COMMON COUNCIL MEETING

Common Council Chambers
Monday, September 23, 2019
6:30 p.m.
6:00 Special Informational Meeting

I. ROLL CALL:

II. REVIEW OF MINUTES:

Common Council Minutes of May 6, 2019

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 item.

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

VI. MAYOR'S COMMENTS:

VII. MOTIONS AND RESOLUTIONS:

1. Resolution R19-72, setting a public hearing for a proposed amendment to Chapter 19-3.19, "entitled Central Urban Density Residence District ("R-4 A")" by permitting neighborhood scaled commercial uses.

2. Resolution R19-69, fixing the compensation for Councilmembers.

3. Resolution R19-70, accepting a charitable donation for the Police Department.

4. Resolution R19-71, approving an MOA with the City of Poughkeepsie PBA.

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM COMMISSIONER OF FINANCE BRADY,** a communication regarding the Vehicle Leasing Program.

2. **FROM THE HDLPC,** a communication regarding land marking processes.

3. **FROM THE JAMES FIRM, LLC,** a notice of intent for The Palace Catering, located at 194 Washington Street to obtain a liquor license.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

RESOLUTION
R-19-72
A RESOLUTION SETTING A PUBLIC HEARING FOR ORDINANCE O-19-10 AMENDING ZONING TEXT SECTION 19-3.19, CENTRAL URBAN DENSITY RESIDENCE DISTRICT (R-4A), PERMITTING NEIGHBORHOOD SCALED COMMERCIAL USES.

SPONSORED BY COUNCILMEMBER SALEM:

WHEREAS, the current zoning text for R-4A is prohibitive in commercial use to the detriment of the Union Street Historic District, its surrounding neighborhood, and current residents; and

WHEREAS, the City of Poughkeepsie Planning Department has recommended additional commercial uses that are best suited to fit within the boundaries of the district in order to remove barriers to entry;

NOW, THEREFORE

RESOLVED, that the Council shall hold a public hearing on said proposed Ordinance at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o'clock P.M., on October 21, 2019; and be it further

RESOLVED, that a copy of this introductory local law shall be forwarded by the Clerk to the Planning Board, Zoning Board of Appeals and the Dutchess County Planning Department for their comments; and be it further

RESOLVED, that the City Chamberlain publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER: _____

MARCUS J. MOLINARO
COUNTY EXECUTIVE

EOIN WRAFTER, AICP
COMMISSIONER

COUNTY OF DUTCHESS

DEPARTMENT OF PLANNING AND DEVELOPMENT

September 16, 2019

To: Common Council, City of Poughkeepsie
Re: Referral 19-285 — LL: Amend R-4A District Permitted and Accessory Uses

The Dutchess County Department of Planning and Development has reviewed the submitted referral for countywide and intermunicipal impacts as required in General Municipal Law (Article 12B, §239-l/m).

ACTION – The City is considering additions to the permitted and accessory uses listed for the R-4A district, which corresponds with the Union Street Historic District.

COMMENTS – We fully support the stated objective for the inclusion of a few carefully considered uses into this district, whose strong historic fabric lends itself to a mix of urban residential and neighborhood commercial uses. We offer the following minor suggestions regarding the proposed language:

- Definitions should be included for the following terms if they are retained in the final amendment: Drinking establishment; Gift shop; Florist shop; Laundromat; Artisanal food provider.
- §19-3.19(2)(a)(11): A "standard restaurant" could include an establishment that has a drive-through facility as an accessory part of its operation. If the City is so inclined, we would support a clearly stated prohibition against drive-through facilities in this district. This section also references "drinking establishments not serving food." It is rare for establishments to serve drinks but no food at all. If the intent is to prohibit establishments that primarily serve alcohol, consider prohibiting bars/taverns, and possibly nightclubs, as those uses are already defined in the code.
- §19-3.19(2)(a)(12): The term "retail establishment" is defined in §19-2.2 and could be used instead of "retail store." The provision for "Retail stores limited to bookstores, gift shops, florist shops..." may be more restrictive than necessary. The City might consider the following change: "Retail establishments, such as but not limited to bookstores, gift shops, and florist shops..."
- §19-3.19(2)(a)(14): For consistency with other portions of the code, consider changing this to "Artisan Food and Beverage" as defined in the PID section of the code, and add to §19-2.2.
- §19-3.19(3)(g): Depending on the particulars of a site, the allowance for rooftop and/or courtyard seating areas could negatively impact adjacent residential; the City could consider listing these in §19-3.19(2)(b) as uses subject to a special permit. For sidewalk seating areas, consider adding a reference to §15-14 Sidewalk Cafes, which includes requirements regarding sidewalk seating.

RECOMMENDATION

The Department recommends that the Board rely upon its own study of the facts in the case with due consideration of the above comments.

Eoin Wrafter, AICP, Commissioner
By

Heather M. LaVarnway, CNU-A, Senior Planner

85 Civic Center Plaza, Suite 107, Poughkeepsie, New York 12601 • (845) 486-3600 • Fax (845) 486-3610
www.dutchessny.gov

Dutchess County Department of Planning and Development	FAX INFO ONLY To: Common Council	Date 9/16/19	# pgs 2
	Co./Dept.	From DCPlanning	
	Fax #	Phone #	

239 Planning/Zoning Referral - Standard Form

Please fill in this section

Municipality:	City of Poughkeepsie
Referring Agency:	☐ Planning Board ☐ Zoning Board of Appeals ☑ Municipal Board
Tax Parcel Number(s):	~~Attached~~
Project Name:	LL R-4A ~~Zoning~~ District ~~Text Amendment~~ Purpose and Permitted Uses
Applicant:	City Council
Address of Property:	Union Street, S. Clover Street, Delano Street, S. Bridge Street, S. Perry Street, Grand Street

Type of Action:

- ☑ Local Law / Text Amendment
- ☐ Rezoning
- ☐ Site Plan
- ☐ Special Permit
- ☐ Use Variance
- ☐ Area Variance
- ☐ Other: _____

Parcels within 500 feet of:

- ☑ State Road _____
- ☐ County Road _____
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested (if less than 30 days): September 23, 2019

If subject of a previous referral, please note County referral number(s): —

FOR COUNTY OFFICE USE ONLY

Response from Dutchess County Department of Planning and Development

No Comments:

- ☐ Matter of Local Concern
- ☐ No Jurisdiction
- ☐ No Authority
- ☐ Withdrawn

Comments Attached:

- ☑ Local Concern with Comments
- ☐ Conditional
- ☐ Denial
- ☐ Incomplete — *municipality must resubmit to County*
- ☐ Incomplete with Comments — *municipality must resubmit to County*

Date Submitted: 9/3/19	Notes: Hand delivered 9/3/19.	☐ Major Project
Date Received: 9/3/19		Referral #: ZR19-285
Date Required: 10/2/19	☑ Also mailed hard copy	Reviewer: Heather M. Lal
Date Response Faxed: 9/16/19		

O-R-D-I-N-A-N-C-E
O-19-10

ORDINANCE AMENDING CHAPTER 19, SECTION 19-3.19 OF THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES ENTITLED "Central Urban Density Residence District (R-4A)"

INTRODUCED BY COUNCILMEMBER SALEM:

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

SECTION 1: Section 19-3.19 of the Code of Ordinances of the City of Poughkeepsie is hereby amended by the following additions so as to read in pertinent part as follows:

Section 19-3.19 **Central Urban Density Residence District (R-4A).**
[Ord. of 4-1-1991, § 2; Ord. of 11-21-1996, § 9]

(1) *Purpose of district.* The purpose of this district is to provide areas for a broad range of housing types with opportunity for appropriate nonresidential uses at a fairly high density commensurate with the scale and characteristics of the city's older neighborhoods; these are areas with access to major transportation arteries and a range of community services.

(2) *Permitted uses.* No building or premises shall be used, in whole or in part, for any purpose except those listed below:

(a) Uses permitted by right:
1. Single-family detached dwellings.
2. Two-family dwellings.
3. Townhouses.
4. Multifamily dwellings.
5. Home occupations, subject to the requirements of Section **19-4.1** of this Chapter or professional offices, subject to the requirements of Section **19-4.2** of this Chapter.
6. Municipal parks and recreational facilities, including refreshments and service buildings accessory thereto and any other governmental uses and structures of the City of Poughkeepsie, the County of Dutchess or the state or federal governments or agencies thereof.
7. Public, private and parochial schools as regulated in Section 19-3.12(2)(a)4 herein.
8. Cemeteries.
9. Renting of not more than two rooms by the resident family, provided that no sign advertising the availability of such rooms shall be displayed.
10. Student home, subject to the requirements of Section 19-4.22 of this chapter.

11. Standard restaurants, cafes and coffee shops, provided such businesses are located in existing buildings and close by 11pm. Drive-through facilities are prohibited.
12. Retail establishments.
13. Convenience stores, provided that a variety of fresh produce is available for purchase.
14. Personal service establishments.
15. Artisanal uses offering a trade or handcrafted service or product, such as but not limited to butchers, cheese shops, fish markets, and candy shops.

(b) Uses subject to issuance of a special permit by the Planning Board in accordance with the requirements of Section **19-6.2** herein:
1. Places of worship, including parish houses, religious schools, meeting rooms and recreation facilities and customarily accessory thereto, subject to the following requirements:

(i) The site shall have an area of not less than 20,000 square feet.
(ii) Except as set forth hereinafter, no building or part thereof or parking or loading area shall be located nearer than 25 feet to any street line or property line in any R-1 through R-6 District. A parish house, rectory or parsonage shall comply with the requirements for a single-family dwelling.**(iii)**
Lot coverage shall not exceed 50%.

2. Cluster development, in accordance with the requirements of Section 19-4.16 of this Chapter.

3. Nursery or preschool educational establishments or day-care centers, subject to the requirements of Section 19-3.12(2)(b)3 of this Chapter.
4. Libraries, museums and/or art galleries on lots having an area of not less than 20,000 square feet.
5. Golf, tennis and swimming clubs, subject to the requirements of Section 19-3.12(2)(b)6 of this Chapter.
6. Family day-care homes.
7. Agency group homes, agency community residences or family care homes, subject to the requirements of Section 19-3.12(2)(b)8 of this Chapter.
8. Conversion and remodeling of buildings in existence on the effective date of this Chapter for use by practicing physicians or dentists, either singly or in groups.
9. Membership clubs, catering exclusively to members and their guests, provided that the following are prohibited:

(i) Outdoor entertainment, live or mechanical,
(ii) Use of outdoor public address systems.
(iii) Exterior lighting other than that which is essential for the safety of users of the premises.
(iv) Location of any part of the building nearer than 30 feet to any street or property line in an R-1 through R-6 District.

10. Professional or business offices as part of a multifamily dwelling, subject to the following requirements:

(i) Office uses shall be limited to the first floor.

(ii) Office uses shall be primarily to serve residents of the immediate neighborhood.

(iii) Such office space shall be limited to 800 square feet for each 10 dwelling units or major fraction thereof.

(iv) Entrances and exits to office shall be separate front the residential portion of the building.

11. **Rooftop and courtyard seating areas for standard restaurants and coffee shops.**

(3) *Accessory uses.* Accessory uses shall be as follows:

(a) Off-street parking.

(b) Buildings for housing pets; playhouses.

(c) Garden houses, greenhouses.

(d) Signs, subject to the requirements of Section **19-4.9** of this Chapter.

(e) Swimming pools and/or tennis courts and related recreational facilities, subject to the applicable requirements of Sections **19-4.7** and/or **19-4.8** of this Chapter.

(f) Keeping of not more than three customary household pets over six months old. The commercial breeding or boarding of pets shall be prohibited.

(g) Sidewalk seating areas for standard restaurants and coffee shops pursuant to Section 15-14 of the code.

(4) *Lot and bulk requirements.* Lot and bulk requirements shall be as follows:

(a) Minimum required lot area for one- and two-family dwellings and townhouses:

1. One-family dwellings, townhouses: 2,000 square feet per DU.

2. Two-family dwellings: 2,250 square feet.

(b) Minimum required lot area per dwelling unit for multifamily dwellings shall be as follows, except in buildings with offices on the first floor, no additional lot area shall be required specifically for that use:

1. Efficiency or studio unit: 750 square feet.

2. One-bedroom unit: 900 square feet.

3. Two-bedroom unit: 1,050 square feet.

4. Three-or-more-bedroom unit: 1,200 square feet.

(c) Minimum required lot area for all uses except one-family and two-family dwellings and townhouses: same as R-3 Districts [Section 19-3.14(4)].

(d) Minimum required lot width:

1. Townhouse: 18 feet.

2. All other uses: 30 feet.

(e) Minimum required side yards: six feet.

(f) Minimum required rear yards: 1/2 the height of the principal structure closest to the rear property line or 15 feet, whichever is greater.
(g) Minimum distance between principal buildings on one site: 2/3 of the height of the taller principal building or 25 feet, whichever is greater.
(h) Minimum required front yard: none; provided, however, that in cases where the mean front yard setback of residential properties located on the same street line and wholly or partly located within 100 feet of the subject property exceeds 2 1/2 feet, said mean front yard setback shall be the minimum front yard required for the subject property.
(i) Maximum height: three stories or 40 feet. Maximum F.A.R.: 1.0.
(j) Maximum lot coverage: 40%.
(k) Required open space: same as R-4 [Section 19-3.15(4)(i)].

(5) *Parking and loading*. Off-street parking and loading spaces shall be provided in accordance with Section **19-4.3** herein.

(6) *Landscaping and screening*. Landscaping and screening shall be provided, subject to the requirements of Section 19-4.11 of this Chapter.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____

Submitted to Council: Council Action: Roll call vote taken: Yes____ No_____ Ayes Nays Abstain Absent Approved by Mayor on _____ Mayor's Signature_____	I hereby certify the foregoing to be a true and correct copy of a Ordinance duly adopted at a regular meeting of the Common Council held _____ _____ City Chamberlain

RESOLUTION FIXING THE COMPENSATION FOR THE COMMON COUNCIL (R19-69)

INTRODUCED BY COUNCILMEMBER MCNAMARA

WHEREAS, pursuant to Section 2.01 of the Charter, the Common Council is empowered to fix the compensation for council members, with due consideration given to the recommendations, as may be made, by the Salary Review Commission; and

WHEREAS, pursuant to Section 2.01 of the Charter, the council member elected at-large shall be compensated at no less than 1.5 times the level of a council member elected to represent a ward; and

WHEREAS, pursuant to Section 4.02 of the Charter, the Salary Review Commission is directed to review and recommend the salary for elected officials, and to deliver a report by January 1, 2019; and

WHEREAS, the Salary Review Commission has communicated the following recommendations to the Common Council for the compensation to be fixed for council members;

Council Member: $15,000 annually

NOW, THEREFORE,

BE IT RESOLVED, after due consideration of the recommendations made by the Salary Review Commission, the Common Council hereby fixes the compensation for council members at the following:

Council Member: $15,000 annually

Council Member At-Large: $22,500 annually

SECONDED BY COUNCILMEMBER_____.

RESOLUTION
(R19-70)

INTRODUCED BY CHAIRWOMAN FINNEY

WHEREAS, the Commissioner of Finance is, or will be, in receipt of a donation in the amount of $2,000 from a donor known to him but who would otherwise like to remain anonymous; and

WHEREAS, that the donor desires that the gift be used in furtherance of the Police Department; and

WHEREAS, the Chief of Police has identified an immediate need for the donation; and

WHEREAS, pursuant to Section 2.05(j) of the Administrative Code of the City of Poughkeepsie the Common Council must accept any gift on behalf of the city; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby accepts the gift from a donor known to the Commissioner of Finance in the amount of $2,000 which gift shall be utilized in furtherance of the Police Department; and be it further

RESOLVED, that the Commissioner of Finance shall express the Common Council's deep appreciation to the donor on behalf of the city.

SECONDED BY COUNCILMEMBER

RESOLUTION
R19-71

INTRODUCED BY COUNCILMEMBER MCNAMARA

WHEREAS, the most recent Collective Bargaining Agreement between the City of Poughkeepsie (the "City") and City of Poughkeepsie Police Benevolent Association ("PBA") expires on December 31, 2019; and

WHEREAS, representatives of the City and the PBA have negotiated on and settled upon certain financial terms and conditions as set forth in the Memorandum of Agreement annexed hereto and made a part hereof, and

WHEREAS, the PBA's membership has ratified the terms of the settlement; and

WHEREAS, the agreement is subject to ratification by the Common Council; and

WHEREAS, it is the desire of the Common Council to authorize and approve the financial terms of the settlement; and

WHEREAS, the Common Council has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617,

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council does hereby authorize and approve the proposed settlement of the collective bargaining negotiations between the City and the PBA for a successor agreement for the period January 1, 2020 to December 31, 2020, containing the financial terms substantially in the same form and substance as set forth in the Memorandum of Agreement annexed hereto as Schedule "A"; and be it further

RESOLVED, that the Common Council does hereby authorize the Mayor to enter into a successor agreement with the PBA, containing financial terms substantially in the same form and substance as set forth in the Memorandum of Agreement annexed hereto, and be it further

RESOLVED, that this resolution take effect immediately.

SECONDED BY COUNCILMEMBER _____.

2020 Vehicle Leasing Program

SITUATION

- **Current vehicle inventory negatively impacts the overall budget and operations.**
  - Average age of non-CDL vehicles **~11 years old.**
  - ***66%*** of the Police Fleet is 10 years or older.
  - Older vehicles can be unreliable and have higher fuel and maintenance costs.
  - Status quo vehicle replacement policy: reactive, creates unpredictable capital needs.

OBJECTIVES

- **Enhance city services by providing reliable cost efficient vehicles.**
- **Drive down total cost of ownership.**
  - Make fleet maintenance costs more predictable year-over-year.
  - Significantly reduce overall fuel costs through more fuel efficient vehicles.
  - Reduce vehicle downtime.
  - Shorten the current vehicle life cycle through best practice five year leasing agreements that reduce the impacts of vehicle use to the General Funds.
  - Leverage the city's buying power through open-ended leases that maximize cash flow and potential equity at time of resale.
  - Reduce capital budget and smooth year-over-year expenses for capital purchases.
  - Free up equity from the salvage value of the current vehicle inventory.
- **Promote sustainability by reducing carbon emissions emitted through increased fuel efficiency.**
  - Take incremental steps toward achieving NY Climate Smart Communities Certification.
  - 20%-40% or more potential improvement in the annual tons of carbon emissions emitted for a positive impact on the environment.
- **Access fleet management services and industry data.**
  - Analyze lease-end valuation, maximize resale value, conduct quarterly evaluation of costs and perform best practice reviews.
  - Access monthly reporting, tracking, and real-time industry data.

City of Poughkeepsie - Police - Fleet Profile

Fleet Profile

Vehicle Type	# of Type	Average Age (years)	Average Annual Mileage
Mid-size Sedan	4	16.8	14,300
Full-size Sedan	31	13.2	13,900
Mid Size SUV 4x4	15	3.5	14,200
Full Size SUV 4x4	2	11.2	12,000
Luxury SUV 4x4	1	12.7	15,000
Totals/Averages	53	10.7	14,000

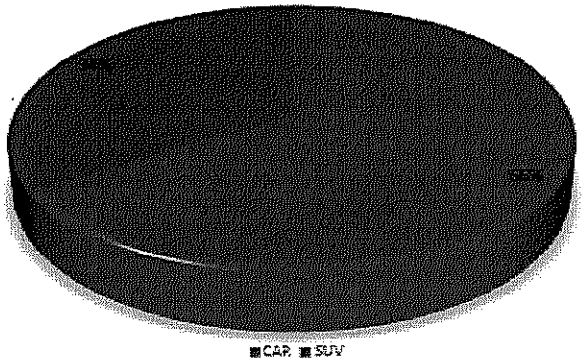
Key Objectives

* Lower the Age of the Fleet - 66% of the fleet is currently over 10 Years Old

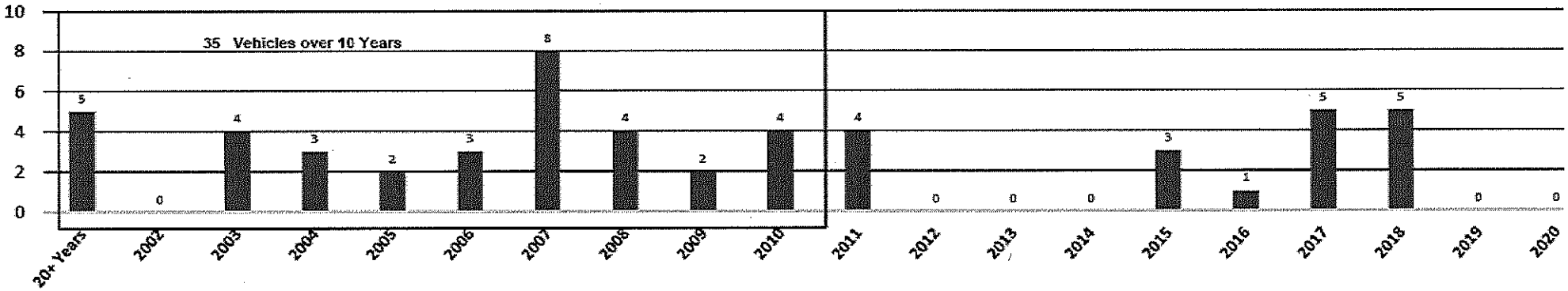
* Goal is to reduce operating cost - New Vehicles have a significantly lower maintenance and fuel cost

* Maintain a manageable vehicle budget - Goal is a sustainable replacement plan that drives down Total Cost of Ownership

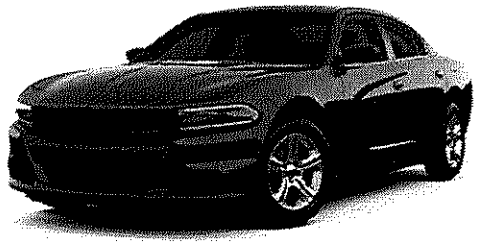
Vehicle Types



Model Year Analysis



Police Vehicles (est: 4 marked, 6 unmarked)

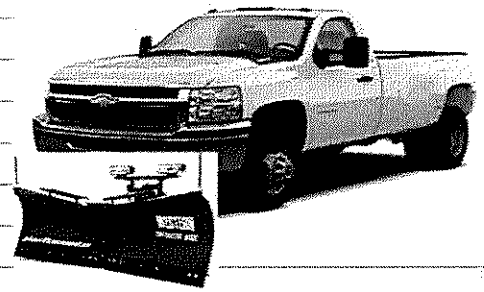
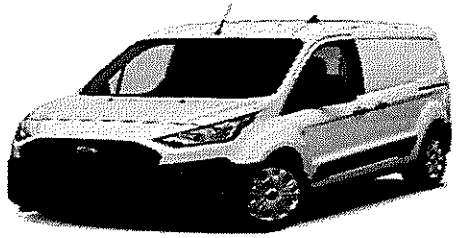


Vehicle	2020 Dodge Charger Police (Un-Marked) w/ $2,419 AME Included	2020 Ford Interceptor Utility SUV (Marked) w/ $5,938 AME Included &
Estimated Monthly Pmt	$490	$800
Open-End Lease Term	60 Months	60 Months
Annual Mileage (est)	15,000	20,000

Parking Enforcement Vehicles - Electric (est: 2)

		
Vehicle	2020 Nissan LEAF S 4dr Hatchback	2020 Chevrolet Bolt LT 4dr Wagon
Estimated Monthly Pmt	$450	$550
Open-End Lease Term	60 Months	60 Months
Annual Mileage (est)	10,000	10,000

Water Treatment Vehicles (est: 1 Truck+ 1 Van)

		
Vehicle	2020 Chevrolet Silverado 3500HD LT 4x4 Regular Cab 8 ft. box 141.6 in. WB DRW w/ $6,500	2020 Ford Transit Connect XL Cargo Van
Estimated Monthly Pmt	$750	$420
Open-End Lease Term	60 Months	60 Months
Annual Mileage (est)	10,000	10,000

DPW SUV (est: 1 SUV +1 small truck)

Vehicle	2020 Ford Explorer Base 4X4	2020 Dodge Durango 4X4
Estimated Monthly Payment	$550	$500
Open-End Lease Term	60 Months	60 Months
Annual Mileage (est)	15,000	15,000

Vehicle	2020 Chevrolet Colorado Ext. Cab 4X4
Estimated Monthly Payment	$485
Open-End Lease Term	60 Months
Annual Mileage (est)	15,000

HDLPC Presentation to Common Council
Topic: Analysis of Poughkeepsie's Historic Resource Inventory

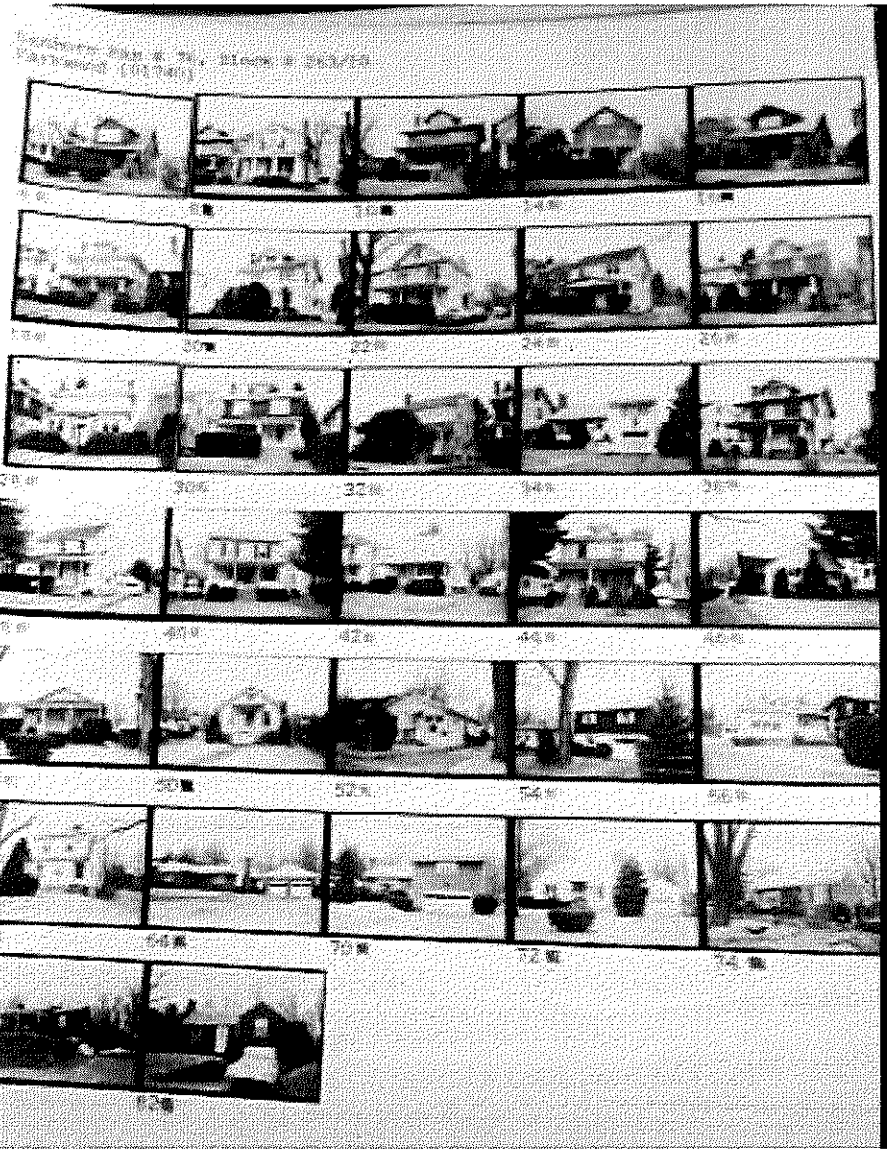
1. What is in the 1977 Historic Resource Inventory?
2. How has it been updated in 2019?
3. How it is different than the Natural Resources Inventory?
4. Why is the inventory an important tool?
5. Why are historic resources important?
6. How do other communities utilize their historic resources?
7. Where are our historic resources located?
8. How many historic resources do we have?
9. How are the historic resources ranked (