13-33, approving the Sale of City owned properties 26, 28 and 30 North Hamilton Street.
5. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-35, amending the 2013 budget to add position of Paralegal Assistant to the Law Department.

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

Mr. Clarke - 25 Roosevelt Avenue - I got a bill two weeks ago for garbage pick-up. I paid that one. Then I get one this week again, for the same garbage pick-up. It said I had to pay by the 21st of this month, or else (like a threat) they're going to add \$8.00 to the bill if I'm late in paying the bill. I'm retired and get a small check at the end of the month. His bill says he is to pay by the 21st, but he doesn't have any money then. Wanted to know if it's legal, he would like to get the bill on the first of the month, instead. Has too many monthly expenses and cannot afford to pay by the 21st of the month. He also feels that the late fee is unfair.

Colin Smith - 563Main Street - Lives on fixed income. He too, is retired and is 78 years old. Received a bill that is to be paid by the 21st of the month. It is supposed to be paid quarterly. He received the first quarterly bill and paid it. Now he received another one which should not have to be paid until June, but the bill says "Pre-pay". He doesn't have the money to pre-pay the bill. Wants the Council to look into the matter.

Jeremy Stennett - 114 South Avenue - Ditto to the previous gentlemen. Disappointed in the billing practice. Understands that the City is seeking revenue. If

it's a tax, then call it a tax. If it's a service you're offering, call it a service. We pay a tax for property. It includes garbage pickup; you made it a law...cool, we're paying it. Proper billing practices need to be made, like any other company sending a bill. If it's due quarterly, I agree with the gentlemen, it should be made in a quarterly fashion. You can't mandate and threaten people to pay beforehand, because we just paid the bill for the first quarter. Unacceptable. And, if it continues, I will personally make it my business to make it known everywhere. The Council people work for the City, for individuals who pay taxes and live here and own homes. You should advocate for our benefit, not for deficit issues of whatever else. If you're going to do that, we should all do this together, so that everyone benefits. Then we need to get people to state all the issues that they have. Additionally, if it's a service, you need to operate like a service. You can't decide when you're going to not pick up the garbage and when you're going to do it. So, like this past Friday, the garbage should have been picked up, because we're paying an extra fee for it. "It's a holiday," – no, it's not a government holiday...it should be picked up. What happens when the people have rentals leave piles and piles of garbage? Now we have a dirty, stinky City because the garbage company that we pay for...service that we're paying for doesn't get picked up. We'd like you to review your law, your business practice for the garbage situation, correct the issues with it and readdress it. Sir, you said that you don't understand. I think it's a very obvious issue – the pricing is horrible. It doesn't really support the people that can't afford it, as well as the unfair practices that the City is doing – billing wise and operation wise.

Ken Stickle - 118 Catherine Street – I was given this by a lady in the audience tonight. I would like this to be photocopied and sent to every school child in the City of Poughkeepsie as well as every homeowner – it's on the recycling program. If we will do that, maybe we will be able to bring the cost of the user fee down, if the recyclables are taken out of the solid waste to bring the solid waste down. We have less money going toward the tipping fees. Next, I guess I have to pick on the Chamberlain, because I was here Monday, and there was another lady here for the City meeting. It was in the Journal – the Poughkeepsie Journal. It was never taken out of the Journal paper, that the meeting was going to be held on the 3rd, instead of the 1st. Betty Chapland and me got to have an April Fool's joke because we called the City PD to find out when the next meeting was. I paid my first garbage user fee on February 27th. It was due on March 15th – by my calculations, by March 15th means that (April, May, June...) June should be my next due date sanitation fee. My water bill, which increased is due on April 15th. Six days later, I have to pay my garbage user's fee – again. May 15th my quarterly taxes are due again. Who's screwing up sending out bills? Why aren't bills put into one envelope, saving the City \$.46 for every one of these bills going out. You want to save money? Let's start saving money. The water bill and garbage user fee(s), put them together. Let's start doing something to save the City money, but my garbage user fee should not be due until June; not next month on the 21st. That's unfair. I've already paid it for March. The next one should not be due until June. I'm sorry, but that needs to be taken care of now, before the people don't pay their taxes and then the City will not have any money coming in. Then I heard, "Oh, we're not getting any revenue coming in – we're going to discontinue the Sanitation Department." Enough with these games. This city is Rat City, it's Filth City, so on and so forth. We need the guys on the Sanitation Department to keep the City clean. We could go to one day per week, but

people need to start recycling. I'm sorry, but the Executive Branch needs to get out what we can put out, what we can take at the City. We will take TV's, computers, stereos, so on and so forth at no cost to the taxpayers. Maybe I won't see so many dumped along the streets. Maybe I won't see so many dumped up at College Hill Park. Thank you.

Richard Reardon - 202 Smith Street – I own a few houses in the City, but there's three different things I want to mention. I know you can't comment. Water and sewer, like the gentleman said has increased. It didn't just go up a little bit, it's 16%; it went from \$2.59 to \$3.00. I want to know why the Town uses the City water that's half price. I live in the Town of Poughkeepsie. The water bill for 1,800 cu. Ft. is \$54.00 in the City; it's \$27.00 in the Town – why? I said the same thing to Mr. Bunyi over here, a long time ago when I got a bill for a lease in the city that I had for \$871.00 for a lease that I had. It would have looked a lot nicer if it was \$435.00. Why is it different? Another thing is, if you can't do the same thing for garbage pick up as Royal [Carting] or somebody could, you shouldn't be in the business. They supply a can – it's likewise the cost for sanitation. The other thing is, they're in business to make money. They're making money off the charges. Where is the money here? You're not going to get it by having three guys ride around in a 3 Ton dump [truck], filling it up with bags with no compactor. Cost efficiency is ridiculous. You can't match it, you can't do the job that somebody else could? Get out. Forget about people dumping. You want to make money in the City? Start a fine for littering. The third thing I want to say – property development - about 7-8 months ago I sent in an offer. I bought 140 Garden Street. 142 [Garden Street] offer was accepted. I never heard back from the City Council. Also, I think there needs to be zero transparency in development. I have bought City of Poughkeepsie properties before and developed them, but I get sent 8 vacant properties. 14 Jewett Avenue and Mickey's Meat Market. Where's the transparency here? Every other municipality yields they sell at County Auction, you get a comparable price. No transparency down here. You can't even get a listing of what's available. I got two houses here that are dilapidated, and everybody's saying 300 vacant properties in the City – who bought 'em all? Where are they? Nobody sent a notice for the water bill, saying it was going to go up; you just get the bill in the mail. The gentleman's right – what service do you pay for that you're pre-billed for, 3 months in advance? You don't even put it on the bill. Put it on there that you're pre-billing, because in the end, when you guys go out of business because you can't do it right, then I think I want my 3 months money back. Thank you.

Constantine Kazolias - 47 Noxon Street – Enhanced Star Program software should be sent down and adjustments should be made. For a person like me, I pay \$100 per year for my property. For a three family house, my son lives there with me, I haven't put any garbage out there in years. I pay for three pieces of property. I'm not complaining, OK? See attached statement.

DURING THE LAST COMMON COUNCIL MEETING THE CITY ADM STATED THAT THE TENET IN SOME HOMESTED PROPERTIES WHICH CONSISTS OF THE 1.2 AND 3 FAMILY UNITS, THE CITY DID NOT SEND THE SANITATION BILL IN THE SAME QUARTERLY WATER/SEWER BILLMAILING BECAUSE SOME HOMESTEAD TENENTS IS BILLED BY THE CITY FOR THE WATER/SEWER. THIS WOULD BE ILLEGAL ON THE CITY'S PART. THE REAL REASON FOR NOT INCLUDING THE WATER/SEWER BILL WITH THE SANITATION BILL MAILING BECAUSE THE WATER /SEWER BILL WAS DOUBLED. SENDING BOTH BILLS IN ONE MAILING WOULD HAVE BEEN A DOUBLE FINANCIAL WHAMMY. BECAUSE THE BILLING/PAYMENTS ARE THE RESPONSIBILITY OF THE PROPERTY OWNER FOR BOTH, THE SANITATION AND WATER/SEWER BILLS. THE SEDORE'S AUDIT EXPOSED THE 2011 WATER/SEWER FUND WAS SHORT \$500,000. THE CITY OF POUGHKEESIE HAD TO ANTE UP THE DEFICIENCY WITHOUT CC AUTHORIZATION, BEFORE THE 2012 MAYORALTY ELECTIONS!!!! WHY IN THE BILLING THE LATE CHARGES ARE TACKED ON AFTER THE 15TH FOR THE WATER AND SEWER, THE 21 ST OF THE MONTH THE LATE CHARGES ARE ADDED ON THE SANITATION FEES? WHY THE DIFFERENT DATES? WAS THIS AN INTENTIONAL PLOY BY THE CITY, RATHER THAN THE PHONY EXCUSE GIVEN BY CITY ADM MILO. THE 15 TH HAS BEEN THE STANDARD FOR THE CITY, WHOSE IDEA WAS TO HAVE DIFFERENT DATES FOR LATE CHARGES? IF THE WATER AND SEWER BILL IS NOT PAID, THE LIEN GOES AGAINST THE PROPERTY AND NOT THE APARTMENT. THE PROPERTY OWNER IS ALWAYS RESPONSIBLE. THIS DISINFORMATION WAS GIVEN BY THE CITY ADMISTRATOR FOR NOT COMBINING IN THE SAME PACKAGE WHEN SENDING THE SANITATION BILL WITH THE WATER/SEWER BILL, THIS TWO IN ONE MAILING. WOULD BE A SAVING BY SHARING COSTS. THEREFORE, CHARGING THE APPROPRIATE ACCOUNTS. ANY NEW ACCOUNTS IN THE NON-HOMESTEAD CLASS ARE WELCOMED, THE FEES ARE COMPETITIVE!!! THE NON-HOMESTEAD 411 CLASS LEGAL CHALLENGES HAS BEEN SETTLED. WHAT WAS THE JUDGES DECISION? THE STATE AND DUTCHESS COUNTY HAVE RECYCLING LAWS ON THE BOOKS, WHAT ENFORCEMENT IS BEING IMPLEMENTED IN POUGHKEESIE, IF ANY? A CPA SHOULD BE HIRED REGARDLESS, IF, THE CPA APPLICANT DOES NOT MEET ALL THE MOST STRIDENT JOB DESCRIPTIONS. HANGING HIS/HER HAT AT A FRIENDS PLACE IS ACCEPTED IN POLITICS MEETING THE RESIDENCY REQUIREMENTS. ; FILLING THAT POSITION WITH A CPA WILL FILL THAT FINACIAL POSITION BECAUSE THAT POSITION HAS NOT HAD A CPA FOR YEARS. THE COUNCIL AND PUBLIC WOULD GET TRUER ACCOUNTABILITY UNDER THE CPA'S AUTHORITY. QUESTION. WHEN 'POUGHKEESIES MINUTE MEN A/K/A/ SANITATION PERSONEL DO OTHER WORK OUTSIDE PICKING UP TRASH, DOES THE APPROPRIATE ACCOUNT GET CHARGED AND NOT SANITATION ACCOUNT. FYI, THE SANITATION WORKERS WEAR MANY HATS BESIDES PICKING UP TRASH!!!! THE PROCEDURE IN THE PAST THE DPW WAS ALWAYS CHARGED WITH THE EXPENSES WHILE THE INCOME WENT TO OTHER ACCOUNTS NOT OFFSETING THE DPW'S EXPENCES. THE SKATEBOARD PARK WHICH WOULD BE AN ADDED PLUS FOR THE 2 MILLION PROJECTED TOURISTS WHO WILL VISIT THE WALKWAY. WHEN THE YMCA AT EASTMAN PARK BECOMES OPERATIONAL YOUTH CENTER THEN, A REALISTIC DISCUSSION REGARDING THE RELOCATION OF THE SKATEBOARD TO EASTMAN PARK WOULD BE IN ORDER, AT THIS TIME DISCUSSION IS PREMATURE. IT'S PUTTING THE HOARSE BEFORE THE CART.... A PLUS WOULD BE ADDING A CONCESSION STAND NEAR THE SKATEBOARD PARK WOULD BE IDEAL FOR THE SKATEBOARDERS, PICITERES, WALKERS, TOURISTS WOULD BE A MONEY MAKER FOR ALL. DOES THE CITY HAVE AN UMBRELLA POLCY FOR COVERING ALL THE PARKS? IF NOT WHY NOT? WHAT IS THE LATEST REGARDING THE HIT RUN K ILLING REGARDING MS BRROWN? I HAVEN'T HEARD OR READ ANYTHING AS TO THE APPREHENSION OF THE PERSON RESPONSIBLE!!!!

Constantine Gus Kazoiliadis

CONSTANTINE GUS KAZOILIAS47 NOXON STRET, POUGHKEESIE, N.Y.12601,04/01/13

Mike Grande - 43 Manitou Avenue – Just want to tell everybody, the same thing's going on. A lot of drugs are being sold on the street. Nobody seems to be interested. I got a call from the recovery unit and was told, "We don't see anything, so I guess there's nothing going on." I don't know...I just hate to see the properties start running down; paint peeling across the street. I spoke to the Building Inspector.

Maybe there's something in the works for all of this...I called Paul and haven't gotten a call back – I don't know. Actually, I'm a proponent of legalizing everything. I wish they would; they wouldn't be out in the street selling it. Actually, I'm a CDC (Chemical Dependence Counselor), so I know and I see in other countries what goes on. Legalization is the way to go, but unfortunately, we don't have that situation. They're breaking the law. It is bringing down our houses. It's just not a good situation. I don't know when something's going to be done or maybe something is being done, I don't know. But, if there is, I wish someone would call me and tell me. They don't have a 9 to 5 job where they knock off at 5 o'clock, and take a 15 minute break every 4 hours and they said, "Well, we don't see anything." Well, it's going on all the time. Traffic...what do you think? I don't know...

Steven Planck - 81 Carroll Street – I don't agree with a lot of what's been said tonight. Seems people are pretty upset. I think you already know I am too. The reason I'm here tonight is that something needs to be brought to the table, which is the economic sustainability of the City of Poughkeepsie (I'll just read from my notes here) and pay for the following City of Poughkeepsie employees. Because of their disproportionate rates of increase to others, make them especially irregular – especially since they occur during one of the biggest, if not the biggest collapse of my lifetime. I'm specifically speaking of CSEA Vice President, Bruce Dooris, who, in 2009 on record as making \$59,667 but in three years, had a 33% increase in pay. He went from \$59,667 to over \$79,000 in 2012. The next questionable pay increase I had was Michael Long, who in 2009 was pulling in \$88,764 but managed to be making \$118,000 by 2011, netting himself an increase of 33% increase in just three years. It appears that Mr. Long is no longer with the City of Poughkeepsie. If that's the case, because I didn't find any records of it, I was just curious about what was his last year of employment. The biggest one that stood out to me was for a gentleman who had an increase of pay of 81% in just one year. From 2011 to 2012 there was an 81% increase in pay. In 2011, he was making \$63,612 and in 2012 he was making \$115,271 – 81% increase from 2011 - 2012. The last thing that really jumped out at me when I was doing some numbers searching, because I've been here with you all, because I know I've been here since November, 2012. Right? I've been pretty much a regular; pretty passionate. I saw that in 2009, the City of Poughkeepsie was employing 404 people at a cost of approximately \$23,449,000 and change. But in 2012, the City of Poughkeepsie had roughly 360 employees; about 44 less employees, but the City of Poughkeepsie was actually paying out \$850,000 more for 44 less employees than they were three years prior. I think I'm going to submit a letter to Mr. Ackermann, if that's the right person to send it to for some answers on that. I'm just wondering if this fits into the scope and agenda of a more economically sustainable future for the City of Poughkeepsie. If anybody is questioning where my numbers come from, every state employee's pension and paycheck is on: seethroughny.org Thank you.

Latasha Clarke - 37 Dubois Avenue – I'm here tonight to speak about the sanitation bill. I know the gentlemen prior to me spoke well upon it, but my question was, we paid the bill in March; why do we have another one that's due in April? My other concern was about increased drug activity especially in the park area, so there could be more City patrols there. It's cold now, so I can just imagine what's going to

happen in the summertime. There's a lot of homeowners, but they rent out the homes. Different people are coming into the community now, so those are my two issues.

V. MAYOR'S COMMENTS

Mayor Tkazyik: Good evening, Mr. Chairman, members of the public, Councilmembers. First, I'd like to thank everyone who came out to celebrate the Annual Easter Egg Hunt at Waryas Park this past weekend. I want to thank John Flowers and his elves and all the participants who made that event such a great success for young people who came out and enjoyed a beautiful day on the Hudson River. It was simply gorgeous and hopefully, everyone had a great Easter and a peaceful Passover. Again, I want to thank everyone who came together for that event. Also, as you know, at the last meeting, in collaboration with the Common Council, Councilmembers Joe Rich and Ann Perry will again, be kicking off the "Make Poughkeepsie Shine" event which will take place on May 11th. So please come together with your neighborhood groups and associations, or if you'd like to volunteer, please get a hold of Mr. Rich or Ms. Perry if you would like to assist us in making this a great citywide clean up day and to promote a clean city, discouraging littering and improving the appearance of several of our neighborhoods. Some members did have specific questions tonight in relation to their sanitation fee. I suggest that they do set up an appointment with the Commissioner of Finance or the City Administrator to address their specific concern for their property. There was no mistake in relation to sanitation bills going out. The first bill, as you know, went out later than normal because the Ordinance was adopted in late December, along with the budget. So, the first bill went out later than it would normally. Now, let's separate water bill from sanitation bill. Your water bill is based on usage, so it goes at the end of the quarter. Sanitation is not based on usage, so your bill goes before the quarter because now, the funds that are covering the cost of sanitation have to cover the costs in order to pay the men, and the cost of the service. So, your bill for sanitation goes out before the quarter, OK? Your bill for water goes out at the end of the quarter, because your water bill is based on usage. There is no mistake in what was sent out. The first bill was sent out later than normal because it was adopted and the Administration technically only had three weeks to put this whole new system together, so hopefully, that clarifies the question on the billing. This next payment covers the billing for the second quarter, for the next three months. You will then get your third quarter payment which will then cover the third quarter. Sanitation is not based on usage. Again, though, we are happy to meet with any taxpayer, regarding a specific concern in relation to payment of the bill. Hopefully that brings clarification to the matter. Also, there had been some previous budget discussions here on salary. I can tell you Mr. Long didn't begin until June, 2008. That's why you see the short salary. And, of course, the City must comply with unfunded mandates of the State of New York – pension costs, OK? Workers' Compensation, Health Insurance cost, Longevity, Union contracts. You may see specific increases from one year to the next, based on an agreement with the Union contract that had gone forward or saw the step increase over the current year. We are at the table with many of those bargaining units now. We are making strides to have an all accounted benefit arrangement that meets the economic times, and the stresses that the City faces, not only here in Poughkeepsie, but throughout the state and throughout the nation, these talks are

going on. So I wanted to bring those clarifications about. Again, if any individual would like to make a specific meeting, the City Administrator's available, my office is available or the Commissioner of Finance, in relation to your property, which of course, is personal business which we don't want to discuss here in the open forum, but I hope that clarifies the issue of the bills. Again, you have a productive agenda this evening, and I'm glad to see that the Council is going to be a tightening up again, taxi cab issues, in relation to the taxi cab Ordinance, which we support and of course, hearing the plea of business owners and property owners along Main Street in relation to eliminating the exemption for garbage cans along that block, to again, assist with cleanliness and appearance of the City. Thank you, Mr. Chairman.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Mallory: The only comments I have is that I too, would ask the City Administrator to reach out, I see you gave out your cards, to address the needs what Councilman Rich had shared beforehand about Star Program and other opportunities to educate them in the system.

VII. MOTIONS AND RESOLUTIONS:

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

Chairman Mallory: Before us today, is the reappointment of Ella Spooner to the Board of Assessment Review. Mrs. Spooner was a Council appointee roughly about five years ago, and per our City Assessor, who isn't here today has worked very well with Ms. Spooner. I ask that the Council reappoint Mrs. Spooner for another five years to the Board of Assessment Review. Are there any questions?

Councilmember Boyd: Is Ms. Spooner here...in the audience?

Chairman Mallory: No, she is not.

Councilmember Johnson: I recall that a few years ago, Ms. Spooner was someone that I had recommended to the Board of Assessment. She's very well known; she's a realtor in the City of Poughkeepsie. I'm glad to see that Ms. Spooner is going to be reappointed to the review board.

R E S O L U T I O N
(R-13-30)

INTRODUCED BY COUNCILMEMBER SOLOMON

WHEREAS, the members of the Board of Assessment Review are appointed by the Common Council pursuant to the City Charter §5.02(1) and the Section 523 of the New York Real Property Tax Law; and

WHEREAS, member Ella Spooner has previously served on the Board of Assessment Review and has expressed an interest in continued service; and

WHEREAS, the Commissioner of Assessment has recommended the reappointment of Ella Spooner as a member of the Board of Assessment Review; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie does hereby re-appoint Ella Spooner to the Board of Assessment Review for a term of five (5) years commencing on October 1, 2012 and expiring September 30, 2017.

SECONDED BY COUNCILMEMBER BOYD

R13-30			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"/>
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	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"/>
	Chairman 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, Council. Before you is a resolution supporting a grant from the City of Peekskill, who will be the host municipality. What this is, is to seek out funding for the Mayor’s Roundtable. This is an organization that, for the last 4 years, the City has been involved with along with Yonkers, Mt. Vernon, New Rochelle, White Plains, Port Chester, Beacon and Newburgh. It’s an opportunity for the municipalities to get together to discuss common issues and to come up with common solutions, best practices. It is through this organization that the City came to work with Pace Law School for the abandoned vacant properties. It’s a very worthwhile organization, and the funding has dried up that they originally had to support the program and now they’re seeking a Department of State grant for \$200,000. Actually, the budget is \$200,000. We’re seeking a grant for \$180,000. There would be a matching requirement. However, that most likely would be contributed through Pace University, but in order to apply for the grant, we would have to be able to commit the matching grant which the City of Poughkeepsie would be \$1,120 per year. This similar resolution was adopted by the Council last year, supporting the application and once again, we’re trying to go for the funding. The City of Poughkeepsie is a just a City of Peekskill application, but because we participate, they’re looking for a support resolution.

Councilmember Boyd: Why was the Roundtable lost its funding in a timely manner?

Corporation Counsel Ackermann: It was originally funded through a grant, and it was a one-time grant, but the...went through...it's been in operation for 4 years. They're looking to continue, but in order to continue, we need additional funding.

Councilmember Boyd: Why can't the City of Poughkeepsie apply as the primary applicant, instead of the City of Peekskill?

Corporation Counsel Ackermann: We could, but it was chosen that the City of Peekskill was the applicant and we're all supporting agencies.

Councilmember Boyd: Pace is looking for an alternate funding for the local share. Do you know what kind of funding that is?

Corporation Counsel Ackermann: they will have some grant monies that they would be able to utilize for the local share, but in order to commit to this application, the State requires that the municipalities agree that they, if need be, would contribute to local share.

Councilmember Boyd: Thank you.

Mayor Tkazyik: I know that Pace has resubmitted for the Ford Foundation and the Dyson Foundation to cover that local part.

Councilmember Rich: I'd just like to add that Pace University Law Center is actively working with the City of Poughkeepsie in helping us deal with our vacant and abandoned properties, and we're making some progress. It's slow, but it's coming. Also, it is a good thing that small cities get together, because the Congress in Washington and in Albany, both the Governor and the Legislature don't seem to have a whole lot of interest in cities; urban areas, especially small and medium cities that don't have a lot of political clout and we'd be cut by both Washington and Albany, and mandates imposed upon us, to the extent that most cities across this country, especially in New York are in deep financial trouble; not necessarily all because of their own decisions, but because of the decisions mandated upon us. Now the County is involved in doing us in. Two million dollars in sales tax revenue right at the moment our budget was about to be announced, was taken from us, so the County is in on it too. Why would the County take the \$2 Million? Because they've been getting hit from the State and the Feds. So, figuring, "Why don't we pass it along to the City of Poughkeepsie and Beacon?" They did. So, I just gotta say to you folks out there, you got to understand, that your city is not unusual. It's in the same boat as all the cities. Hopefully, some of the folks here will start to call their representatives and say, "Hey, what are you doing for Poughkeepsie? Why are you taking away money? Why aren't you adding money?" Our situation...we're going to do the best we can, but we're certainly not getting much help from the State and Federal Government. Maybe if we got out of out of Afghanistan, and brought our troops home, we might have something more to do, some money, but right now, your city has got problems and it's not necessarily caused by us. Thank you.

Councilmember Solomon: I'd like to know what the expenses are at the Mayor's Roundtable. What do they spend the money on?

Corporation Counsel Ackermann: Consultants, speakers, they put on programs for Planning Departments, Zoning Departments within the municipalities, continuing education for these boards; it's very well worth the program that they put on.

Councilmember Solomon: Sounds good. Thank you.

**R-E-S-O-L-U-T-I-O-N
(R-13- 34)**

INTRODUCED BY COUNCILMEMBER SOLOMON

**A RESOLUTION IN SUPPORT OF AN APPLICATION BEING
SUBMITTED BY THE CITY OF PEEKSKILL FOR A
LOCAL GOVERNMENT EFFICIENCY GRANT SUPPORTING THE
SHARED REDEVELOPMENT SERVICES PROGRAM OF THE
MAYORS REDEVELOPMENT ROUNDTABLE**

WHEREAS, the City of Poughkeepsie and its redevelopment staff and corporation counsel have been participating in the Mayors' Redevelopment Roundtable (Roundtable) for four years to develop strategies for making the participating cities redevelopment-ready in order to increase its tax base and to stimulate sustainable economic development;

WHEREAS, the Mayors' Redevelopment Roundtable creates a vehicle for and implements a program for sharing expert development staff and professional services among the cities participating, the staff of the Land Use Law Center, and experts on the strategies being developed;

WHEREAS, this shared services approach to developing redevelopment strategies realized significant cost benefits through the essential services provided and the addition of development attracted by the strategies to the tax base;

WHEREAS, the Roundtable has been effective in working with the Mid-Hudson Regional Economic Development Council to create an urban redevelopment policy in its five year strategy so that projects for state funding from Roundtable communities are as competitive as possible;

WHEREAS, the City of Poughkeepsie benefits from the redevelopment strategies developed through the Roundtable, through the urban policy adopted, and by participating and indicates that the City is cooperating in a regional redevelopment strategy in furtherance of several state policies;

WHEREAS, the cooperation of the nine communities in the Roundtable is memorialized by a Memorandum of Agreement signed by each of the mayors of the cooperating communities, constituting an intermunicipal agreement to cooperate in developing redevelopment strategies that respond to the critical issues faced by Roundtable communities;

WHEREAS, the City of Peekskill has agreed to submit a grant to the State of New York under the Local Government Efficiency Grant Program for a two-year \$200,000 grant to continue the shared services initiative of the Roundtable and to act as the fiscal agent for the Roundtable in administering the grant on behalf of the participating cities which include Yonkers, Mt. Vernon, New Rochelle, White Plains, Port Chester (a village), Beacon, Poughkeepsie, and Newburgh;

WHEREAS, the Grant requires a 10 percent local share, which can be contributed by any of the cooperating communities in the Roundtable through any projects that it funds that are part of the Shared Redevelopment Services Program: representing an average yearly local commitment of approximately \$1,000 per Roundtable community;

BE IT RESOLVED, that the City of Peekskill, through Mayor Mary Foster is authorized on behalf of the City of Poughkeepsie to submit an application for \$180,000, two year grant for the \$200,000 Shared Redevelopment Services Program of the Mayors' Redevelopment Council and to execute all financial and administrative processes related to the implementation of the program;

BE IT FURTHER RESOLVED, that the Common Council of the City of Poughkeepsie supports this Shared Development Services initiative and pledges, if needed, to provide its share of the required \$20,000 local share required, an average of \$1,120 per year, in conjunction with the other co-applicants: the cities of Beacon, Mount Vernon, Peekskill, New Rochelle, Newburgh, Yonkers, New Rochelle, and the village of Port Chester;

SECONDED BY COUNCILMEMBER BOYD

R13-34			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"/>
	Chairman 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.**

Assistant Corporation Counsel Brady: Thank you, Mr. Chairman, members of the Council. Before you is an Ordinance that amends nine sections of Chapter 18, which is the Taxicab Ordinance. It amends the Ordinance in essentially 15 substitutive ways. The first amendment would be on page one, that would be Section 18-1, which would amend the definition of a private livery cab. The additional language is in bold and underlined.

Assistant Corporation Counsel Brady explained all 9 of the amendments to Chapter 18 of the City of Poughkeepsie Code of Ordinances entitled, "Taxicabs."

**ORDINANCE AMENDING §§18-1, 18-3,
18-4, 18-5, 18-11, 18-16, 18-17, 18-25, and 18-26
OF CHAPTER 18 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "TAXICABS"**

(O-13-2)

INTRODUCED BY COUNCILMEMBER SOLOMON

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

SECTION 1: §18-1 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-1 Definition of "Private Livery Cab"

Private livery cab – A taxicab, except that such private livery cab shall possess within the vehicle for inspection upon request by any police officer, a valid contract for hire executed by all parties and be registered with the New York State Department of motor Vehicles as a "livery" and shall bear a livery license plate. A private livery cab shall not:

- (1) Have a dome light or external markings for taxicab prescribed by this chapter;
- (2) Be allowed to use taxicab stands prescribed in this chapter; and
- (3) Be used in the City for hire except upon a unit of time for hire by the hour, day or week, which unit may exceed that prescribed for taxicabs in this chapter.

Section 2: §18-3 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-3 Driver's license required

(a) No person shall drive a taxicab and no person shall permit anyone to drive a taxicab within the limits of the City without such driver having first obtained and paid for, and having in force and effect at all times, both a valid New York State driver's license of the appropriate class and certification, including but not limited to a chauffeur's license, and a taxicab driver's license issued under the provisions of this chapter. Any taxicab company, taxicab owner or taxicab operator who allows any driver to operate a taxicab or livery without said licenses as required by this section shall be in violation of this section and subject to prosecution separate and aside from any driver who operates a taxicab in violation of this section. It shall be the duty of every taxicab company, taxicab owner or operator to ensure all drivers permitted to operate a taxicab possess the required licenses under this section.

(b) In addition to the penalty provided for in Section 18-32, when a taxicab is found to be operating in violation of this section, the operator shall be assessed a civil penalty by the City Clerk as follows:

- (1) Violations 1-3 = \$100 per violation.
- (2) Violations 4-6 = \$250 per violation.
- (3) Violations 7+ = \$500 per violation.

(c) Failure to pay such fee could result in the suspension or revocation of the operator's taxicab license pursuant to Section 18-19. The operator may appeal such civil penalty pursuant to Section 18-11(b).

Section 3: §18-4 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-4 Taxicab Driver's license application information

(a) Each applicant for a taxicab driver's license must comply with the following requirements and provide the required information to the satisfaction of the Chief of Police:

- (1) He/she must first have obtained all required state licenses, including a state chauffeur's license, if applicable. The full residence address of the applicant must be entered on the Department of Motor Vehicles driver's license. P.O. box numbers are not acceptable.
- (2) She/he shall fill out, upon a form to be provided by the City Clerk, a statement giving his full name; current residence; places of residence for the five years immediately preceding his moving to his present address; age; date of birth; height; color of eyes and hair; place of birth; whether a citizen of the United States; places of previous employment for the immediately past five years; whether married or single; whether he has ever been arrested or convicted of a felony or misdemeanor, or driving while intoxicated ("DWI"), or criminal charges involving illegal drugs; whether he/she has any previous violations of this chapter; whether he has been previously licensed as a driver or chauffeur and, if so, whether his license has ever been revoked and for what cause; and the number of the chauffeur's license issued by the state; and the company name, business address and telephone number from which the applicant will operate and/or drive any taxicab, which statement shall be signed and sworn to by the applicant and filed with the City Clerk as a permanent record.
- (3) He/she shall additionally submit the following:
 - a. The results of a drug screening test performed within 10 days of the date of the applicant's submission, from a laboratory certified to perform toxicology tests and certify the results thereof by the New York State Department of Health and which performs drug abuse testing, indicating the applicant does not use amphetamines, barbituates, benzodiazepines, benzoylcegonine, ethanol, fentanyl, methadone, opiates, phencyclidine, propoxyphene, THC-cannabinoids, and tricyclic antidepressants, unless prescribed by a licensed health care provider **who attests, in writing, that such drug, when consumed by the applicant, in no way impairs the applicant's ability to operate a motor vehicle.** The applicant shall be responsible for all costs associated with the test required for application and renewal, including but not limited to all costs associated with such testing, as may be required by the Chief of Police.
 - b. A copy of his current New York State Department of Motor Vehicles driver's license abstract and true and accurate copies of certificates of disposition for any and all arrests of such applicant.

(b) Each application for a driver's license shall contain the following statement:
"Pursuant to the New York State Penal Law, § 210.45, it is a crime punishable as a Class A misdemeanor to knowingly make a false statement herein."

(c) The Chief of Police is hereby authorized and empowered to require such additional information as same shall be reasonably related to the applicant's fitness and/or eligibility as he may deem necessary from any applicant for any license required by this chapter. The Chief of Police is hereby authorized to waive the production of any information from any applicant as may otherwise be required under this chapter if, in his opinion, such requirement is unreasonable, unnecessary, inappropriate or unjust under the circumstances.

SECTION 4: §18-5 OF THE City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-5: Photograph and fingerprints required; fees; review by Chief of Police

(a) Each applicant for a taxicab driver's license shall file with his application clear images, inked prints or other impressions of the fingers of his right and left hands, to the satisfaction of the Chief of Police. Such impressions shall be placed upon forms furnished by the City Police Department, the impressions to be taken under the supervision of the Chief of Police or someone designated by him, at such place or places as may be designated by such licensing official. Each applicant shall also file two unmounted, unretouched photographs of himself, size 2 1/4 x 2 1/4 inches, taken within 30 days preceding the filing of the application. The filing required by this section shall be accompanied **by a yearly \$10.00 application fee and a tri-annual nonrefundable \$200 administrative fee, which includes the cost of a tri-annual fingerprinting fee.** ~~nonrefundable application fee of \$10 and a background check fee of \$125.~~ The Police Department is hereby authorized to submit such fingerprints to any agency of the State of New York or subdivision thereof for the purpose of conducting a criminal history and background check for such applicant, which shall be used to evaluate and determine the qualifications and fitness of such applicant to be issued a license hereunder.

(b) Applications, with photographs, fingerprint images and/or impressions and drug tests attached, shall forthwith be sent to the Chief of Police, and no license shall be issued under the provisions of this chapter until the approval of the issuance of such license(s) in writing from the Chief of Police has been received by the City Clerk. The Police Department shall conduct an investigation of each applicant for a taxicab driver's license, and the report of this investigation and a copy of the traffic and police record, if any, shall be attached to the application and filed with the City Clerk. The Chief of Police shall refuse to issue or renew a driver's license if the driver:

- (1) Does not meet a qualification for a license; or
- (2) Has made a material false statement on the application; or
- (3) Has submitted a drug screening test with a positive result or has refused to submit to a test or has failed to provide a test result or information regarding same; or
- (4) Has been convicted of, plead guilty to or forfeited bond or collateral upon any of the following charges, whether the conviction, plea or forfeiture occurred in the State of New

York or elsewhere:

- a. Any offense which constitutes a "serious offense" as the term is defined by § 265.00 of the Penal Law of the State of New York or any act supplementary thereof or amendment thereto; or
- b. Any felony offense for which the conviction, plea or forfeiture occurred within seven (7) years of the date of application; or**
- c. Any sex offense, regardless of the date of occurrence; or**
- d. Any offense involving the sale of a narcotic, controlled substance or marijuana; or**
- e. Any penal law offense committed during the course of, or in the furtherance of, employment, management or ownership of a taxicab or a taxicab company; or**
- f. Unfit applicant or licensee: if the applicant, in the opinion of the Chief of Police or his designee, is not fit to be a licensee hereunder in the best interest of the general public welfare and safety or for a specific breach of one or more of the requirements of this chapter.**

(5) Has accumulated, within the past 36 months, six or more points on his or her driver's license, as such points are determined by the Department of Motor Vehicles of the State of New York. **Point reductions pursuant to any accident prevention course, driver safety course, or other similar point reduction course are inapplicable to this section if taken on-line or on the internet.**

(6) Has outstanding traffic tickets in any court of competent jurisdiction which, if convicted, would result in the applicant accumulating six or more points as such points are determined by the Department of Motor Vehicle of the State of New York.

(7) Has had any taxicab driver's license or a similar license or permit revoked; or

(8) Has three or more violations of this chapter within the previous 24 months.

(c) The Chief of Police shall notify the applicant in writing of any refusal to approve any application and the reason therefor. **Any applicant whose application is not approved pursuant to this section shall have 60 days from the date of denial as indicated in the Chief of Police's notification to correct any deficiency. Upon the first reapplication within said 60 day period, any fingerprinting fees associated with the application process are waived.**

SECTION 5: §18-11 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-11 Denial, suspension or revocation of a taxicab company's right to operate within the City; relicensing

(a) *Reasons.* The Chief of Police or his designee may suspend, cancel or revoke ~~a taxicab driver's or taxicab owner's license~~ **any license issued pursuant to this chapter** and may refuse to approve an application or renewal for any of the following reasons:

(1) *Conviction:* the conviction of the applicant or licensee of a felony or any crime or offense involving violence, dishonesty, deceit, indecency, degeneracy, moral turpitude,

gambling, frequent public intoxication, or illegal use, sale or possession of drugs. The Chief of Police shall, nevertheless, apply the standards of licensure and employment of persons previously convicted of one or more criminal offenses embodied in Article 23-a of the Correction Law.

(2) *False application:* if the licensee or applicant has made a material false statement or concealed a material fact in connection with the application for a license or the renewal thereof.

(3) *Violations:* if the licensee, **principal(s) of any entity owning or operating a taxicab company,** or any driver operating a taxicab licensed to such licensee has violated any provision of this chapter ~~more than 10 times in the 12 months prior to the date of application:~~

- (a) **10 or more times in the 24 months prior to the date of application when the taxicab company owns or operates no more than 6 taxicabs;**
- (b) **15 or more times in the 24 months prior to the date of application when the taxicab company owns or operates 7 to 12 taxicabs;**
- (c) **20 or more times in the 24 months prior to the date of application when the taxicab company owns or operates 13 or more taxicabs.**

(4) *Prior revocation or suspension:* if the applicant, any officer, director, stockholder, or partner or any other person directly or indirectly interested in the application for a taxicab license was the former holder, or was an officer, director, or partner or stockholder in a corporation or a partnership which was the former holder, of a taxicab license which had been revoked or suspended.

(5) *True ownership requirement:* if the applicant is not the true owner of the vehicle or the taxicab business.

(6) *Unfit applicant or licensee:* if the applicant, in the opinion of the Chief of Police or his designee, is not fit to be a licensee hereunder in the best interest of the general public welfare and safety or for a specific breach of one or more of the requirements of this chapter.

(7) Any taxicab owner found to be operating a taxicab, or causing a taxicab to be operated, with a revoked or suspended right to operate a taxicab shall assessed a civil penalty by the City Clerk as follows:

- (a) **\$1,000 for the first violation**
- (b) **\$1,500 for the second violation**
- (c) **\$2,000 for the three or more violations**

(b) *Hearings.*

(1) *Notice.* Any suspension, cancellation or refusal to issue a license or to renew a license made hereunder shall be by written notice issued by the Police Chief, or his designee, to the applicant or licensee with a copy to the Clerk of the Town of Poughkeepsie and a copy to the Chief of Police of the Town of Poughkeepsie. Said notice shall include a statement that the applicant or licensee is entitled to demand a hearing, provided that such demand is made in writing to the Police Chief, and such hearing shall be conducted within ~~two~~ **seven** business days after the **applicant or licensee's request for a hearing is received by the Chief of Police or his designee.** ~~imposition of such suspension, cancellation or refusal to issue a license hereunder, if less than seven days' prior notice thereof has been given. Where prior not~~

~~at least seven days has been given with respect to a proposed suspension or cancellation of a license, a hearing shall be held within seven days after receipt of written demand.~~

(2) *Demand for hearing.* Any demand for a hearing must be made within 30 days after mailing of the notice of the suspension, revocation or refusal to issue a license.

(c) *Surrender of license.* In the event of a suspension or cancellation as provided for herein of a taxicab operator's or owner's license, the holder thereof shall deliver the license and any badge issued in conjunction therewith to the Commissioner of Public Safety.

SECTION 6: §18-16 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-16 Taxicab vehicle requirements

Subsection (a)(7)

~~The exterior roof light~~ **Every taxicab shall be equipped with an exterior roof light, which** must contain the name of the company or the word "TAXI" or "TAXICAB" or "CAB." The exterior roof light must be permanently mounted and lit ~~at night~~ **when in service. The exterior roof light must be lit to an extent to be clearly visible during daylight hours. It shall be presumptive evidence that when a taxicab roof light is lit, the taxicab is in service and in operation.**

Subsection (b)(20)

Each taxicab vehicle shall display upon the inside of both the right and left passenger doors a sticker stating the following in both the English and Spanish language in no smaller than 18 point type in capital letters:

"PUBLIC NOTICE

A VISO PUBLICO

THIS VEHICLE MAY BE STOPPED AND VISUALLY INSPECTED BY ANY POLICE OFFICER AT ANY TIME TO ENSURE THE ~~[DRIVER'S SAFETY]~~ **SAFETY OF THE DRIVER AND THE OCCUPANTS AND COMPLIANCE WITH THIS CHAPTER**

ESTE VEHICULO PUEDE SER DETENIDO E INSPECCIONADO VISUALMENTE POR LOS AGENTES DE POLICIA EN CUALQUIER MOMENTO PARA GARANTIZAR **LA SEGURIDAD DEL CONDUCTOR Y LOS OCUPANTES Y EL CUMPLIMIENTO DE ESTE CAPITULO**

POUGHKEEPSIE POLICE TAXI INSPECTION SAFETY PROGRAM

PROGRAMMA DE INSPECCION DE SEGURIDAD DE TAXI DE LA POLICIA DE POUGHKEEPSIE"

SECTION 8: §18-17 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-17 Requirement of company to maintain records

(a) Every company operating any taxicab shall designate an employee such as a dispatcher or other such person who shall be responsible to keep and maintain a trip sheet at all times during the operation of such taxicab(s). **In addition, every taxicab operator shall keep and maintain a trip sheet at all times during the operation of such taxicab.** Such trip sheet shall record at a minimum the following information:

- (1) The name, driver's license number, taxicab driver's license number and expiration date of each and every driver operating such vehicle for the trips recorded on the trip sheet;
- (2) The date, commencement time in hour and minute(s) and origin point of each trip for each passenger;
- (3) The date, drop-off or termination time in hour and minute(s) and destination or termination location of each trip for each passenger;
- (4) The fare charged and collected for each trip for each passenger;
- (5) The date, time in hour and minute(s) and location of any accident(s) or breakdown causing an interruption or discontinuance of the operation of such taxicab, and a description thereof; and
- (6) The issuance of any citation or violation of any law, rule or code involving the operation of such taxicab and/or the conduct of the driver of same.

(b) The operator of any taxicab business shall produce any and all such trip sheets for any and all taxicabs operated, owned or controlled by such persons upon demand therefor by any police officer, Chief of Police or City Clerk.

(c) All such trip sheets shall be retained and kept on file and made available for audit, examination and inspection by any City law enforcement or code enforcement officer at all reasonable times for a minimum period of two years by every owner, operator and/or proprietor of every taxicab and company operating and/or owning same.

(d) In addition to any requirements otherwise imposed by the Vehicle and Traffic Law of the State of New York or by this chapter, each licensed taxicab operating within the City of Poughkeepsie shall at all times remain in compliance with each of the following requirements applicable to all owners and operators thereof:

- (1) Must maintain and furnish a current list of drivers and employees to the City Clerk .
- (2) Must provide a letter to the City Clerk upon the discharge or termination for any reason of a driver and/or employee, giving the reason for such discharge or termination.
- (3) Must promptly report to the City Clerk the transfer of ownership of any vehicle licensed by the City and concurrently turn in to the Chief of Police the taxicab vehicle

license of such vehicle.

(4) Must report in writing changes of address of the owner, operator or driver of a taxicab to the City Clerk within three days of said change.

(5) Must maintain proper vehicle insurance for all owned or operated taxis in accordance with New York State Vehicle and Traffic Law or other laws, rules or regulations and report a revocation or cancellation of insurance immediately to the City Clerk. Proof that the vehicle is covered by a current liability insurance policy shall be attached to the application in the form of a certificate of insurance.

SECTION 9: §18-25 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-25 Schedule of charges

(a) Except as provided in Subsection(b) of this section, the rate of fare for the transport of passengers and/or baggage to and from destinations within the City of Poughkeepsie shall be no more than \$5 for the first four miles and \$~~1~~ 2 for each additional mile. A fee of no more than \$2 may be charged for each additional passenger who originates and terminates at the same location.

(b) Passengers who are 65 years or older from any point having its origin within the City of Poughkeepsie to any point having its destination within the City of Poughkeepsie shall be discounted 10%.

(c) Owners, operators and drivers must display fare rates visible to all passengers.

(d) Owners must submit, along with the taxi vehicle license application, their established fare rate for transports within, through and outside the City limits.

(e) The soliciting of tips, gratuities or any charges in addition to those authorized herein is prohibited. This clause shall not prohibit the voluntary offer or acceptance of a tip or gratuity.

(f) No person shall charge or attempt to charge any passenger a greater fare than that to which the taxicab driver is entitled to collect under the provisions of this chapter.

(g) If a taxicab waits for more than five minutes for a passenger at the passenger's request, there may be a charge for waiting of \$1 for each five minutes or fraction thereof after the first five minutes.

(h) *Transport of animals.*

(1) There is no additional charge for carrying a guide dog accompanying a blind person or a hearing-impaired person or other person whose physical or medical condition requires the assistance of such animal; and no driver shall refuse or decline to carry a passenger or fare for the reason that such person is accompanied by such an animal.

- (2) Drivers may refuse to transport any other animal unless the animal is securely enclosed in a kennel case which can be reasonably accommodated by such vehicle or is otherwise reasonably secured in accordance with the size, kind and nature of such animal.
- (i) The schedule of fares herein established may be amended by adoption of an ordinance by the City Council.

SECTION 10: §18-26 of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

Section 18-26 Payment of fares

(a) *Prepayment.* Every driver of a taxicab shall have the right to demand payment of the legal fare in advance and may refuse employment unless so prepaid, but no driver of a taxicab shall otherwise refuse or neglect to convey any orderly person or persons upon request to any lawful destination anywhere in the City, unless previously engaged, off duty or otherwise lawfully unable to do so.

(b) *Disputed fares.* ~~All disputes as to fares shall be determined by the duty officer in charge of the police station at the time of the dispute. Such officer shall record the date, time, names and addresses of all involved parties, and the officer's findings and resolution of such dispute. Copies of same shall be provided to all involved parties and to the Chief of Police. Any party disputing said resolution may, upon advance written notice to all other involved parties, appeal such disputed resolution to the Chief of Police.~~ **All complaints as to fares shall be submitted in writing to the City Clerk on a form provided by the City. The complaint shall provide a brief description of the nature of the facts, the date, time and place of the incident, the name of the taxicab company and operator if known, and the name, address and telephone number of the person making the complaint. The same will be forwarded to the Chief of Police or his designee for review and investigation. The taxicab owner or operator shall have an affirmative obligation to provide the relevant trip sheet to the Chief of Police or his designee in furtherance of his investigation. Failure to provide said trip sheet to the Chief of police or his designee shall result in an automatic finding in favor of the complainant. Within 30 days from the date the complaint form is submitted to the City Clerk, the Chief of Police or his designee shall issue a written finding, which shall be provided to the complainant and taxicab company and/or operator.**

(c) **Penalties.** **When a taxicab owner or operator is found to be in violation of the fare provision, the owner or operator shall be assessed a civil penalty by the City Clerk in the amount of \$100 per violation. In addition to the civil penalty assessed, any taxicab owner or operator found to be in violation of the fare provision shall be required to reimburse the complainant in the amount found to have been overcharged by the Chief of Police or his designee after his investigation. Said reimbursement funds shall be collected by the City Clerk in the form of a check or money order made payable to the complainant. The City Clerk shall notify the complainant of the receipt of reimbursed funds using the contact information provided by the complainant in the form described in**

subsection (b). The City Clerk shall make reasonable efforts, including telephone contact and/or regular mail correspondence, to locate the complainant and provide said funds. In addition to the amount to be reimbursed to the complainant, any outstanding civil penalty shall be reassessed at the time of the owner or operator’s license renewal. No license pursuant to this chapter shall be issued if any civil penalty is unpaid at the time of renewal. Any operator found in violation of the fare provision three or more times may have their taxicab driver’s license, vehicle license or license to operate suspended or revoked by the Chief of Police or his designee.

SECTION 10: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER BOYD

ADDITIONS denoted by **Bold** and **Underlining**
DELETIONS denoted by Brackets [] and ~~Strikethrough~~

SECONDED BY COUNCILMEMBER BOYD

O-13-2						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input 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"/>
	Chairman 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.

**ORDINANCE AMENDING CHAPTER 9
 OF THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES ENTITLED
 “GARBAGE, TRASH AND WEEDS”, SECTION 9-20 ENTITLED RECEPTACLES
 FOR GARBAGE, ASHES, REFUSE, RUBBISH, RECYCLABLE MATERIAL AND
 YARD WASTE.
 (O-13-3)**

INTRODUCED BY COUNCILMEMBER SOLOMON

Corporation Counsel Ackermann: Thank you, Mr. Chairman. Mine is much simpler. This is just one change in 2011, the Council adopted a change to the Garbage Ordinance, requiring the use of cans.

Chairman Mallory: We didn’t do Motions.

Motion to receive and print seconded by Councilmember Boyd.

Chairman Mallory: Please continue.

Corporation Counsel Ackermann: In 2011, the City made a change to the garbage requirements that all garbage be put at the street in cans. At that time, it was determined that Main Street, from the Waterfront to the Town line would be exempt. The City has received requests from business owners on Main Street, that the exemption be eliminated. So, what this change would do would require all City not exempting Main Street from placing garbage in appropriate garbage cans. Just so you know, this will take effect 30 days from the adoption of this Ordinance.

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

SECTION 1: Chapter 9, Section 20(a) of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

(a) Garbage.

(1) All garbage shall be placed in watertight containers of sufficient construction to contain the contents therein.

(2) Approved containers may be those made from galvanized steel, aluminum, plastic or other waterproof and weatherproof material. They must taper from top to bottom, be fitted with handles or bails. The container shall be of sufficient size to contain the contents therein and the level of the contents of the container shall not exceed the height of the container.

(3) ~~Those properties located on Main Street between Waryas Park and the town line may use plastic bags in lieu of garbage cans.~~ **All garbage shall be deposited into garbage bags prior to placing garbage into an appropriate container specified in subsection (a)(2).** Such bags must have a capacity of not less than fifteen (15) gallons or more than thirty-two (32) gallons. They must be strong enough to hold the contents therein and be free from objectionable tears or leakage. Bags must be securely tied to prevent spillage when placed at the collection location.

(4) Prohibited containers shall include garbage bags, except for the provisions of paragraph "3" of this section, metal drums, fiber or paperboard drums, barrels, paper shopping bags, cardboard boxes or containers having sharp or jagged exposures.

(5) Penalties. Any person violating the provisions of this section shall be punished by a fine in City Court or a civil penalty recoverable in accordance with Section 9-11 of this chapter not to exceed \$25. Each separate act of placing or depositing or causing to be placed or deposited a prohibited container at the curb for pick-up shall be deemed to be a separate and distinct violation punishable by a separate and additional fine and/or penalty.

SECTION 2: This Ordinance shall take effect upon thirty (30) days after its adoption.

SECONDED BY COUNCILMEMBER BOYD

[Strikethrough] indicates deletion.

Bold and Underline indicates addition

O-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 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"/>
	Chairman Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM EVETTE JIMENEZ**, a notice of claim for towing fees during snow removal. **Referred to Corporation Counsel**
2. **FROM ROSA GISSELL CASTILLO AND RAMON E. CASTILLO**, a notice of claim for towing fees during snow removal. **Referred to Corporation Counsel**
3. **FROM KAREN PAGE**, a notice of claim for towing fees during snow removal. **Referred to Corporation Counsel**
4. **FROM TYRONE REYNOLDS**, a notice of personal injury sustained on February 13, 2013. **Referred to Corporation Counsel**
5. **FROM STEVEN PLANCK**, a notice of claim regarding Local Law LL12-02. **Referred to Corporation Counsel**

Chairman Mallory made a motion to go into Executive Session to discuss items IX. No. 5 and IX. No. 6, **Councilmember Solomon** seconded the motion.

Chairman Mallory made a motion to resume the rules, **Councilmember Solomon** seconded the motion.

6. **FROM PETE HENRIQUEZ**, a notice of claim submitted. **Referred to Corporation Counsel**
7. **FROM MARK A. DIROCCO**, a notice of property damage sustained in February of 2013. **Referred to Corporation Counsel**

- 8. FROM ISEMAN, CUNNINGHAM, RIESTER & HYDE, LLC,** a notice of intent for Mill House Brewing Company to obtain a Liquor License. **Referred to Corporation Counsel**

X. UNFINISHED BUSINESS:

Councilmember Solomon: The LWRP – I was at a Fallkill meeting yesterday. It was pointed out to me that we never, ever voted for the LWRP and we really need to do that, because if we do, the City is able to apply for all kinds of State funds; for the Fallkill region, our waterways. So we need to get it out and work on it.

Mayor Tkazyik: There is an LWRP adopted. I believe this issue goes back to the '70s. However, I believe the Secretary of State has not officially accepted it.

Councilmember Solomon: Oh, the City has approved it.

Mayor Tkazyik: The City has approved it, but I believe that the Secretary of State has not accepted it, due to the language. We'll get you the follow up information. Corp Counsel...we have adopted the LWRP.

Councilmember Solomon: Well, let's revise it and make it acceptable so we can stand in line for these grants, which we could use.

Councilmember Boyd: I read the article in the Poughkeepsie Journal regarding the \$800,000 in sanitation fees that were short. I felt that that article was premature, due to the fact that we have not yet received monthly statements for our sanitation department, regarding our recyclable fees and I would like to put it on record, that I would like the Council to receive monthly statements, regarding our sanitation department regarding our recyclables, maintenance, trucks and so forth and so on. I also feel that the recent bills that went out were not explained properly to the taxpayers, since we started late. There was no notice to go out, regarding that second bill. Second, there was no schedule in the Poughkeepsie Journal regarding the six days that the sanitation workers gave back to the City, so Friday was a holiday that was given back to the City and there was no garbage pick up, and that wasn't told to our taxpayers either. I received several phone calls over the weekend regarding that garbage issue of not being picked up. The Common Council was given the schedule. The schedule, I believe was placed on the City of Poughkeepsie website, but not placed in the paper. Those constituents that called me do not have access to computers, so I was hoping that we can place the schedule in the Poughkeepsie Journal so that everybody knows what the schedule is, regarding certain holidays for garbage pick up and that there will be no problems in the near future.

Chairman Mallory: Will we be able to get a report next Council meeting?

Mayor Tkazyik: You have been getting reports...with sanitation...and the recycling numbers...(inaudible)...on that...we did not write the article. We provided the paper what was unpaid. We did not provide the \$800,000 amount that was in the headline – we only provided what was not paid at the end of the first quarter, but we will give

the Council what they request...(inaudible)...in relation to recycling...sanitation user fee collection.

City Administrator Bunyi: Mr. Chairman, I gave the Council, by request of the Chairman a comparative collection. If you notice, the newspaper reported a \$200,000 shortage, but if you take a look at the actual collection with a bill date of 1-22 to a due date of 3-1, it's really \$227,000 short.

Councilmember Boyd: But that doesn't include our recyclables.

City Administrator Bunyi: We never said anything about recyclables. This is about collection.

Councilmember Boyd: The recycling fee comes into the Sanitation Department, comes in to reflect exactly what our user fee is all about. So, by giving us those figures, it really doesn't make any sense because...

City Administrator Bunyi: Ma'am, I was asked to give the statistics on what was billed, and what was collected. This does not contain recycling. All I was asked to do was compare the billing and the collection from property taxes, water and sewer bills and sanitation and I provided what I was asked for. All I'm trying to show you is this: The last time you got a copy of the sanitation collection, it projected – it had a loss of \$200,000. When we got the final date of 3-1 it now showed a \$227,000 shortage in the billing collection. That's all that this one points out.

Councilmember Boyd: Does that include the maintenance on the trucks? I'd like a monthly statement from the Sanitation Department regarding monthly trucks, the gas, diesel, maintenance...

City Administrator Bunyi: When we gave you the last reports, for the month of February – in the middle of the last meeting, there was a sanitation fund section there.

Councilmember Boyd: I just wanted to thank Karen Sorrell for giving me the statements regarding the P-Cards and since I just received this tonight, I'll have time to review it and I'll address it at the next Common Council meeting.

Councilmember Rich: I know the Journal did its \$800,000 scare, but then YNN says Poughkeepsie garbage pick up may end if homeowners don't pay bills. That's another scare. Now, look at the numbers you're giving here, Mr. Chairman (we've been given). If we look at the property tax, percent paid was 60.04% property tax. Then we go to water and sewer was 55.39% paid. Then we go to the sanitation that's been getting these bad numbers or bad press was 66.05% paid. Of the three, sanitation fees are doing the best, yet we have the Executive Branch talking about how it's really bad, it's really bad. But, on December 17th in this chamber, we voted for the user fee and Mr. Mayor, you signed it that night. Then we heard after January, maybe it's not high enough, and we're hearing all kinds of...I'm not going to give this statement they gave from you, because I don't know if it's true. But now we're...I'm just saying, what we have here isn't just sanitation problems, it's water and sewer and it's property tax. This is a problem that the sanitation did not cause.

They're doing better than the other two and they're new and we had mess ups with them. We billed people who were not responsible for them, bill problems with our tax bills, with our W-2 Forms. I'm just saying, if I look at this, and it's brand new – they're doing better than our other two, especially the property tax and I'm just saying, how do you say this (holds up paper), when the sanitation bills are coming in higher than property tax and water and sewer? Hello, we've got a problem all along, right down the line. We don't just have it with sanitation. Our problems were not caused by this user fee. Our financial problems were not caused by this user fee, and that's what is being sold to the public and I resent it.

Mayor Tkazyik: When we're short \$400,000 in July and can't make payroll, Mr. Rich, you tell me how to cover the cost.

Councilmember Rich: What about your property taxes? What are we supposed to do about that, or water?

Mayor Tkazyik: We'll see what falls at the tax lien sale at the end of the year.

Councilmember Rich: Mr. Mayor, it isn't just the sanitation user fee.

Mayor Tkazyik: The sanitation user fee isn't just an enterprise fund that this body created in relation to dependence on the user fee payment. So, when I can't make payroll in the second quarter because that user fee is short, maybe \$400,000 this body's going to tell me what to do.

Councilmember Rich: Well, I know what you're going to have to do. I asked the Comptroller that said, that you'll have to go for the right of the Legislature to give use the right to take out a debt loan, or we can go into receivership. We're in the same boat as a lot of other places, but Mr. Mayor, this indicates that the user fee is not your big problem, it's the fact that all of our revenue has been hit, "Big Time." State, Federal...property tax is the only thing we control, and the reason we're in deep "doodoo" and we may have to do what he said is because of our friends at the County Legislature, friends in quotes, who took away \$2 Million from this City when we were busy trying to put together a budget. If you want to know where the problem is, that is where the current crisis started. It started with the County Executive and the County Legislature; it did not start with the user fee.

Mayor Tkazyik: We do not disagree with your comments. We support what you're saying and no one disagrees with the shortfall in relation to collection on water, sewer and property taxes, which is what we've been reporting all along. We can't control that the media has targeted in on one area of payment. Now, when December comes and it's time for the tax lien sale, I'm sure that will be the story in the Poughkeepsie Journal and on YNN.

Councilmember Rich: But it's my understanding; let's take a look at the water and sewer fee – I don't get to vote on that.

Mayor Tkazyik: Yes you do.

Councilmember Rich: How do I get to vote on that?

Mayor Tkazyik: It's part of the budget.

Councilmember Rich: Well, who raised the rates?

Mayor Tkazyik: I proposed it in my budget to raise the rates.

Councilmember Rich: They're not raised by the water/sewer board?

Mayor Tkazyik: No.

Councilmember Rich: They're not?

Mayor Tkazyik: No, the Town of Poughkeepsie votes on their rates; the Common Council votes on their rates.

Councilmember Rich: And we had to do this, then?

Mayor Tkazyik: Absolutely.

Councilmember Rich: So if you had to raise water and sewer, isn't it the same with raising sanitation? I mean, come on...which is more important? Water and sewer or sanitation? They're both important.

Mayor Tkazyik: Water and sewer is a necessity that we need to provide.

Councilmember Rich: So is sanitation, or the City will get sick. People will get sick because of the rats and the garbage?

Mayor Tkazyik: I'm not going to get into a legal thing over that...

Chairman Mallory: I'll let the City Administrator speak first, and then I have a question after that on the information that you gave us.

City Administrator Bunyi: Mr. Rich, I just wanted to point out that the statistics you were quoting; the right number, the correct one is one the dollars collected is on the right hand side. We only collected 57.7% of the sanitation dollars vs 68% of the property [taxes] and I just want to point out too, that is pretty much in trend with the way the City collects its property taxes. The first quarter, for some reason is very low for the City, except for the people who pay annually, and you find that number going up to almost 80% after the second quarter. By the time we get to the year end, we're in the 90's [percentile] and the remainder is put on the tax lien sale.

Councilmember Rich: I hear you. It's just that when we had all these folks come and speak, one after the other saying they were confused with what's going on with user fee with garbage. "I don't understand my sewer bill." We have to take out a page (ad) in the Journal to tell people what's going on, because they don't understand and they get angry because they think something is wrong. I'll tell you what's wrong:

Official Minutes of the Common Council Meeting of April 3, 2013

(holds up copy of paper): “MTA gets 9% Aid Hike in Budget \$358 Million,” yet we still have to pay a payroll tax to MTA, do we not?

Mayor Tkazyik: Yes.

Councilmember Rich: So, if you wanted to know what’s wrong with the City of Poughkeepsie, this is what we ought to be nailing them on.

Mayor Tkazyik: Councilmember, we agree. We agree with you, 100%. But, this Council also took the initiative of extra public hearings and meetings...

Councilmember Rich: I know we did.

Mayor Tkazyik: ...during the adoption of the 2013 Budget, and there were several paper articles in relation to different fees that were being proposed and amounts and when I released the Budget, my statements were made public, as well as my report on the website. So, not everybody reads the paper, not everybody listens to the radio, not everybody came to the public meeting, so yes, we will get constituents that are upset and don’t understand and we will meet with them, one on one, to try to address other concerns. But, I think that this body has taken a great action to keep the public informed of important decisions that had been made in relation to this budget. We had more public hearings and budget review sessions than I can remember my time as Mayor or as a Councilmember, given to what this body did. So, look there will always be a few.

Councilmember Rich: Maybe we should ask our Legislators, instead of getting these grants for us to do a simple thing that will be every year; take away that payroll tax, they’ve taken take half of it away...why can’t they take it away from us? It’s indefensible to give away a big \$538 Million.

Mayor Tkazyik: I agree. We need a full repeal. We need mandated relief.

Chairman Mallory: City Administrator can speak and Councilmember Johnson will go next.

City Administrator Bunyi: I just wanted to point out – things are happening; our Assemblyman, Mr. Frank Skartados has actually been working behind the scenes. Maybe we should’ve let everybody know, that he did get us \$100,000 more on the chips money. He has actually got us a grant of \$15,000 for the Fire Department and he has between the police...

Councilmember Johnson: I forwarded that information to you.

City Administrator Bunyi: Right, and the Police and the vacant homes – he is actually working with the Mayor and Councilmember Johnson to get a grant – I can’t remember the amount of money, Sir.

Mayor Tkazyik: This is not all official yet, because there’s still negotiating going on, but it could be up to \$150 - \$200,000 to support the City’s effort on vacant and

abandoned properties in relation to our Nuisance Committee. In fact, Senator Gibson's office has been interested in the overall Nuisance Committee and the aggressive actions that we've been taking, and they're actually going to be sitting in on one of those meetings to see what we do.

Councilmember Rich: I'm just saying this isn't all of the Council's fault, or the executive's fault. We're doing the best we can with what we've got. It's others that need to step up and say what they have done to the cities of this state and nation.

Mayor Tkazyik: We agree.

Councilmember Johnson: I just want to say that we have two representatives on the County Leg., or really three but two that have the majority of the City, and I think that when the process started with the Budget, as far as the sales tax was concerned, maybe they should've sent out a Newsletter, like they sent after the fact, informing their constituents about this problem. Maybe everybody could have run over and picketed in front of the County Building, and save that \$2 Million. Not after the fact, because we're getting the brunt of the situation, but we didn't cause the problem. They shorted us \$2 Million - when were you informed, Mayor Tkazyik?

Mayor Tkazyik: End of August.

Councilmember Johnson: The end of August, and you were already sending your books out for print, practically?

Mayor Tkazyik: During the preliminary, yes.

Councilmember Johnson: OK, so it was at the twelfth hour. Now, maybe everyone should go and demand they give us our \$2 Million back and we'll be out of the sanitation business altogether. Then we could afford to pay for sanitation because we're out \$2 Million and it's \$2.3 Million to run it. The other thing is the Enhanced Star Program for 65 year olds and older. I know that information is somewhere downstairs – that they have it. The problem is, because Mr. Clark (I did meet him in the supermarket), and he did go before the March 1st deadline and filled out the application for the Enhanced Star Program. The only problem is that, it's not effective until the following year. That's the little "snag." So, I think that, unfortunately, it's not effective until next year, but we did include the seniors taking into consideration their income in the Local Law, by putting the fee at \$100 annually. Now, if this Star Program has been going on for quite some time, I don't understand why seniors, 65 and older were not privy to that information because I'm sure there's other things connected to the Enhanced Star Program that they benefit from, as opposed to the regular Star Program. The other thing is, there was an ad from the County about TV's and computers...I really didn't know that you could take your TV's, computers and printers down to the Transfer Station for free. That should be highlighted, as one of our constituents says there's a lot of people dumping TV's all over town. I don't even think that they know that they can bring it down there anytime, all year. That's what I was told for free and we get money. And the City gets paid for the electronics; that's more money. We could take electronics from other municipalities. They can bring it here for free. There's a lot of things, a lot of

communications that are not put out there. I would also like to know about the tipping fee – how we're working on that fee which is \$79/ton tipping fee to dispose of our garbage. That's a savings right there. Here it is March, the end of March...April...how are we doing in that regards – are we making any progress in that area, so...? Again, unfortunately, I wish that there was something where we know that landlords, when they're over 65, that a notice was sent to them or maybe an application, letting them know that they should apply for the Enhanced Star Program to be a little proactive, I don't know how many seniors we have that weren't part of the Enhanced Star Program. Maybe we could've given them that information to try to help them out.

Mayor Tkazyik: When residents come in to apply, the Assessor would at that time, go over various incentives or benefits to them, as well as answer any questions they have to the Local Law for sanitation. I know Gene [DeMarco] has met with numerous seniors who had questions in relation to this and has tried to explain the best that he can, the timetables of Enhanced Star and Star and how it all works, and the savings that they would receive when this went into effect in relation to what the Council had adopted.

Councilmember Johnson: Right, because the ones that are already on the Star Program, they benefit from the lower fee for the Sanitation User fee. But, again, people didn't just turn 65 yesterday (January), so I don't understand why they weren't already on or educated about the Enhanced Star Program. Does anyone know the benefits of the Enhanced Star Program?

City Administrator Bunyi: All I can speak for the Enhanced Star is primarily, that is a school program; it is not a property tax program. The only reason we use the Enhanced Star because there's nothing in our database that tells you how old you are, OK? The only way people know how old you are, is if you go down to the Assessor's office and apply for the Star Program. First of all, the Enhanced Star Program is based on income and age. So, we don't know people's...I think the Assessor meets with everybody. I know that he meets with everybody and explains to them the opportunities for being a Veteran, being a City senior, County senior for Star Program. But, we use the Enhanced Star to be able to fulfill the requirements of the law. However, we have no idea...

Councilmember Johnson: What are the Enhanced Star benefits?

City Administrator Bunyi: Enhanced Star qualifies you for that \$100.

Councilmember Johnson: Besides the sanitation user fee...

City Administrator Bunyi: I'm not sure, that's a school program.

Other Councilmembers advised that it was for a reduction in School Taxes.

Councilmember Johnson: So, that's a savings.

Councilmember Johnson: Now, Mr. Clark applied and met the deadline requirements, but, unfortunately, it doesn't take effect until next year, so now he has to pay...now, the other gentleman didn't know about the program, and you said that maybe he can...what are his options?

Mayor Tkazyik: He should meet with the Assessor. We'll meet with both of these gentlemen. We'll meet with Gene.

City Administrator Bunyi: Now the only thing I think people need to understand, because I've been reading the new budget for the State. Everybody who is now on the Star, because of the high rate of fraud, is being asked to reapply. That is in the State budget. I don't know what the implications of that are, but basically because of the high rate of fraud, everybody that qualifies for Star, must reapply again.

Councilmember Johnson: OK, but as Majority Leader Boyd pointed out, a lot of information was not given to the public. Maybe they should know that maybe they can get a reduction in the sanitation user fee...I mean, they don't know. We know, they don't know. Maybe all the seniors need to be made aware of some information maybe put on the back. I think that's the problem of not having an envelope, because we can put in more than one piece of paper, a flyer. We should have information that we're giving out to people so that they know a number to call. This is available, that's available, this is the deadline. How do we go about educating the citizens in the City of Poughkeepsie on what's free, what's available, those types of things, so we can avoid this miscommunication?

Mayor Tkazyik: Website, public service announcements, mail.

Councilmember Johnson: No.

Councilmember Rich: There is one place where we can get the ages of almost everybody in our City that are seniors and that is, the Board of Education, when you're registered to vote.

Councilmember Johnson: Board of Election.

Councilmember Rich: That's what I meant, Board of Election. So, if you could merge that with a property tax ledger, we might come up with some interesting things as to who is actually not applying. I don't know if that could be done, but it certainly got the data.

Mayor Tkazyik: We receive that data from the County, Real Property.

Councilmember Rich: I'm just saying that when you get a list, you're going to have your age there too.

Mayor Tkazyik: I think Councilmembers should take this initiative too, to hand this information out to their wards; to do mailings to their wards. When I was a Councilmember, one thing I used to do when we had the low income senior grant façades, for windows, porches and roves, I would be to mail the applications out

myself to the people at my own expense, to inform them of these benefits. I'm sure the Assessor will work with all of you to do that. Now would be the perfect time to do that.

Councilmember Johnson: I have a better idea. Why don't we just change that little "fold-up envelope" and use a real envelope, and you make a flyer and put it in the envelope and put it out to the City taxpayers.

Mayor Tkazyik: We will investigate that request.

Councilmember Perry: The user fee is a basis of distress to a whole lot of people. I have a letter here that one of the constituents wrote to me. Matter of fact, he attached the bill. He wrote that he does not need the services of the City, because three years ago, he hired another company to remove his garbage, and he does not understand why, since the City is not picking up his garbage, why he has to pay for it. He's going to pay the first one, but he won't be paying anymore. So, it looks to me, this user fee is an ongoing source of agitation to our citizens.

Mayor Tkazyik: Councilwoman Perry, as you know, there is no opt out provision for 1 to 3 Family homes, and if the resident who lives in one of those 1 to 3 Family homes, continues to have private service themselves, they would still have to pay the user fee regardless of whether they're paying Royal or Waste Management to pick up their garbage. There is no opt out provision for 1 to 3 family – only 4 family, Mixed Use and Commercial. That is in the Local Law as adopted. There are some residents in the City, who do have private pick up, 1 to 3 Family, who pay both. They don't want the City to pick up their garbage. They want Royal or Waste [Mgt.] to do it and they also pay the user fee. So that is not unique. If you want to give the City Administrator that letter, he can then respond to that constituent appropriately.

Councilmember Perry: I also noted by one of the speakers here tonight, that the City residents pay more water rate than the Town. Is there a reason for that?

City Administrator Bunyi: We're going to check that out and get back to you.

Mayor Tkazyik: We don't believe his rate is accurate. The Town number is accurate. We actually have one of the lowest rates in the state.

Councilmember Perry: We are lower than the Town or the same?

Mayor Tkazyik: We believe our rate is lower. We will confirm his statements tomorrow. I believe their rate is higher, in relation to ours by cubic meters.

Councilmember Perry: So, because we supply them, the Town with water – we do?

Mayor Tkazyik: We share ownership in the Joint Water Plant. So we produce the same water together, but they set their rate, we set our rate.

Councilmember Perry: I was just...

Mayor Tkazyik: We will confirm for you, but I believe our rate is lower.

Councilmember Perry: I would appreciate that, Mr. Mayor because I certainly wouldn't want to know that we're paying more in the City. Also, I have a question about the new Ordinance for the Main Street garbage. Are they all going to have the same type of cans or are we going to have the same hundred million cans like we have all over, everybody has 10 - green, blue, orange, red, black, beige...are we going to have an approved..?

Mayor Tkazyik: The containers that are in the Ordinance now, 32 Gallon, right? Is it what is in the Ordinance. No lids are required.

Councilmember Perry: No lids are required, so they'd be open?

Mayor Tkazyik: They would be open. Remember that became an issue with the Council – of complaints from constituents in relation to our men losing the lids, breaking the lids, throwing the lids, so we took that Ordinance out. Now you cannot have overflowing or on top of.

Councilmember Perry: Who's going to monitor that?

Mayor Tkazyik: The Sanitation Inspector.

Councilmember Perry: OK.

Mayor Tkazyik: If a property owner does not have it adequately placed at the curb, in the container, they could be fined.

Councilmember Perry: All over the City?

Mayor Tkazyik: That's how it will be all over the City – including Main Street. Main Street has been exempt from that.

Councilmember Johnson: Private haulers – do they give discounts to seniors?

Mayor Tkazyik: I don't know if there's a senior rate. You'd have to call...

Councilmember Johnson: I don't think so. But, we do - the City does and yes, we are in the sanitation business not by choice, but by force, when we lost our \$2 Million. I also want to say that since we're in the sanitation business, that yeah, people can Lobby to the Federal Government and the State Government for money for new trucks and new garbage cans. Instead, all I ever hear is people complaining. We all know what the problem is, we need to be working on a solution in order to make the City run more efficiently. I want to know what's going on with the street sweeper, I haven't seen it for awhile.

Mayor Tkazyik: The street sweeper was out, then it was down, and it should be coming back to us; a part was being fixed and we should be getting back soon.

Councilmember Johnson: I also want to say one other thing; we're in the sanitation business. The only other option, unless we get that \$2 Million back, is to go private, and we will be paying the same amount of money to go private, except our sanitation men do also pick up leaves, and plow snow, so I think people need to understand that we are in the sanitation business. The days of free garbage pick up are over. We either pay a private person, or the City picks it up. How can we make our business run more efficiently? Also, I'd like to know how much in revenues have we collected for the recyclables? I see the fees for this. Let's see what that is. I see we have some brochures here for the recycling. Now it's April we have them. It's OK. I think I could have done a better job...I don't know; I don't know where the posters are. I think there's a lot of things we should be doing...tipping fees, better brochures, better posters, getting the information out about TV's and electronics. This is April. The sanitation user fee works in other cities because everybody's on board. If everybody's not on board, it's a failed mission. Point blank. Period.

Councilmember Solomon: We didn't get the answer on the tipping fees.

Mayor Tkazyik: The tipping fees, Commissioner DuPilka is drafting for Legal to review. RFP has to go out for hauling. It has to be a public bid for that service. It is being prepared now and will be out shortly.

Councilmember Solomon: One more question. What happened to those little machines that go on the sidewalks?

Mayor Tkazyik: The "elephants" they're out. The gentleman who ran those, was out (on Comp.) and he's back now, so you'll be seeing him running those on dedicated Wednesdays to Central Business District improvements.

City Administrator Bunyi: Actually, because the gentleman is back, we have allowed Mr. DuPilka to allow him, during the weekdays, to come in early and do the sidewalks on Main Street, on top of that early Wednesday thing, because he was out for some time. Now that he's back, he was the professional guy behind those "elephants." Mr. DuPilka asked if it's OK if he can come in early in the morning, to do that and we said, "That's fine."

Councilmember Solomon: We have two "elephants" and one man?

City Administrator Bunyi: No, we actually have other people using it, but this particular gentleman has been "tied" to this "elephant" for a long time.

Mayor Tkazyik: In the Central Business District. We have "dragons" – all kinds of names.

Councilmember Rich: I have a question. I'm hearing second hand reports that the school district for the City of Poughkeepsie government, seem to be ready or close to cooperating about recycling. Is that good news or can't you say yet?

Councilmember Boyd: Yes, we're doing it. We're picking up their recyclables.

Councilmember Rich: That will give us revenue that we didn't have before, right?

Councilmember Johnson: I think we should have actively pursued the 411's, and got them back on board.

XI. NEW BUSINESS:

Councilmember Boyd: I just want to give everybody an up to date on the school district. Common Councilmember, Ann Perry and myself went to a meeting with the Superintendent of Schools, Dr. Wilson. He invited us to talk about his budget and how he's planning on eliminating a principal, two music teachers, some TA's and we had to give ideas on what we thought about his budget. Also, on April 9th at 6 o'clock we have another meeting regarding the 6 new candidates for the Superintendent of School District and that we will be able to meet (myself and Common Councilmember, Ann Perry) with these candidates and ask questions regarding the position of Superintendent of Schools.

Councilmember Johnson: The school district also got additional funding for the Assemblyman, so that situation has to be updated with the budget. As far as the meeting on April 9th, every Common Councilmember should have received a letter, as far as that was concerned – I know, I got one.

Mayor Tkazyik: I just want to update the Council on the appointment, I did send an email out, Mr. Paul Hess as the new Social Development Director for the City. He started Monday. He did type up that introductory email to all of you. He looks forward to working with all of you. He could not be here tonight, but he will come to the next Common Council Meeting. Mr. Paul Hess, so please reach out and stop in and say hello to him. He will be a terrific asset to the City and he's hit the ball rolling on the first week. He will be very aggressive, not only with CDBG, but with administration of grants as well, which I know this body has been looking for and definitely to support us as we proceed to look for new funds. Also, the Commissioner of Finance search is ongoing. We have set up interviews with at least 5 candidates, who we've deemed qualified for an interview. That will take place over the next two weeks. Applicants have until April 19th to apply, but we are beginning the interview process currently, so I wanted to inform you on that.

Chairman Mallory: Could either of you talk about Sun King, the agreement and the PSA's, where do we stand with those?

Mayor Tkazyik: I can talk to PSA's. We've been approved by Clear Channel radio to give us free PSA's regarding recycling or any other issue that's important to the City. 60 second spots; we have developed a script in-house. I did share that with Chairman Mallory, and we will look to begin that probably within the week on all the Clear Channel stations on the importance of recycling and the benefit that is, not only to the environment, but to the City.

Chairman Mallory: Now may we hear from Corporation Counsel or City Administrator about Sun King and our electronics?

City Administrator Bunyi: Sun King is a 6 month contract that the...actually was Cy VanTassell, who is the person who has been the lead person who has been looking for the best possible recycling resource we have for electronics. This group is the same price. It's \$.03/pound or it comes to \$68/ton. The biggest difference that we have with Sun King and the previous person that we had is the previous person we had is a small container that they had, so we were very limited in what we could do, whereas, Sun King actually brings a trailer. If I'm not mistaken, we are capable of putting in (don't hold me to this) between 15 and 20 pallets, and each pallet is at least one ton. Actually, they're trying to teach the sanitation right now, how to double stack it, so that we can move a lot of electronics out at \$68/ton.

Councilmember Johnson: Can you reiterate that TV's and electronics are free, all year?

City Administrator Bunyi: Yes, Ma'am.

Mayor Tkazyik: That's going to be rolled out with advertisement in relation to bulk clean-up and what you can dump and with the Spring cleaning, that takes place in the Spring and Fall.

Councilmember Johnson: Well, that would've been nice if it was in the brochure.

Mayor Tkazyik: This is on recycling and garbage collection.

Councilmember Johnson: But this is from the Transfer Station...things like that, that bring in money and reduce dumping all over town. That should have been in here, that free service; that's really important on TV's and electronics. I don't understand it.

Mayor Tkazyik: We can look to add it. The Commissioner is setting the schedule for that.

Councilmember Johnson: Again, there should have been a committee to work on this. We have free dumping at the Transfer Station twice per year. That should've been put on here, whatever it is; second week of this, second week of that. It should be so that people know, when they have it in their minds during Spring/Fall cleaning. This is the stuff that can bring in money. It really doesn't tell me about the stuff that interests me.

Mayor Tkazyik: These have not been distributed yet. We put them on your desks for feedback and comment which we appreciate, so we can definitely add and subtract from the handout.

Councilmember Johnson: OK, where's the slogan? Advertising requires a catchy slogan.

Mayor Tkazyik: Ms. Johnson, we have no budget for advertising.

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Councilmember Johnson: Well, no. If we had a committee...we've had people come in here with catchy slogans. We could've used one of those.

Councilmember Solomon: What is included in electronics?

Several Councilmembers offered the following examples: TV's, monitors, VCR's

Chairman Mallory: You will be provided a list.

Mayor Tkazyik: Commissioner DuPilka will email you that, with fees.

Councilmember Solomon: Printers?

Mayor Tkazyik: Yes, printers.

XII. ADJOURNMENT:

A motion was made by **Chairman Mallory** and **Councilmember Solomon** seconded the motion to adjourn the meeting at 8:56 p.m.

Dated: May 28, 2013

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Wednesday, April 3, 2013 at 6:30 p.m.

Respectfully submitted,

City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers

Wednesday, April 3, 2013

6:30 p.m.

6:15 Public Hearing regarding proposed rezoning of Sunfish Cove

I. PLEDGE OF ALLEGIANCE:

ROLL CALL – All present

III. REVIEW OF MINUTES:

Special Informational Meeting of September 19, 2012

Public Hearing of December 10, 2012

Common Council Meeting of December 10, 2012

Common Council Meeting of December 17, 2012

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 CHAIRMAN MALLORY**, Resolution R13-30, approving a re-appointment to the Board of Assessment Review (BAR).
2. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-31, approving a parking agreement for North Hamilton Street parking lot with the Family Partnership.
3. **FROM CORPORATION COUNSEL ACKERMANN**, SEQRA and Sale Resolution, R13- 32 and R13-33, approving the Sale of City owned properties 26, 28 and 30 North Hamilton Street.

4. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13- 34, support for funding of the Mayor’s Redevelopment Roundtable.
5. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-35, amending the 2013 budget to add position of Paralegal Assistant to the Law Department.

IX. ORDINANCES AND LOCAL LAWS:

1. **FROM ASSISTANT CORPORATION COUNSEL BRADY**, Ordinance O-13-2, approving amending Chapter 18 of the Code of Ordinances entitled “Taxicabs”.
2. **FROM CORPORATION COUNSEL ACKERMANN**, Ordinance O-13-3, amending Section 9-20 entitled “Receptacles for Garbage Ashes, Refuse, Rubbish, Recyclable Material and Yard Waste,” eliminating an exemption for garbage cans on Main Street.

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

9. **FROM EVETTE JIMENEZ**, a notice of claim for towing fees during snow removal.
10. **FROM ROSA GISSELL CASTILLO AND RAMON E. CASTILLO**, a notice of claim for towing fees during snow removal.
11. **FROM KAREN PAGE**, a notice of claim for towing fees during snow removal.
12. **FROM TYRONE REYNOLDS**, a notice of personal injury sustained on February 13, 2013.
13. **FROM STEVEN PLANCK**, a notice of claim regarding Local Law LL12-02.
14. **FROM PETE HENRIQUEZ**, a notice of claim submitted.
15. **FROM MARK A. DIROCCO**, a notice of property damage sustained in February of 2013.
16. **FROM ISEMAN, CUNNINGHAM, RIESTER & HYDE, LLC**, a notice of intent for Mill House Brewing Company to obtain a Liquor License.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT: