



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, September 16, 2013 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

II. REVIEW OF MINUTES:

NONE

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

NONE

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

Ken Stickle - 118 Catherine Street – I’ve covered a couple of things, especially the crime in my area. One thing I brought up was a soda machine by Mill and North Hamilton Streets. It’s plugged in and it’s right where the new Dunkin’ Donuts is going to be put in. We just had a machine taken off Pershing Avenue. I was told that the City is looking into this and it still sits there. So, it is a hazard. Another hazard in the City of Poughkeepsie is Mansion Square Park. We finally had a dead tree taken down over the beautiful brick wall that was put up on the North Hamilton end. But, we have failed to take the one down that stands on Mansion Street, which stands right over a walkway. A windstorm could cause a branch to come down and someone walking by could get injured. The branch is 40 to 50 feet tall. No leaves have grown on it all Summer. If you go towards the Fireman’s Exempt, you will see it on the right hand side of the park. Also, when we had the scare with the E-coli in the water – we now open the fire hydrant at Mansion Square Park at the corner of North Hamilton and no one is noticing the ground eroding away. The street is being compromised as well. We will probably have a sink hole in the middle of Mansion Street. I could go on and on about broken sidewalks, but one of the worst things is the overgrowth at the vacant building at 44 Conklin Street. Kids walking to school cannot walk down the sidewalk there. Councilman Mallory, you walk past that house all the time. I’m shocked that it was not called in by you. I’ve call the Sanitation Department

about it, I mentioned it to the Mayor and City Administrator today. That house has been an eyesore since the beginning of the Summer. I would ask that these things be addressed immediately, before we have a lawsuit. We are a City and we are heading towards that. That tree is 40-50 feet tall and if you can't see it, you're not looking. Thank you.

Sean Harden - 36 Glenwood Avenue – I noticed that you passed the “No Parking Zone” on South Hamilton...I wonder why it's not being enforced. Every time I drive by, the signs are there and people still park there. There's no ticket on the windshield. I was just wondering when that is going to be coming into effect? It's dangerous coming out of the Funeral Home, like he came here and said, several times. I was just wondering about what the issue was with that not being enforced. I see parking meters are on the agenda again tonight. That was a heated discussion, last meeting. I believe, for several reasons that \$2.00 per hour makes sense. That is because it's more expensive than the City lots, and you want people to park in the City lots to take the traffic off of Market Street. It's going to generate money and the actual amount collected; if you want, after the pilot period is over, scrap the whole meter program, adjust the rate. The other issue with that is, is it going to be affected by a court officer who sits there all day with his placard and won't get a ticket. I wonder if you could talk to someone about that. Lastly, I see the Preliminary Budget coming out today. I agree with a lot of it, in the sense that I'm glad no one's being laid off. Everything is pretty much going forward as is. And, if the bus program goes to the County, it would be great, as service is maintained just the way it is, and drivers don't lose their jobs. I urge everyone on the Council, as you have to come up with your own budget to counter the Mayor's, what you can do to bring in revenue is to hire an extra parking enforcement, or take the current ones we have and stagger their shifts with the Police Department, so there's one that works 8:00 a.m. to 4:00 p.m., there's a 4:00 p.m. to 12:00 a.m. and a 12:00 a.m. to 8:00 a.m. and maybe hire other people to work on weekends, holidays because parking is atrocious. This is going to generate money. Salary is going to be nothing compared to the revenue from tickets that will be written. \$25.00 “a pop,” adds up. If you don't want to hire anybody, you can possibly look at the fine structure and raise the fines; it's outdated...I have no idea when the last time they were updated, but \$25.00 for blocking a fire hydrant is simply too low. That should be as much as a parking in a Handicap space without a permit, because that is just as much of a concern. If there's a fire in front of a building, a there's a car blocking the hydrant, that hydrant's no good because they're probably not going to smash the window and will move down to the next hydrant, which could be 100 feet away. Every second, fire grows. I know this is the beginning of budget talks, I know we have until December, but look into parking enforcement. We have a city with a huge parking problem. I know you have to go through Civil Service lists to hire people for the Parking Department, but it's worth the money. Whether it's walking a beat down Main Street or anything – please, I'm serious...look into this, because it can generate money for the city and we know, especially with the State cracking down, we need to generate revenue. If we do this, it shows the State and everyone else that we are trying our best to do everything to generate revenue – parking meters that can create revenue. Seriously, look into this – it can generate money.

Constantine Kazolias - 47 Noxon Street - 70% of the budget is public safety. That's why not-for-profits should pay the 70% of assessed value reflected in their taxes. In France, churches are owned by the State. As far as Noxon Street goes, 90% of the traffic are speeders. The gas station on the corner of Academy and Church Street, you have to take 25% of the

existing parking lot, and at the present time it's full. Parking is a premium in the City – especially in that lot. The gas station is a zoning concern. The Council has to approve the gas station to go on the corner of Church and Academy Street. Because when I did it, how come it wasn't good enough for me, but it's good enough for the City...the envelope's been passed...that was just a question, not a statement. It's been nice, listening to all the compliments tonight. The garbage gets picked up by the City but it doesn't get absorbed into their financial coffers to stay there. Just like school taxes, when the school taxes are delinquent, they go back to the school. Same thing with the water and sewer. That goes back to the water and sewer. That's because they get a tax lien for non-payment of the enterprise zone things...this is a new thing. Let it work, as far as the half a million dollars. He took the \$350,000 for pre-existing conditions – nobody got hurt, but in the 10th month, now take that \$350,000...it comes down to half a million, only \$150,000 and the bills just went out the other day. So, as far as I'm concerned, people don't understand. If you put it on a tax, it's going to be 16% tax, like it was down in Beacon. Let this thing work it's way through, this enterprise zone. The City's got problems, I know that.

Terry Clayton - 13 Plaza Road, Wappingers Falls - CSEA President – I want to speak on a matter that was brought up at a meeting on August 26th. I want to thank everyone involved who had cleared the Union members' names who said they refused work and that was not the case, so I appreciate that. I do take an exception to one thing that was said. It was said that the CSEA Union will come up here and will complain and lie. I've done none of that. We're new officers. I've stressed the importance of the workers of the city; to keep the City safe and strong, to keep it moving forward. I have no intention of coming up here and complaining. I just like to state facts. I'm a very honest person. One thing the CSEA brought in lawyers to teach people how to fill out Comp sheets is not true. What we had was a Safety Class, so...I don't know where people are getting their information. I would like to have a meeting soon, so we can sit down and clear all this stuff up, as far as people saying it's complaining or lying, I totally disagree. So I want to have a meeting and move forward. Thank you.

Leslie Amin- 19 Virginia Avenue – I called the Department of "Works" and came down to the Mayor's office; he was not there, I spoke to Milo at the office and I put in for a street light, six weeks ago – two months maybe? I lost track. They said they don't have the money to get the parts for the light. I spoke to a guy on the street. He had one more bulb. There was a traffic light at Montgomery Street that was flashing for a while. I just think it's ridiculous that you've got to wait so long for a street light. At 20 Virginia Avenue, the lady up the street from me called about the light and it's still out. I just want a street light. Can you squeeze that it? I'd appreciate it.

Steven Planck - 81 Carroll Street – I have three things...no, four things tonight. If someone could bring up in "Unfinished Business" tonight, the status of the Ice House Liquor license. Maybe it was tabled, and I missed it. I'm a big proponent for the safety that business brings into that neighborhood. I'm also a big supporter of the Lund Foundation, especially for all they've been doing for the City. I personally think they deserve their liquor license. I think you guys should get a raise. The Mayor should also get a raise too. It should take effect on the last day of the term of everyone sitting here on this Council. I also think it would be a great thing

that if you had some type of law, that basically says, “No person that has family working for, or worked for the City of Poughkeepsie, can never hold office as a Common Council Member.”

Frank Clark - 50 Rinaldi Blvd – Is not in agreement for the proposed parking meters. Feels that the single meter is the best way to go and it would be a lot less expensive. Believes it’s easier to have a single meter for traffic enforcement to drive by and see the expired meter. He stated that he would like the Councilmembers to go online and gave a website (www.pon.com) for an American company that is a single meter and takes cash and credit cards as well. If Market Street was ever made into a two-way, it will tie up a lot of traffic. Years ago, when Dooley Square was being developed, a deal was made with Metro North to allow 24 parking spaces for customers of the businesses. The signs are even still there – they say, “Retail Only, City of Poughkeepsie, 4 Hour Parking.” I was very upset when I watched the replay of the Planning Board this past month. A new owner of the building requested to remove those 24 parking spaces that these businesses rely on, to make it designated parking for his tenants he plans on putting on the upper floors. He went to the Planning Board for approval and only one business owner, Luis Juncosa objected to removing the spaces. None of the business owners were made aware of this. This new owner was willing to give up 12 spaces; if he’s willing to give up 12 spaces, he has enough room behind Amici’s to allow parking for his tenants. were put in the rear of the building for tenant parking. There was no mention of this for a Public Hearing, and if it does come to that, I hope you recognize that these people depend on those parking spaces. The haircutting place will go out of business if you take away the parking. I also want this Council to look up the new owner’s name and look up a site that says, “Tenants demand more.” Before this Council approves anything, you’d better know who you’re dealing with. Thank you so much.

Darrett Robert – 171 Franklin Street – Spoke about the drug problems on Thompson Street like the previous speaker. Mentioned the heroin problem and that these addicts need rehab. The streets would be a lot safer and business owners would see that the City is doing the best they can for these people. Crime and drugs go together and, if we can stop that combination with rehab to make them become better citizens while making the City a better place to live. Thank you.

Jacqueline Marone - 20 Fountain Place – I’ve been “fighting” to try to get a tree down in front of 7 Fountain Place, that I was promised by the Mayor in 2008 that it would be taken down. I received a call from Nancy, Mr. DuPilka’s secretary last Thursday, the 12th. She said she had good news for me – the tree would be down by the 16th. Well, we got another 4 hours left on the 16th, and as we speak, the tree is still standing. How many more years is this going to go on? That’s what I want to know. I’m calling Mr. DuPilka’s office first thing tomorrow morning. It’s Mrs. Johnson’s ward. Maybe somebody can put a little stick of dynamite under somebody. The trouble with laws and regulations in the City is that no one enforces them. There is a lot next door filled with dog feces. The people bring their dogs there and don’t leash them or pick up after them. I can’t write tickets, I’m a citizen. There’s another gentleman with a big dog who allows it to “go” wherever it pleases and doesn’t pick up after it. Since it’s not on a leash, it can’t be pulled to the side and it sometimes ends up right in the middle of the sidewalk. There are a lot of good laws out there, but if they’re not being enforced, what good are they? Who’s to say that the big dog that’s off-leash doesn’t follow his owner and decides

that he doesn't follow and goes after someone he doesn't like the way they smell? How's he going to stop the dog when it's not on a leash? That's why I said there are a lot of good laws out there, but everybody laughs at them because nobody does anything about it. That's about it. I just want that tree removed because it's bigger and leaning on the house now and before it gets worse, it needs to be taken down. That's what happens when you promise things that don't get done and it makes the job that much harder when it finally is done.

Sharon McClinton – Police and Fire personnel should never have to worry about job security and lay their lives on the line every day. When they retire or move up, their former position should be given consideration for filling. When I walk down the street and see the person in “blue,” I feel comfortable knowing that they're making the street safe. I don't drive and utilize the City bus service. The County bus will not stop on the corner to take our children to school, so in good faith and solidarity, please consider what our City employees are asking for. Regardless of the cost, they need to maintain their jobs, as all of us do. Thank you.

V. MAYOR'S COMMENTS:

Mayor Tkazyik: Thank you, Mr. Chairman. I want to thank all of the public for participating in tonight's Special Annual Informational Meeting, as well as Public Comments. There were lots of questions so I'm going to move on them along with Corporation Counsel Ackermann. I have a special presentation to make this evening. Most of the dialogue was inaudible, but some parts mentioned that there were 50 students who took part in the Summer Camp. The children experienced educational activities, recreation, literacy, fitness, music, drama, the environment and swim lessons. They also attended local area New York City museums. I have a collaboration with the City of Poughkeepsie Library on a regular basis. The award was given to the folks who volunteered at the Summer Camp and presented to the Director of the camp, Ms. Jane Barber-Smith. The Mayor thanked Jane and Rev. Ryder who could not attend. The Mayor expressed his thanks to Jane for all she does for all the members of Christ Episcopal Church and the community; sharing treasures and gifts for those who need those treasures and gifts the most. Thanked her from the bottom of his heart, on behalf of himself, Councilmember Rich and all the members on the Council and the City of Poughkeepsie, we want to present Christ Episcopal Church with this Certificate of Appreciation for enriching the lives of the children of the City of Poughkeepsie for over 50 years and proclaim this your day. Ms. Barber-Smith expressed thanks to the Councilmembers and the Mayor on behalf of all those involved in the Summer program.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Chairman Mallory: So ends Mayor's comments. I too, want to thank the public for coming out to speak and to always exercise your rights. Thank you for educating us on some things and for the various Department Heads that responded. I'm quite sure we'll have other comments of upcoming budget quests and desires. At this time, Council needs to go into Executive Session to discuss personnel issues.

A motion was made by Councilmember Solomon to go to Executive Session and seconded by Councilmember Boyd.

A motion was made by Councilmember Solomon to resume the regular meeting and seconded by Councilmember Boyd.

VII. MOTIONS AND RESOLUTIONS:

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

2.

Corporation Counsel Ackermann: Thank you, Mr. Chairman, members of the Council. Before you is a proposal of an Environmental Easement that would be granted by the City of Poughkeepsie, as the owner of the DeLaval property to the New York State Department of Environmental Conservation. The City of Poughkeepsie entered into a State Assistance contract in 2005, to seek assistance in the remediation of the DeLaval Property. The property has been abated. The environmental issues have been remediated. The project is now complete, and pursuant to that original agreement with the State, the City now has to grant the final environment easement to close out this contract with the State. The easement will provide that, on this portion of DeLaval, that there is a limitation as to the uses of the property and that is dictated to the level that the property was cleaned, and therefore, in this case, the property will be available for Commercial use and higher. So, commercial use, which includes recreational activities, and higher, which would also include industrial. However, our Zoning Code would still supersede any other developments, so it's in a "W" and those categories listed in "W" would apply still. There is also a Site Management Plan that has to be filed with the DEC and this easement will refer to the Site Management Plan which will also control future testing of the property, which is required by the State. So, once this is approved, it will be executed and sent to the State for approval and then it will be recorded and run with the land for the DeLaval Property.

Councilmember Solomon: I understand there is a 99 year lease on this property with the Bonura Corporation?

Corporation Counsel Ackermann: There is a Memorandum of Agreement that provides for a 99 year lease on this property. That would be correct.

Councilmember Solomon: A Memorandum of Agreement...what does that mean?

Corporation Counsel Ackermann: There is an agreement that was signed, back in 2005 at the start of this clean-up project that provides for a 99 year lease of the property to the Bonuras or an entity of (inaudible)...

Councilmember Solomon: And that is in full force? We cannot get out of it?

Corporation Counsel Ackermann: Yes.

Councilmember Solomon: And, so why are we dealing with New York State?

Corporation Counsel Ackermann: Because we accepted money from New York State as part of that, acceptance of the money and entering into that State Assistance contract we agreed, that once the property was remediated, that we would provide them with this environmental easement, depending on the cleanliness of...to the point when it was cleaned.

Councilmember Solomon: How much money did we accept from New York State?

Corporation Counsel Ackermann: I don't know the answer to that.

City Administrator Bunyi: Approximately \$9 Million.

Corporation Counsel Ackermann: Approximately \$9 Million.

Councilmember Solomon: So the City bonded \$12 Million? We actually paid \$21 Million (inaudible)...that site?

City Administrator Bunyi: Yes, ma'am.

Councilmember Solomon: And the other question, the other word that I heard was, "that portion" of the DeLaval Property – this is not the entire property?

Corporation Counsel Ackermann: No, this easement actually and the remediation was the entire property, so this would cover the entire property, including lands that were granted to the City by the State.

Councilmember Solomon: I don't know, there may be other questions, but I really need to not act on this tonight. I'll defer to other questions.

Corporation Counsel Ackermann: Let me just clarify something...that the City has already executed, signed and approved, the Council approved the State Assistance contract that provided for this remediation and this is required pursuant to that contract, and the Council's failure to provide for this, would do nothing but result in us owing back the monies that we borrowed under that State Assistance contract and Commissioner, excuse me, the City Administrator has indicated is approximately \$9 Million.

Councilmember Solomon: Is there a provision where the Mayor is the only person who can make any arrangements? And, there's actually no call for Common Council approval of anything after we vote on this? Somehow or other, I don't like that arrangement.

Corporation Counsel Ackermann: I don't understand the arrangement you're referring to. All you're simply doing is authorizing the Mayor to execute this environmental easement which, pursuant to the Department of Environmental Conservation (DEC) regulations, he's the Chief Fiscal Officer of the City and also the Charter, and he is the only who is authorized to sign this environmental easement.

Councilmember Solomon: I would like to see some more Council involvement in these activities. Again, I defer to other questions.

Corporation Counsel Ackermann: I just want to clarify one more thing – that involvement was done when the City agreed to borrow the money and enter into the State Assistance contract. That would not have been able to have been accomplished without approval of the Common Council to there, at that point, enter into the State Assistance contract and agree to borrow the money, and, in turn, agree to this ultimate environmental easement.

Councilmember Solomon: No one on this Council, except for the Mayor was on the Common Council...?

Corporation Counsel Ackermann: I don't know who was on the Council in 2005.

Councilmember Rich: So, this is from the State...what we're signing and when did the clean-up formally end? I believe it ended several years ago.

Corporation Counsel Ackermann: I don't know exactly, but it has been some time, but there are procedures that have to be done before we close out the project and transfer this easement. The Site Management has to be done, final surveys of the property have to be completed. In this case, there was an amendment that needed to be done with some land transfer between the State and the City that had to be accomplished before we ultimately do that. So, while the project technically has been done, it has been completed, the technical aspects of closing out this project with the DEC continued until this point, and this is the final piece of the State Assistance contract that needs to be completed before this project is complete.

Councilmember Rich: That's all well and good, but if we haven't completed our part of the bargain, and our part of the project, until now...are you telling me that Mr. Bonura could not go and build anything until we do this?

Corporation Counsel Ackermann: No.

Councilmember Rich: Or, was he ready, or legally able to build several years ago?

Corporation Counsel Ackermann: He was able to build, once the remediation was done.

Councilmember Rich: ...which was several years ago and keep in mind, Paul, that we're paying \$12 Million.

Corporation Counsel Ackermann: Right.

Councilmember Rich: City money – City taxpayers are paying \$12 Million for a piece of property that is down there and is vacant. People tell me when they go down Rinaldi Blvd., “Joe, why isn't anything being done?” I can remember ideas that Mr. Bonura brought to us in 2009, but nothing's been done and we're paying \$12 Million and this just seems that...is anybody

working for us? The State? Mr. Bonura? We paid \$12 Million and it's our property. Is anybody understanding that it's a lot of money? Why does the State do this to us and why does Mr. Bonura not build? No one can answer that. Why is the State doing this now, when they could have done it a couple of years ago?

Corporation Counsel Ackermann: The State couldn't finalize it a couple of years ago. I indicated before, there were steps that had to be done once the remediation was done, in order to accomplish this final step in closing out this project. A Site Management Plan had to be developed, final surveys of the project had to be done, a land transfer had to be approved by the State and amended, letters had to be patented and filed. These were things that all were being accomplished once the parcel was remediated. I don't know anything about what you're referring to, where the project is today. Irregardless of that, this needs to be done in order for us to close out the State Assistance contract that the Council approved entering into back in 2005.

Councilmember Rich: Well, I just think that the State is a little behind schedule in their work and you told me that Mr. Bonura could've built on this several years ago, if he chose to proceed.

Corporation Counsel Ackermann: Correct.

Councilmember Rich: So it's really not necessary for him to build.

Corporation Counsel Ackermann: No, it's not necessary for him to develop. What this is, is for any future projects...

Councilmember Rich: But, this is from the State...

Corporation Counsel Ackermann: Right, so they want to ensure that people know, if somehow they come into rights, with regard to this property, that they can't build residential properties and that there's a Site Management Plan on file with the DEC to accomplish certain measurements of the property.

Councilmember Rich: You can't build residential – that's in here, and the State cannot make us build Industrial, even though it says in here it's allowed.

Corporation Counsel Ackermann: It's an approved use, pursuant to the clean up, but it's not...it's a matter of local concern and it defaults back to our Zoning Code.

Councilmember Rich: So, only Commercial can be built, basically?

Corporation Counsel Ackermann: Well, I would clarify that, but...

Councilmember Rich: "W" is Commercial, right?

Corporation Counsel Ackermann: Correct. "W" and whatever is consistent with "W" in zoning in that area would be consistent.

Councilmember Boyd: I would like to second the motion to table. This Common Council needs to be educated, due to the fact that we were not on the Council in 2005. I feel that it's unfair for you, the City, to ask us to vote on something we know nothing about. I think this resolution should be tabled until we can understand what the heck is going on.

Councilmember Boyd made a motion to table R13-72 to the next Council Meeting, **Councilmember Solomon** seconded the motion.

Councilmember Perry: Mr. Chairman, I had a question.

Chairman Mallory: Yes, I know and I thought we were going to get to that. I didn't think a motion to table was going to be requested. We have more time to discuss this, as it is being tabled. Sorry about that.

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

Corporation Counsel Ackermann: Thank you Mr. Chairman, members of the Council. Before you is a proposal, a resolution supporting a proposed grant through the Hudson Valley Greenway, for what is being entitled, "The Poughkeepsie Youth Enclave Strategic Plan." This is a partnership between the City and Patterns for Progress, in which they would study amongst the City, ways in retaining people (young people) in the demographics of the 18-34 that are graduating from the area educational institutions including Vassar, Marist, Bard College, Culinary Institute and S.U.N.Y. at Dutchess.

Councilmember Boyd: From what I read, this is just a study?

Corporation Counsel Ackermann: That's correct.

Councilmember Boyd: I feel that this study is a waste of time due to the fact that, we have no students between the ages of 18 and 34 because we have no jobs. It's a fact, so I'd rather see this money be put into some sort of grant for Youth Programs instead of running a study that we all know, is not going to work because there are no jobs for these students to stay.

Mayor Tkazyik: (inaudible)...We're in an area that is surrounded by these institutions. This is a Pattern's initiative. They called us; we're a Greenway Compact community; that's why we were selected. That's why I wholeheartedly think we should take part in the study. I can talk to Jonathan Drapkin and tell him what you just said.

Councilmember Perry: I always wonder about these studies. We have a lot of studies for different things and we've had a study several years ago. I think it was \$28-30,000 that was used to study our youth. Anyone who knows anything about youth...let me give you a list about youth. Youth requires, food, clothing, shelter. They need direction, education and if we could provide programs for them and job training so they can end up being good, useful, productive citizens, we wouldn't need all these studies that we have no results from. No one tells us what comes from these studies. It's about time we start doing something, as opposed to doing studies,

studies, studies. I've had it with studies that have no results and no action is taken at all. Where are all the studies that have been done? Where are the results and what has happened to our youth? They're still unemployed, they're still walking the streets, they're still doing all the things youth should not be doing if they had proper direction. These studies should be helping them. I don't see where it's helping them. I know what you're saying, Mr. Mayor, about this organization being asked to support it, but I still have my own suspicions about studies. Let's do something for the youth if we want to, but we can't continue to do studies. It makes no sense to me. Thank you, Mr. Chairman.

Councilmember Johnson: Are they here today?

Chairman Mallory: No.

Councilmember Johnson: Well, then...they're not even here to...

Mayor Tkazyik: ...his memo in relation to the timeframe...

Councilmember Johnson: If this was important to them, they would have been here today to explain why this...

Mayor Tkazyik: We're a pass through. If Newburgh or Beacon are a Greenway community, if this doesn't pass, I'm sure they'll go there. It's just that we have the institutions around us. The City did not bring this on; they came to us.

Councilmember Johnson: I understand that. All I'm saying is that, maybe we should table this, give them an opportunity to come here and explain what is the purpose and objection [sic] and what is the importance of this study and how does it benefit the City of Poughkeepsie.

Councilmember Rich: I would caution my fellow Councilmembers...(inaudible)...highlights...

Councilmember Johnson: We don't want to know highlights – I want them to come here. If this is important to them, they should be able to come here and present this to us. If it's not important to them, it's not important to me.

Mayor Tkazyik: We'll share your comments with them.

Councilmember Johnson: We're televised. Tell them to watch the Webcast.

Councilmember Rich: At the bottom of Page Two, Part D, it does tell us what we're supposed to get out of this and the results of the project will be put in our hands by June, 2014. Then that report will provide us with recommendations for adoption of local comprehensive plan and zoning changes and communication and marketing strategies to keep people here, who are enrolled in our various colleges that are nearby. In addition, they will provide us with a springboard for going after funding for grants from New York State as well as private foundations. It's a long ways away. I think it's a useful thing; it's just that it's so far away.

You're right. If we don't use this, it'll go to somebody else and we won't get anything else for it. We'll get, "Zip." Although results won't be in until June, '14 we will get a report that may be useful to us and it might lead us to receive grants. So, I would caution my fellow Councilmembers, if we're not going to get anything now for it, it may or not be potentially useful, but it might be useful to try to get a grant. We don't know how much or who from (either New York State or private sources) if we pass this by, it will just go to somebody else, and it's a long ways away but those folks that are elected in November might find this useful and I don't want to take it away from them if it becomes useful.

Councilmember Solomon: I think that this is a silly proposal, but isn't Poughkeepsie the place where we discourage youth from living in the City? Think of the regulations we have about only 3 college age people may live in apartment.

Mayor Tkazyik: ... (inaudible)... convenience stores... what we're limiting is the density where they can live. The tightness in a single family neighborhood; you can't have 10 people stuffed in one house. Actually, it's worked quite well with the City Ordinance and it's pushed students into areas where that level of stress is manageable. Parking and...

Councilmember Solomon: I think we know the answer to this study; that good jobs and good schools will keep people here. We don't have either, so this is probably an exercise in futility.

Mayor Tkazyik: We had nothing to do with it.

Councilmember Solomon: I see that the total cost is \$15,000 so this grant application is for \$7,500. Where's the other \$7,500 coming from?

City Administrator Bunyi: It's split between us and Patterns of progress.

Mayor Tkazyik: We're a pass through. All we're doing is just cutting the check.

Councilmember Johnson: We understand that. What we're saying is that, they're doing a study (we don't even know what they're studying). Every time somebody wants to do a study, they want to come here... we could be the pass through for them, like we're the "easy prey," or whatever. Yet, it wasn't important for them to come here and explain why this is important and how does it benefit the City of Poughkeepsie? That's the problem. I mean, do we just have, "Yes" rubber stamps around here?

Mayor Tkazyik: All the people they're going to be interviewing are in the Town.

Councilmember Johnson: We're not calling... Listen, where are they? Maybe someone should've instructed them. You know, the Council, maybe you should come and present

Mayor Tkazyik: I don't think they'll come after this.

Councilmember Johnson: Well then, say no more. Call a vote.

City Administrator Bunyi: Can I just make a statement to the Common Council? It's more like an appeal from my perspective. I don't know if you've been following IBM lately. About a week ago, it was released that the next generation chips does not include Dutchess County at all. We're going to watch that go away, and in 5 years, there will be no IBM. This study, whether we like it or not, may give some clue, like Mr. Rich said, to the future as to where we can go. You cannot stop IBM from leaving. We can't stop IBM from leaving, but believe me, when the next generation chips are going somewhere else, that corporation is too big for the City of Poughkeepsie to take on, because they are moving. This is a study – you may not see the results right now, but like Mr. Rich said, “two years down the road, it may have an answer for the young people as to why they should stay, because IBM most probably will not be here in the next 5 years.

Councilmember Johnson: I would like to see these people, so they can explain to me about this study and if they've done this study before. I don't like voting on stuff and they don't even have the courtesy to come before the Council to tell us the importance of the study; how it will benefit the City of Poughkeepsie and basically, they need to be here.

R E S O L U T I O N
(R-13-73)

INTRODUCED BY COUNCILMEMBER SOLOMON

WHEREAS, the City of Poughkeepsie is applying to the Hudson River Valley Greenway for a grant under the Greenway Compact Grant Program for a project entitled “Poughkeepsie Youth Enclave Strategic Plan” to be conducted in the City of Poughkeepsie; and

WHEREAS, the grant application requires the applicant municipality obtain approval of the governing body of the municipality in which the project will be located; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby does approve and endorse the application for a grant under the Greenway Compact Grant Program, for a project known as “Poughkeepsie Youth Enclave Strategic Plan” and located within the City of Poughkeepsie; and

BE IT FURTHER RESOLVED, that the Mayor or City Administrator shall execute the Grant Agreement, application or other documents that may be necessary to give effect to this resolution.

SECONDED BY COUNCILMEMBER BOYD

R13-73			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Mayor Tkazyik		<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VIII. ORDINANCES AND LOCAL LAWS:

1. FROM CORPORATION COUNSEL ACKERMANN, Ordinance, O-13-15, amending Article IX of Chapter 13 entitled “Parking Meters.”

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

Corporation Counsel Ackermann: Mr. Chairman, members of the Council, this was tabled from your last meeting for further discussion. At the request of the Council, it was amended...actually the amended version was left on your desks today.

Corporation Counsel Ackermann read the last sentence that was added to Section 13-153 Marking of the parking meter zones.

Chairman Mallory: Before you go to comments and questions, could you share the part that does mention...what’s listed beforehand was a concern for my colleagues the word, “Coins.” There is a section in there that addresses all kinds of legal tender?

Corporation Counsel Ackermann: Yes, that’s correct. What we did was, amended Section 13-154 to define pay stations or multi-space meters. And these new meters have the capability of multiple payment types. They’re not just coin-operated machines. They do take dollar bills...credit cards. In fact, there’s other forms of currency or other forms of payment that they would accept. For instance, if the City so chooses, there’s ability for them to subscribe to some phone applications, where they could register a credit card and pay from that phone. There are other mechanisms that they can purchase – identification keys that can be filled, so there are other payment types out there so the last sentence in 13-154(c) addresses that and states: Pay stations or multi-space meters shall be equipped so as to be able to accept payment through deposit of proper United States coin or coins (which may include paper currency), credit or debit card or other form of payment as determined by the Chief of Police, or his designee. And these other forms of payment are these new applications by phone applications and other forms of refillable devices.

Councilmember Boyd: Referred to the last sentence added to Section 13-153, asking how accessible the existing handicapped parking spaces are going to be determined.

Corporation Counsel Ackermann: They'll be made as accessible as possible. If there are current curb cuts associated with those handicapped spaces, they may have to be placed there. If there is an inability to do that, the Council always has the ability to amend the parking ordinance and provide for the movement of those handicapped spaces, so they're in a place that are more accessible to the meters. So, Council has that ability because all handicapped spaces are delineated in the code, as dictated by the...as passed and approved by this board. So, they can be adjusted through this Council's action changing those handicapped spaces.

Councilmember Boyd: Why do we have to adjust this and go through this again? Why not do it right the first time?

Corporation Counsel Ackermann: You don't, and that's why we put in that the Police Department will use their best effort to locate those in those spaces, but sometimes, because of curb cuts and other physical restraints from being able to do that, and they may not be able to do that, and that's when the Council is going to have to maybe amend where those handicapped spaces are. I know it was a concern of the Council about the handicapped spaces this puts in there that the Police Department has to use their best effort, and if it's available to put those meters in those spaces where those existing handicapped spots are.

Councilmember Boyd: I have another question. This is for 90 days – 3 months? Correct?

Corporation Counsel Ackermann: The trial period...the pilot will be run for 90 days.

Councilmember Boyd: OK, so if this should be passes tonight, when is this run and when does it end, and when will the Common Council see what the revenues are?

Corporation Counsel Ackermann: The contract will be signed forthwith, and we will attempt to get the meters here as soon as possible. There may be some delay in ordering the machines, etc. but it will be done as quickly as possible.

Councilmember Boyd: So, can you give us an average...or example date...of when this is going to begin...?

Corporation Counsel Ackermann: Yeah, I think that if this is passed, there may be, depending on 2 to 6 weeks in ordering the equipment and getting the equipment here and installed; it depends on when this is done and what the vendor has available to provide to the City. So, that would be done expeditiously and we will get them up and revenue-wise...

City Administrator Bunyi: Definitely, we will give you a result or an extrapolation of the results by the end of November.

Councilmember Boyd: I want definite revenues, not just a projection of revenues from the pilot. I'd like them as soon as possible from beginning to end and exactly how it's going, or whether it's not going.

Chairman Mallory: Soon as we know, could you please e-mail us? Let us know when we have them and about to implement them so we're kept up-to-date?

Councilmember Rich: This trial period is 90 or 120 days?

Corporation Counsel Ackermann: 90.

Councilmember Rich: Then we may have a situation with our proposed budget of 2014. Even if we get them up by October 1, 90 days brings us to December 1. I assume we'll have a budget passed prior to that. I know the Mayor is thinking that, if this thing is to succeed, we will be able to project 2014 Budget of \$1.429 Million off brand new revenue. But we won't know what our 90 day period has done, because we'll have to vote on the budget prior to the 90 day period. I don't think we're going to vote it on the 31st and wait to see what the returns are because the returns may not be in until January sometime. So, what are we gonna do if we project this to be \$1.42 Million...how do we go forward in the hopes that this projection will be accurate?

City Administrator Bunyi: Yes, but we will have numbers already at the end of October and the end of November, so we will actually have daily, weekly and monthly results. By the end of November, we will have a full, solid 2 months of results.

Councilmember Rich: OK, I hear you. It's not 90 days as we'd hoped, but it's 2 months.

City Administrator Bunyi: Well, we'll do our best to get it up y October 1st.

Councilmember Johnson: Oh, so that's the installation...October 1st?

Mayor Tkazyik: Hopefully.

Councilmember Johnson: Parking meters, parking boxes are good ideas if you put them in a city that has a lot big businesses, like at Fordham Road in the Bronx, where they have blocks and blocks of big businesses. They also have free side street parking for residential areas for those that can't afford...because I believe this is going to be \$2.00 an hour. Is that correct?

Mayor Tkazyik: ...with the pilot, it will be \$2.00 an hour.

Councilmember Johnson: OK. Well, everybody doesn't have \$2.00 an hour. So, I mean, because we have...where we're going to be putting these parking boxes...what is it? What's the terminology? Boxes? Meters?

Corporation Counsel Ackermann: Pay stations.

Councilmember Johnson: Pay stations. Where are we going to be putting these pay stations for the pilot program. It's going to be around Social Services, Family Court, Supreme Court. I, myself, know that after the pilot period, I know that you plan on putting these pay stations down by the river, Main Street – how far up Main Street?

Mayor Tkazyik: Again, that's going to be determined by the pilot ongoing. You've got the Central Business District, Waterfront...that's what we're studying.

Councilmember Johnson: OK, well I'm studying it too. I know that there's a lot of Mom & Pop businesses, beauty salons, barber shops, bodegas (on Main Street) that local people go and visit and shop at. I don't understand how they're going to be able to pay \$2.00 an hour to run in Family Dollar, when you're only going in Family Dollar to spend a dollar. In my opinion, and I know the City really needs revenue; it's just that we don't have the big businesses in these areas to meet, to justify this \$2.00...however, if the plan is to alienate the poor, and keep them from going downtown and here, there, then I say this is a great plan. I just feel that this will alienate a lot of people from going downtown. I think it's going to hurt businesses, because I know what types of businesses that are on Main Street. We don't have big department stores, we don't have boutiques. If the free parking is taken away, where are they going to park? If they happen to park and take a chance and park in these areas and time runs out, there will be hefty fines which are on the books for – what is it? Administrative fee of \$75, \$120 for the cost of removal. Storage charge \$25 a day. I think the parking stations are good, I just don't know if it's good for Poughkeepsie because of the state that we're in. I don't see the businesses to support this venture.

Mayor Tkazyik: I appreciate Councilwoman Johnson's feedback, but this is why the City is undertaking this pilot. I would say that County Government and the County Court System is a business – a big business downtown. The majority of the parking on Market Street alone on one side, you can't park on now anyway, and you fight on the right side to take it from a lawyer who parks there all day. The majority of the people walk or depend on public transportation or park on a side street, where available parking is met that is free or in a municipal lot where they can get access to at a reasonable rate. Obviously, the City needs to look for new revenues; this is a new endeavor and a project. I think that some of your feedback and concerns in relation to designated areas is well-taken and, I think the scope of it is what is going to be digested during this time. Not to say it's going to go so far, up or down, but to take into account the possibility, and I would say the overall parking need and demand, during high prime times when we could seek an opportunity. So, your points are well-taken. However, I think this is what this period here is going to be all about. But, obviously, facing budget crunches and challenges, we need to look for new ways to create revenue and this is one way. But, taking into account again, the different vicinities within the area of how this is going to be finalized and designated.

Councilmember Johnson: I'm not in total agreement with the pilot because I think the fee is too high. There aren't things in place like a couple of free parking spaces; I can't support something that, down the line is going to be a detriment. Other things should've been looked into. All I hear is \$2.00 an hour, parking on Market and then this is going to go throughout the City to a lot of different areas down by the river. I can't imagine people going down by the river and pay \$2.00 an hour just to enjoy the river, so if you don't have any money, I don't know what you're going to do. Maybe if it was a dollar, maybe if there was "X" amount of free spaces or 20 minute parking...whatever, so that someone doesn't stay there and park all day. I can't imagine a lawyer would want to park on Market Street with the money that they make and park all day, and not park in the parking lot. Especially, since they knocked down the Nelson House. They have plenty of parking now.

Mayor Tkazyik: Now they have a garden.

Councilmember Perry: I just want to be sure on this. The pilot will be on Market Street and then it will go to Main Street after the 90 days are over?

Mayor Tkazyik: The designated area has not been finalized for after that. This is just for Market Street between the arterial and Main Street.

Councilmember Perry: And it's now going to be \$2.00 for the pilot?

Mayor Tkazyik: Correct.

Councilmember Perry: I see. Thank you, sir.

Councilmember Rich: When the 90 days is up, do we have to come back to the Council and ask for us to proceed? Because it appears that this effort on our part seems to show that it has possibilities. I think there are some problems. If you have \$2.00 an hour in front of certain types of stores, you don't really need 1 hour to go in, but you can't just park for 1 hour, or half an hour – you have to pay the \$2.00; is that true?

Mayor Tkazyik: Yes.

Councilmember Rich: OK. I talked to some people who have businesses on Main Street. Some of them, not all (because I couldn't get to all of them) think it's a good idea, but I haven't been able to talk to a lot of places that are smaller businesses, so I don't know. But, I do know it doesn't affect Main Street right now. So, I really can't say how it would affect it, but if it works well on Market Street, maybe we could proceed but I just don't know it's going to work. Your figure of \$1.4 is going to be a reasonable figure of projected revenue. That's a lot of bucks.

Mayor Tkazyik: It's a conservative number.

Councilmember Rich: Still...a lot of bucks.

Mayor Tkazyik: Yes, it is a conservative number but we believe the potential is there. After talking with the Chief and Engineering, this study is going to solidify and demonstrate, we believe, a lot even more.

Councilmember Rich: I think the 90 day gives us a chance to see if we're heading in the right direction or not and make a decision then, although, as I've said, you won't get the 90 days before we have to pass a budget...you'll get the 60, maybe 70 tops. That will be a smaller...I know some people won't like this because the area you're about to put these meters in is generally free, as long as you don't stay there as stipulated by the sign. I think it's worth a try. I don't know if it's going to succeed – I really don't.

Councilmember Johnson: Parking meter revenue projection is based on what areas?

Mayor Tkazyik: I think it's just a potential number of spots and units in designated areas...have not been solidified yet.

Councilmember Johnson: Well, if you're going to project \$1.4 Million, then you should well know what areas you're going to be putting these boxes.

Mayor Tkazyik: It's called a "Potential of spots."

Councilmember Johnson: What are these potential areas? Let me write them down. Market Street...

Commissioner of Finance Brady: Market Street and three other areas along Main Street.

Councilmember Johnson: Which is what?

Commissioner of Finance Brady: Main Street, between Market and Hamilton, Main Street, going west from Market to Clover, and further west from Clover down to the Waterfront.

Councilmember Johnson: When you say, "Waterfront?"

Commissioner of Finance Brady: The circle at the bottom...

Councilmember Johnson: The circle around Waryas Park?

Commissioner of Finance Brady: At the foot of Main Street.

Councilmember Johnson: That covers all those little restaurants? Emiliano's and all of that?

Commissioner of Finance Brady: Yes.

Councilmember Perry: So, this is going to go beyond Market Street?

Commissioner of Finance Brady and Mayor Tkazyik: No, not the pilot.

Commissioner of Finance Brady: That's for the revenue projection goes...

Councilmember Perry: All right. Thank you.

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

**ORDINANCE AMENDING CHAPTER 13,
ARTICLE IX OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "PARKING METERS"
O-13-15)**

INTRODUCED BY COUNCILMEMBER SOLOMON

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

SECTION 1: Chapter 13, of the City of Poughkeepsie Code of Ordinances is hereby amended by the following additions and deletions:

ARTICLE IX PARKING METERS

Section 13-148 Authorization

- (a) The installation and operation of certain devices known generally as parking meters are hereby authorized and required on the streets, thoroughfares and public places of the City of Poughkeepsie as set forth in herein.
- (b) For the purpose of this article, the term “parking meter” shall also refer to a device or devices known as “pay stations” or “multi-space meters” which are centrally located and capable of regulating multiple metered parking spaces through display of a receipt or proof of payment which is obtained upon payment of the applicable parking fee.

Section 13-149 ~~Municipal parking lot meters zones; establishment, regulation~~

- (a) The municipally owned properties described in Sections 13-203 through 13-205 are hereby established as municipal parking lot meter zones where parking meters shall be installed, operated, maintained, policed and supervised.
- (b) Such municipal parking lot meter zones shall be used only by passenger vehicles. Except as otherwise provided, no vehicle shall be parked, put in place or let remain or left standing in any parking lot meter zone so established, at any time on any day except Sundays and legal holidays, for the time limits prescribed therefor, except upon payment of the fee ~~prescribed in Sections 13-203 through 13-205~~ for a continuous period not exceeding the number of hours prescribed for such parking lot meter zone. (Ord. of 6-9-1054, §1; Ord. of 7-19-1954, §1; Ord. of 7-18-1955, §1; Ord. of 10-3-1955, §1; Ord. of 6-12-2000, §1).
- (c) When appropriate signs giving notice thereof are erected, the streets or parts of streets described herein are hereby established as parking meter zones where parking meters shall be installed, operated, maintained, policed and supervised. Except as hereinafter provided, no vehicle shall be parked, put in place or left standing in any parking meter zone without inserting the applicable payment, as prescribed by the in the parking meter provided therefore and for the period of time as designated:

Market Street, east side from Main Street to Church Street.

Section 13-150 Times and Rates ~~Overnight parking in five-hour, twelve-hour parking lot meter zones~~

- (a) Any other section or subsection of this article notwithstanding, the Chief of Police, or his designee, is hereby authorized and directed to determine the duration times and the fees for the operation of meters on any parking spaces.
- (b) Each parking meter mechanism shall display, in a conspicuous place, a sign or other device which clearly states the hours during which that meter shall be legally in operation and exceptions thereto. The sign shall also clearly indicate the type of payment which must be inserted for the legal parking of a vehicle and the period of time during which it shall be legally permissible to park in that meter zone upon the payment of the applicable fee.

~~(a) Overnight parking between the hours of 9:00 p.m. and 9:00 a.m. shall be permitted in any five-hour or twelve-hour municipal parking lot meter zone designated in Sections 13-204 and 13-205 for a fee of \$0.25.~~

~~(b) An overnight parking tag may be obtained for use in such parking lot meter zones, upon payment to the City Chamberlain of a fee of \$4.00 for the privilege of overnight parking between the hours of 9:00 p.m. and 9:00 a.m. for use during the calendar month for which issued and in the space provided in the particular parking lot meter zone for which it is issued. (Ord. of 10-3-1955, §2, 3)~~

Section 13-151 Monthly parking tags in five-hour, twelve-hour parking lot meter zones

Monthly parking tags may be obtained upon payment to the City Chamberlain of the required fee, for the privilege of parking a passenger vehicle in five-hour and twelve-hour municipal parking lot meter zones, as provided in Section 13-150. Such parking tag shall not be transferable from one vehicle to another. The tag must be prominently displayed in the windshield of the car so parked, so that the license number of the vehicle written thereon by the issuing official may be easily seen by the police officer. (Ord. of 10-3-1955, §4)

Section 13-152 Installation, maintenance, operation of parking meters

The Police Department is hereby authorized to install parking meters in all parking meter zones and parking lot meter zones created by this Chapter. Such parking meters, other than pay station or multi-space meter, shall be placed upon the curb alongside of, next to or in front of individual parking spaces designated as meter zones. The Police Department shall ~~maintain~~, supervise and police such parking meters and the parking department shall maintain such parking meters to the end that the same are kept in good workable condition. Each said parking meter shall be so set

as to display a signal showing legal parking upon the deposit of coins of the United States of America therein for the period of time conforming to the parking limit established therefor and shall be so constructed and located that upon the expiration of said parking limit, it will indicate that the legal parking period has expired. (Ord. of 2-6-1950, §33; Ord. of 10-3-1955, §5)

Section 13-153 Marking of the parking meter zones

The Police Department or such officers or employees that it may designate, shall place and paint lines or marks on the curb or on the street or ground alongside of or in front of each parking meter, other than a pay station or multi-space meter, to designate the parking meter zone or space for which said meter is to be used. (Ord. of 2-6-1950; §37; Ord. of 10-3-1955, §9). In placing pay station and multi-space meters, the Police Department shall take into consideration existing handicapped parking spaces and place such meters so they are accessible to those utilizing the handicapped spaces.

Section 13-154 Operation of meters ~~Manner of parking; parking to be within lines~~

(a) *Parking meter zones.* A vehicle parked in a parking space in parking meter zones shall be parked with

the hood of such vehicle alongside of or next to the parking meter alongside such parking space and

within the lines marked on the street for such parking space.

(b) *Parking lot meter zones.* A vehicle parked in a parking space in a parking lot meter zone shall be

parked with the hood of such vehicle facing the parking meter in front of such parking space and

within the lines marked on the ground for such parking space. (Ord. of 2-6-1950, §36; Ord. of 10-3-

1055, §8)

(c) *Pay station and multi-space meters.* Each pay station or multi-space meter, upon payment of the applicable fee, shall be capable of generating a receipt or other proof of payment indicating the amount of parking time purchased and the expiration thereof. Proper display of proof of payment shall be by means determined by the Chief of Police or his designee and in such a manner that the expiration time and date are readily visible from the exterior of the vehicle, or via alternative communication methods. For motorcycles, receipts shall be affixed where clearly visible. Pay stations or multi-space meters shall be equipped so as to be able to accept payment through deposit of proper United States coin or coins (which may include paper currency), credit or debit card or other form of payment as determined by the Chief of Police, or his designee.

Section 13-155 Activation of meter; use of parking meter space

When any vehicle shall be parked or let remain in any space alongside of or next to which there is located a parking meter or in a designated meter zone as prescribed in Section 13-149(a) – (c) , the operator of said vehicle shall upon entering the parking space, immediately deposit coins of the United States of America in the parking meter alongside of, next to or in front of said parking space in order to place the meter in operation or pursuant to Section 13-154 (c) where the parking zone is metered by a pay station or multi-space meter. Said parking space may then be used by such vehicle for the period of time provided. It shall be unlawful for any vehicle to be left or remain at any such parking space beyond that limit fixed therefor. ~~The foregoing shall not apply to the first half hour period during which any vehicle shall be parked or let remain in any said space.~~ (Ord. of 2-6-1950, §34; Ord. of 10-3-1055, §6; Ord. of 12-16-1980)

Section 13-156 Illegal parking

It shall be unlawful and an offense for any person to permit a vehicle to remain in any parking meter zone, parking lot meter zone or parking space alongside of or next to which a parking meter has been installed while said meter is displaying a signal indicating such vehicle is parked beyond the period of time set or fixed for such parking space, the vehicle does not display a valid receipt from a pay station or multi-space meter or the proof of payment indicates the vehicle has parked passed the purchased time. (Ord. of 2-6-1950, §35; Ord. of 10-3-1955, §7)

Section 13-157 Use of slugs, tampering with meters

It shall be unlawful and an offense for any person to deposit or cause to be deposited in a parking meter any slug, device or substitute for a coin of the United States of America. It shall be unlawful and an offense for any person to deface, injure, tamper with, willfully break, destroy or impair the usefulness of any parking meter installed pursuant to this Article. No person, unless authorized by the City Chamberlain, shall in any manner open or attempt to open any parking meter (Ord. of 2-6-1950, §38; Ord. of 10-3-1955, §10)

Section 13-158 Purposes of parking meter fees

- (a) The coins required to be deposited in parking meters as provided herein are hereby levied and
assessed as fees to provide for the proper regulation and control of traffic upon the public streets
and also for the cost of supervision, regulation, installation, operation and maintenance of the
parking meters and also for the cost of construction, supervision, regulation and maintenance of
parking lots and for the enforcement of the provisions of this Article.
- (b) The coins required to be deposited shall be paid to and become the property of the Poughkeepsie

Parking Authority. (Ord. of 2-6-1950, §39; Ord. of 10-3-1055, §11; Ord. of 8-1-1966)

Section 13-159 Collection of parking meter fees

The Commissioner of Finance shall designate an officer or employee of the city to make regular collections of the money deposited in the parking meters. The officer or employee upon making such collections shall immediately deliver all coins deposited in the parking meters to the Commissioner of Finance, who shall count such fund and deposit the same in one of the official banks of the city. (Ord. of 2-6-1950, §40; Ord. of 3-2-1953, §1)

Section 13-160 Free parking spaces

Nothing in this Article shall be construed as prohibiting the city from providing for free parking space for bus stops, for taxicab stands and for other purposes of similar nature; nor shall this Article be construed as prohibiting trucks from loading, unloading or physicians from parking while on professional calls. (Ord. of 2-6-1950, §41)

Section 13-161 Violations and penalties

- (a) Except as otherwise provided, any person who shall violate any of the provisions of this Article shall,
 - upon conviction, be punished by a fine not exceeding \$50 or by imprisonment not exceeding 5 days,
 - or by both such fine and imprisonment in the discretion of the court.

- (b) Any person who shall violate any provisions of said Article relating to the parking of vehicles shall,
 - upon conviction, be punished by a fine not exceeding \$20 or by imprisonment not exceeding 10 days, or by both such fine and imprisonment in the discretion of the court. (Ord. of 2-6-1950, §46;
 - Ord. of 6-9-1954, §4)

Section 13-162 Removal of vehicle by city for nonpayment of parking tickets

- (a) Any police officer is hereby authorized to remove or cause to be removed to the nearest garage or other place of safety any vehicle parked on any highway or public place where report has been made than six (6) or more delinquent parking tickets have been issued to an individual, corporation or governmental body, in whose name such vehicle or vehicles are registered, for violation of any City of Poughkeepsie parking ordinance, within the boundaries of the City.
- (b) A ticket shall be deemed delinquent if no plea or appearance by the owner of the vehicle has been

entered within 30 days of the issuance of the ticket, or if a fine has not been fully paid after a plea of guilty by the owner of the vehicle to the summons or after the owner is convicted by the court after trial. A ticket shall be deemed delinquent if the owner of the vehicle fails to appear for trial in response to a trial notice and is adjudged to be in default by the court.

(c) The owner or other person lawfully entitled to the possession of such vehicle may be charged with a reasonable cost for removal and storage as well as payment of delinquent tickets, before the vehicle is released. (Ord. of 2-23-1977, §1; Ord. of 4-18-1977; §1; Ord. of 1-21-1992, §1; Ord. No. O-08-16, §1)

Section 13-163 Recovery of costs pursuant to Section 13-162

Any person claiming a vehicle which has been removed pursuant to Section 13-162 shall be required to pay the city an administrative fee of \$75, together with \$120.00 for the cost of removal, and storage charges at a rate of \$25 per day on said vehicle. (Ord. of 3-21-1977; Ord. of 3-9-1987, §1; Ord. of 2-4-1991, §1; Ord. of 11-7-1994, §4; Ord. of 12-18-1997, §1; Ord. No. O-08-16, §2)

Sections 13-164 – 13-171 (Reserved)

SECTION 2: This Ordinance shall take effect immediately upon its adoption and after proper posting as required.

SECONDED BY COUNCILMEMBER BOYD

Underline indicates addition.
~~Strikethrough~~ indicates deletions

O-13-15			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Accepted as Amended <input type="checkbox"/> Tabled	Councilmember Herman	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Rich	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Perry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Councilmember Parise	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Boyd	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Solomon	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Mallory	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

Chairman Mallory: I'd like to go out of order right now because we do have a presentation, I'd like to motion on line item numbers 2, 3, and 4 to be referred to Corporation Counsel. **Councilmembers Solomon** and **Councilmember Boyd** seconded the motion.

Chairman Mallory: Thank you. Now, for our presentation from Gas Land Petroleum, Mr. Mayor, please do your introductions.

1. A PRESENTATION FROM GAS LAND PETROLEUM regarding a proposed development project on a portion of the Cannon Street Parking Lot.

Mayor Tkazyik: Yes. Corporation Counsel can add more to this because he is the office that receives the offer for City property. Gas Land Petroleum is here. They've presented a development project for the Academy Street lot. Mr. Mitch Nesheiwat is here with his family as well as representatives from the Chazen Companies, and his attorney, John Adams. They are here to present a proposal to the City for a portion of the Academy Street lot to develop a gas station, Dunkin Donuts, Subway eatery. For this portion of the arterial, in the Academy Street lot, this lot currently has approximately 207 spaces. The City would propose to move 90 of those spots to the Crannell Street lot for the County workers that we rent to there. It would not interfere with the tenant lots of the Luckey Platt Building. It still leaves the City 107 remaining spots, plus Mr. Nesheiwat has agreed to a transient type of use for about 21 spots that would be part of his project as well as the benefits this brings to the City. Of course, safety and security and opportunity to put a portion of this property on the tax rolls to the employment opportunities that creates...I believe 21 – 24 new jobs would be created here. Think about it – coming across the Mid-Hudson Bridge on the arterial, where's the first spot you find a gas station? You're really in the Town of Poughkeepsie. Not to mention the entrepreneurial venues that will be there in relation to the food and convenience, being on this corner and to highlight some of the renovations that we have going on within the Academy Street corridor with the Restore New York and Jon Behrends and to help kick-start the rest of the corner, to try to redevelop that corridor. Mr. Ackermann can go into any further specifics, but we'll give you them here to present this evening. Welcome to the City.

Chairman Mallory: Corporation Counsel, do you want to say anything first?

Corporation Counsel Ackermann: No, that was most of it. Mr. Adams is here for the applicant, Chazen.

Mr. Adams: Introduced Mr. Nesheiwat and Mr. Lepine.

Chairman Mallory: Welcome.

Mr. Adams: Thank you Mr. Chairman. My comments are going to be brief because I'm handing the mic over to Mr. Lepine, who's going to describe the very specifics of the

project, which the board is concerned about. We represent...I'm an attorney with Corbally, Gartland and Rappelyea here in the City of Poughkeepsie. We represent Gas Land. Gas Land is probably the biggest retail vendor of gasoline in Dutchess County. Illustrative properties are on Main Street, Route 44 and Poughkeepsie gas station, Highland (right next to the bridge) and there are many others stations within the County and the Mid-Hudson region, so I think our client has the capability of undertaking a successful product here in the City of Poughkeepsie. We have offered to purchase this property. The purchase price that we suggested is \$100,000 for this area. That purchase price is primarily on our assessed value, by looking at comparable values in the immediate area. This property will also be a significant tax contributor to the City total assessed value, probably in excess of \$1 Million based on our experience elsewhere. If you were to look in the Academy Street corridor that the Mayor referred to, you would find that the average assessment of a building in that area's either \$500,000 or substantially less. So, perhaps this might be a catalyst. We always like to be optimistic to perhaps improving some of the assessments in that area too – I don't know, but nevertheless, there has to be a start. Obviously this project will only go forward if you think it has merit and I'm going to let Mr. Lepine give the "nuts and bolts" of the specific projects, so the board's able to make an informed judgment on whether or not the project should go forward.

Mr. Lepine: Good Evening, Mr. Chairman, Mayor, members of the Council. Thank you for taking the time to listen to this application this evening. I've had the opportunity to work with Mr. Nesheiwat for the last 15 years. Each project that he's taken on has been with various municipalities. Whether it involved drainage improvements, traffic control, or just a concerted effort to blend your typical gas station convenience store into the architecture of the neighborhood; I brought some examples to talk about such architecture. In essence, we've learned that 90 spaces are being relocated in the City of Poughkeepsie for the County Employees. We believe vacant parking areas such as that become magnet areas for criminal activity, which erode the esthetics of the neighborhood as well as the fabric that holds the community together. Mr. Nesheiwat's proposal here is kind of like an investment in a neighborhood initiative by revitalizing a commercial corridor, at the same time boosting neighborhood jobs. The history behind the convenience and gas stores is something you typically saw along a strip on a main highway. Modern philosophy now is that they're located in neighborhood scale residential areas, no longer catering to just the general public in their cars, but to pedestrians and bicyclists. So, that's what's being proposed here. In terms of the convenience, obviously, the proximity to the residential neighborhoods – you don't have to worry about driving 15 miles to get a carton of milk or a cup of coffee on your way to work. Hopefully, you can fill your car and buy a cup of coffee, or milk or other household products you might need. We're obviously not a full-scale grocery store, but it's convenient for the products that you need. I heard a little about visual impact through various dialogues tonight in the community. Most of you are familiar with this parking lot. It's almost a sea of pavement. There's no greenery proposed here; no sense of community; no sense of gathering. The proposed Site Plan is not only limited to the corridor, but we're looking to make other improvements internally to the parking lot. We would look to add some green space on the parking area adjacent to Cannon Street.

We'll also look to add a sense of community by incorporating some picnic tables and vegetation, which currently does not exist along part of the Church Street corridor. Obviously, when you're engaged in any sort of development, it's not just limited to your building.

Councilmember Johnson: I don't mean to interrupt you, but let me understand. This the parking lot across from the Aegean?

Mayor Tkazyik: Yes.

Councilmember Johnson: Is this the parking lot where Department of Social Services workers permit parking people park right now? It's like a full lot right now. Some of the people from Luckey Platt park there too?

Mayor Tkazyik: Yes. There's a 207 spot lot. We would propose to move the 90 County to the Crannell Street parking lot, by The Chance.

Councilmember Johnson: That lot is already filled.

Mayor Tkazyik: No, it's not. It's in line with Catharine, and when lost employees that moved from the Department of Health, it freed up more spaces, so 107 City spots would remain with this proposal. It would have visitor spots to meet the needs of the residents too.

Councilmember Johnson: The only reason I say that is because when I go there in the daytime, I barely can find a spot there.

Mayor Tkazyik: We would propose to move the 90 County workers, so the revenue would still remain to the Crannell Street lot. And some of them are used to being there with this proposal.

Councilmember Johnson: 90 County and how many from the Luckey Platt?

Mayor Tkazyik: No, that stays the same. That doesn't change. We would move the 90 workers to accommodate this project.

Councilmember Johnson: So, who's filling up those 207 spots daily? Because it's really packed. So, who else is parking there?

Mayor Tkazyik: There are Luckey Platt residents, County employees...

Councilmember Johnson: The permit parking people?

Mayor Tkazyik: Yes.

Councilmember Johnson: I thought you said they only took up 90?

Mayor Tkazyik: 90 from the County. The rest you have Luckey Platt residents, there are 207 spots there.

Councilmember Johnson: Right, and then I barely can find a spot. I don't know who is parking there. All right. Never mind. We'll continue with the presentation.

Mayor Tkazyik: Those are the majority of the permit holders.

Councilmember Johnson: You got rid of the parking lot down the street. Remember the Cannon auction?

Mayor Tkazyik: That went for auction.

Chairman Mallory: Please continue.

Mr. Lepine: What I indicated here earlier is I provided kind of a multiple projects Mr. Nesheiwat has completed in Dutchess County and one over in Orange County. I wanted to pay a little attention to two of these in particular. One is in the Town of LaGrange and the other is in the Town of Hyde Park.

Councilmember Johnson: Hyde Park – is that the Sunoco?

Mr. Lepine: That's currently under construction?

Councilmember Johnson: No, which one are you talking about? I thought you were talking about...

Mr. Lepine: It's currently under construction right now. It was a former Gulf Station that was left contaminated by the previous owner. With regards to the project in the Town of LaGrange, Mr. Nesheiwat used a combination brick and "hardi plank" along with some architectural molding to fit the Town Center's characteristics, not typical as some of his other types, where he's used a combination of brick and stucco. The project currently under construction in Hyde Park was interesting. A blend of brick and colors similar to the Vanderbilt Carriage House were used in keeping with the surrounding architecture. Mr. Nesheiwat has a proven track record, and he takes pride in his establishments. I really think he can be of benefit to...

Councilmember Johnson: Where's that station now?

Mr. Lepine: He's got one on Route 44 in Poughkeepsie...this particular one here across from Walgreen's...a Dunkin' Donuts Shell...

Mr. Nesheiwat: By Purple Parlor.

Mr. Lepine: By the Purple Parlor Car Wash.

Councilmember Johnson: OK, so go the Purple...I don't go up that far, to the Purple (chuckles)...

Mr. Lepine: This is a station that he has across the bridge, in Highland (points to his charts).

Councilmember Johnson: In Highland, when you go across the river, when you first go over the bridge in Highland, there's a couple of stations...

Mr. Lepine: Going northbound, it's the Sunoco there.

Councilmember Johnson: The Sunoco right there? And they have a Rite-Aid?

Councilmember Rich: No, there's a Dunkin' Donuts...

Mr. Lepine: No, there's a Rite-Aid to the south. If you go north on 9W...

Councilmember Johnson: It's the other gas station, going the other way?

Mr. Lepine: Correct.

Councilmember Johnson: OK.

Mr. Lepine: The Sunoco and Dunkin' Donuts located on Noxon Road – one on Route 44, in the Town of LaGrange...

Councilmember Parise: That's a beautiful one.

Mr. Lepine: The other one that's under construction at the intersection of Route 55 and the Taconic. That's another station.

Councilmember Johnson: Oh, and they have a Dunkin' Donuts?

Mr. Lepine: That's currently what's being worked on. We've recently completed another project which, in the Town of Cortlandt as well, similar to these. Explained the differences in architecture in order to blend in with each of the surrounding areas. Some comments I heard tonight from the general public were about crime activity. All of Mr. Nesheiwat's gas stations have video surveillance.

Councilmember Johnson: You like staring at me?

Mr. Adams: I'm sorry?

Councilmember Johnson: You like staring at me? You are fixated on me. I'm getting...

Councilmember Johnson: He loves me? Because I'm getting a little nervous here...

Mr. Adams: I'm listening intently to your comments.

Councilmember Johnson: ... I'm ready to start pressing buttons...

Chairman Mallory: Can we stay focused on...

Councilmember Johnson: I'm just sayin'...

Chairman Mallory: Please go with the presentation.

Mr. Lepine: Each one of the stations has video surveillance.

Councilmember Johnson: Focus that way, because I'm...

Mr. Nesheiwat gestured to himself, if Ms. Johnson was referring to him.

Councilmember Johnson: Not you, him. He's staring at me. I'm...

Mr. Adams: Ma'am, I'm simply listening to your comments.

Councilmember Johnson: My stomach is already hurting me, you know. I'm not feeling good.

Chairman Mallory: Please.

Councilmember Johnson: All right.

Mr. Lepine: He equips every station with 24 hours high resolution video surveillance. So, if there is criminal activity, you don't have to rely on the memory of the cashier or eye witnesses. In terms of lighting here, he uses LED lighting and full cut off. Obviously lighting's essential for the safety of his customers and all those that patronize it. As I indicated earlier, I believe the Mayor did, this project would create an opportunity for 20 more jobs. We're open for questions.

Councilmember Solomon: Do you anticipate a 24 hour operation?

Mr. Nesheiwat: It's a business, but it must be closed at midnight.

Councilmember Solomon: Are you going to repair cars, there?

Mr. Nesheiwat: No repair of cars. I started this business since 1976. I'm the first company in the Hudson Valley region who has convenience stores before Hess, before On-the-Run, before anybody else in Dutchess County. We're the largest distributor in the Hudson Valley region. We run and own over 180 gas stations and supply 200 gas

stations. I never did business in the City of Poughkeepsie before; only outside the City because of difficulty because of not having the right...“corners?”...with all respect to the City of Poughkeepsie. I’m in Dutchess County for 42 years. I know...(inaudible) area; I know the City of Poughkeepsie very well.

Councilmember Solomon: I’ve never heard of a gas station revitalizing a neighborhood. You’re going to do some greenery and some picnic tables?

Mr. Lepine: Correct.

Councilmember Solomon: All in 90 parking spots?

Mr. Lepine: Approximately .54 acres or approximately 28,000 square feet, but there’s some opportunities to incorporate some greenery into all of this.

Councilmember Solomon: Thank you.

Councilmember Boyd: How’s the traffic going to be on the corner of the arterial and Academy and how is the traffic going to come in and out? Are you going to have a drive-through?

Mr. Lepine referred to the chart to explain.

Mr. Lepine: Ingress only off Church Street, which currently serves the parking lot as well. You’d also be using the Academy Street entryway. What we would propose though, is to slightly widen that to accommodate a fuel truck.

Councilmember Boyd: So there would be two lanes? Is that what I’m seeing here?

Mr. Lepine: There would be two lanes for both...traffic exiting, and...

Councilmember Boyd: That’s what I’m saying. Also, are you anticipating having diesel?

Mr. Nesheiwat: Diesel for cars only, no truck service.

Councilmember Boyd: Cars, no trucks? Why no trucks? I don’t believe there’s diesel in the City of Poughkeepsie.

Mr. Lepine: We wouldn’t propose diesel for tractor-trailers because obviously, we couldn’t accommodate them.

Councilmember Boyd: But pick-up trucks...landscaping, things like that?

Mr. Lepine: Yes, pick-up trucks and some cars now run on diesel fuel.

Councilmember Boyd: And the rest is just going to be for parking?

Mr. Lepine: Correct.

Mayor Tkazyik: What would the timeframe be on this project if this was approved for the Site Plan? What do you think would be a reasonable timeframe?

Mr. Nesheiwat: From my experience, 4 to 5 months, max.

Councilmember Perry: Could you show the other sheet?

Mr. Nesheiwat got up to explain something, but since there was no microphone, nothing was audible.

Councilmember Perry: You didn't answer my question which was, is any of those pictured there the type that you're proposing is that one of those that lot we're talking about?

Mr. Lepine: I think what Mr. Nesheiwat was alluding to earlier, is that mixture of what he's constructed in the various municipalities. You could use a combination of red brick and hardi plank, tan brick and hardi plank to suit the needs of that specific area. My gut instinct would tell me, based upon some of the existing neighborhoods around there I think we'd been leaning more towards the reddish type brick to blend in with the local community there and maybe a hardi plank.

Councilmember Perry: Do you have a plan right now?

Mr. Lepine: Do I have the actual building elevation?

Councilmember Perry: Yes, that is my question.

Mr. Lepine: I do not have the actual building elevation, but I can tell you it's going to be something similar to what's been done in LaGrange.

Councilmember Perry: That's what I was asking.

Mr. Lepine: OK.

Councilmember Perry: You have several drawings there. I thought, perhaps you were going to say, "This one or the other one," or whatever...that's what I was asking. Is there anything similar to what's there and you just answered. Thank you, sir. That's all I wanted to know – what it would look like. You talk about the color of the bricks and that sort of thing. I'm not interested in all of that, but whatever color you put on is OK. I'm just saying, "What is the building going to look like, when it's completed in 5 months?"

Mr. Nesheiwat: What I'm trying to say is, it's not up to us. It's up to the Planning Board, and Zoning Board, and if you have it, your RFP. I'd love to have something different sometimes from what the city or town wants. You can choose one of those elevations. At the same time, we have to work with the City Planner, Planning Board...you might like something different...

Councilmember Perry: I understand that. Since you're making the presentation, I was merely asking if you have one of those or another one that you would say this is what I would like? I know you're going to send something to the Planning Board, right? I know that. That's what I'm asking you about.

Mr. Nesheiwat: To be honest with you, we came here to get a feel for the Council to work on the project. Next time we will bring something for you to look at. I'd be more than happy to do that. But, today we came to get your input whether you'll welcome the project, or not.

Councilmember Perry: Thank you.

Councilmember Johnson spoke about it being late (10:10 p.m.) and felt that the presenters were at a disadvantage by having to make their presentation so late in the evening.

Mr. Nesheiwat responded that he'd been there since 6:00 p.m.

Chairman Mallory expressed his colleagues' concerns about traffic control in and out. Also was interested in security.

Mr. Nesheiwat stated that his well lit gas stations are a deterrent to crime, that drug activity and crime take place in dark areas.

Chairman Mallory mentioned the green space that was presented, agreeing that greenery is important and that benches were also an interesting concept. The Mayor shared that there would be employment opportunities. He wasn't inclined to agree that it would be "gangbusters," as far as employment was concerned, that it wouldn't create hundreds of jobs. Store hours were to be taken into consideration. Though the Mobil station across the street sells other things besides gas all night, but he (and the Council) will talk further on the subject.

Councilmember Solomon: You're not going to sell beer, are you? I really can't stand a gas station that sells beer.

Mr. Nesheiwat stated that they would be selling beer.

Mr. Lepine offered to put it in the far corner.

Mr. Nesheiwat: This gas station is not going to be like others that push beer as the main revenue. The main revenue is the Dunkin' Donuts – more food than beer.

Councilmember Rich: The Rite-Aid across from Marist College has a huge beer display and is in competition with the deli's that the college students patronize. Is concerned about traffic on the arterial for entering and exiting the gas station.

Mr. Lepine: The traffic will enter from the arterial, where it currently enters now. Exiting will be made the Academy Street side. You will also be able to enter there as well.

Councilmember Rich asked the proximity of the entrances to the corner (arterial).

Mr. Lepine measured and stated it was 200 feet to the center line to the access. I think, as this project moves along, at the Planning Board level, obviously, we'd have to produce a traffic impact study as part of understanding the impacts associated with queing or in the proper location, but what we're working off is your current intersection that's been placed on the municipal parking lot.

Councilmember Rich asked if there would be 107 parking spaces left.

Mr. Lepine: Correct.

Councilmember Rich: Are we going to lose the rest?

Mr. Nesheiwat: You're going to lose 90.

Mayor Tkazyik stated that the plan is to relocate the 90 County workers to the Crannell Street lot.

Councilmember Rich: But, they'll have some parking spaces for their operation, right?

Mayor Tkazyik: Sure, I think 21...which we've agreed would make transient so that the people also coming to visit and do business would also be able to park and go and...

Councilmember Rich: It wouldn't be for long periods - just to park and get gas, good and be on their way.

Mayor Tkazyik: Right.

Councilmember Rich stated that this area is located in downtown Poughkeepsie, where parking is a problem. The City is thinking of putting in parking meters, but basically, we don't have enough parking to make us the center of the City. If you take away spaces, that might cause problems with other businesses, etc. The last time this location was being considered was as a bus terminal with a huge parking garage. People in the

Historic district who were very close by, were very upset with it. Not sure what they'll think of this proposal.

Mr. Lepine: You bring up a number of valid points with what we try to do in terms of scale it to the spaces, which we understood are being relocated. With the 90 spaces relocated, this particular layout of our plan resulted in 92 spaces being lost. It's comparable. We've taken the layout into consideration. We've done larger projects on around an acre or so, but we worked with what was being relocated.

Councilmember Rich: I don't want to speculate what the people in the 2nd Ward, (my ward) will think about this. You're going to have to convince them this is a good thing.

Mr. Lepine: I think part of the process is to have those community meetings, which is just a part of the the whole SEQRA review process.

Mr. Nesheiwat: Parking spaces will be freed up after 4:00 p.m. during the week and free on the weekends. There are drug dealings there right now. There are boarded up buildings. That corner is depressing because all the businesses are closed. This would bring life to the area. Is a City resident and his family lives here, too. Hates to see it like this.

2. **FROM DIANA EMMI**, a notice of property damage sustained on August 9, 2013. **Referred to Corporation Counsel**
3. **FROM SHAMECA S. SWEAT-DAILEY**, a notice of property damage sustained. **Referred to Corporation Counsel**
4. **FROM THOMAS SCHIRRIPA.**, a notice of intent for the Log Cabin to renew its

X. UNFINISHED BUSINESS:

Councilmember Boyd: I asked for a list of contracted services for the individual departments.

Councilmember Boyd: OK. 60 Beechwood – did anyone look into 60 Beechwood?

Corporation Counsel Ackermann: I have reviewed 60 Beechwood. It is currently in foreclosure, and we are attempting to locate the proper bank and their representative contact or agent.

Councilmember Boyd: OK. Can you keep me posted?

Corporation Counsel Ackermann: Yes, and with Engineering, if anything can be done to resolve the water problem.

Councilmember Boyd: OK, and 125 Hooker Avenue?

Corporation Council Ackermann: 125 Hooker Avenue – I think I e-mailed you on that, and I will re-email it to you. I did some research on that. I thought I e-mailed you. Check your e-mail.

Councilmember Boyd: I did check my e-mail. I didn't see anything. One other thing under Unfinished Business. I shared the information regarding the user fee.

Corporation Counsel Ackermann: Yes, I received that information today and I will send a response.

Councilmember Boyd: OK, because I have case law, and stuff like that in the back; a tax analysis, a copy of a tax bill from the City of Schenectady and I think I've done my homework...

Corporation Counsel Ackermann: I'll review it and give a response.

Councilmember Boyd: OK, thanks.

Corporation Counsel Ackermann: Absolutely.

XI. NEW BUSINESS:

Councilmember Johnson: I had my block captain here earlier and this is the news report about with 270 glassine bags of heroin The Police Neighborhood Recovery Unit (NRU) seized on Manitou Avenue. Something was finally done, but since the rest of the family members are there, it's still business as usual. What's the point in having hot lines and tip lines if nothing is going to be done? It says here that the community complained of drug dealing on Manitou Avenue that led to the arrest. Nobody wants heroin addicts driving and walking around in their neighborhood. Doesn't understand why landlords aren't held accountable - these absentee landlords that harbors these people. Are there fines or consequences to these landlords? Do they just care about money? We have to live there with these drug dealers. Stated that even though one or two drug dealers were arrested, the rest of the tenants are left to carry on the business. Wants all of them evicted. Doesn't want people to keep coming to the meetings, putting themselves in jeopardy. The first one we complained about for two years. How long will we now have to complain about this one? More Police aren't needed. We need to have an effective Police force using the ones that we do have. We seem to always be giving away parking lots, yet, we claim there's a parking problem. Now, we're going to have these parking meter boxes and we're giving away a whole big, parking lot...\$100,000 – that's pittance. We gave away the Cannon Street parking lot; the other lot is full with people from the courthouse. I just don't know where everyone's going to be parking.

Councilmember Perry: Thank you, Mr. Chairman. Recently, there have been a lot of those little motorized bicycles and small bikes. I noticed it, because one almost ran over

me. I wonder if Corporation Counsel would know if they have to be licensed or if anything has to be done about those types of vehicles?

Corporation Counsel Ackermann: I would think they'd probably have to be registered.

Councilmember Perry: They go very fast. It's like a miniature bike riding on the sidewalk.

Corporation Counsel Ackermann: We'll delineate the different sizes, and the motorizations and which ones need to be registered. More than likely, they'll need to be registered.

Councilmember Perry: Thank you, Mr. Chairman.

Chairman Mallory: A few people had shared a situation particularly in my area. All I can say is that for the last 3 or 4 months, we've been in contact with Corporation Counsel, Nuisance Committee and the Police. As I shared with those on Thompson Street, things don't happen as quickly but cases are being made. Things are being done, not necessarily in the timely manner that I would want, or those in that area would want, but Corporation Counsel, Police and other sources that are available, assure me that they will get to the bottom of everything including graffiti to the illegal activity.

Councilmember Boyd: Oh, you did new business? I wanted to ask about the ornamental grasses that were mowed down, which cost \$90,000.

Mayor Tkazyik: It will grow back. We've received numerous complaints about the condition of it.

Councilmember Boyd: But the thing is, that I thought we weren't maintaining it.

Mayor Tkazyik: Councilwoman Boyd, we are maintaining it - this was put in my hands in 2007 and that design of grass does shoot back up very quickly. We have it at Andy's, in fact - the same type of stuff. We always have to trim it down. You cut it and it grows right back. So, if the Garden Club needs to come forward with the funds to support a camera, and to support the fixing of the sign...I have a lot of requests from residents to put the same sign that's on the Academy Street ramp, back over here. I get calls every day about that and I say, "You know what? I'm leaving it up to the Common Council to work with me to make a decision to collectively work together."

Councilmember Boyd: What are we going to do about the Historical Preservation Ordinance that's not going through? No one is showing up for the quorum and the meetings.

Mayor Tkazyik: I have reached out to the members who are delinquent, asking them to either step down or resign so I could make these new appointments.

Councilmember Boyd: OK, because I spent a lot of time interviewing people for that and so did Mr. Parise.

Mayor Tkazyik: Not the Historic – the WAC Committee.

Councilmember Johnson: How many people are delinquent?

Mayor Tkazyik: I think it was two.

Councilmember Johnson: Two? Holding up progress?

Mayor Tkazyik: I understand they're volunteers, but they need to let us know if they can't make a meeting, or if they just can't commit to it, we'll replace them.

XII. ADJOURNMENT:

A motion was made by Chairman Mallory and Councilmember Solomon and seconded by Councilmember Boyd to adjourn the meeting at 10:35 p.m.

Dated: November 13, 2013

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

Respectfully submitted,

City Chamberlain



COMMON COUNCIL MEETING

Common Council Chambers
Monday, September 16, 2013
6:30 p.m.

5:30 Public Hearing regarding the 2014-2018 Capital Plan
6:00 p.m. Special Informational Meeting

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

II. REVIEW OF MINUTES:

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

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

V. MAYOR'S COMMENTS:

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VII. MOTIONS AND RESOLUTIONS:

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

2. **FROM CORPORATION COUNSEL ACKERMANN**, Resolution R13-73 authorizing a grant application for the Poughkeepsie Youth Enclave Strategic Plan with Hudson Valley Pattern for Progress.

VIII. ORDINANCES AND LOCAL LAWS:

1. **FROM CORPORATION COUNSEL ACKERMANN**, Ordinance, O-13-15, amending Article IX of Chapter 13 entitled "Parking Meters".

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **A PRESENTATION FROM GAS LAND PETROLIUM** regarding a proposed development project on a portion of the Cannon Street Parking Lot.
2. **FROM DIANA EMMI**, a notice of property damage sustained on August 9, 2013.
3. **FROM SHAMECA S. SWEAT-DAILEY**, a notice of property damage sustained.
4. **FROM THOMAS SCHIRRIPA.**, a notice of intent for the Log Cabin to renew its Liquor License.

XIII. UNFINISHED BUSINESS:

XIV. NEW BUSINESS:

XV. ADJOURNMENT:

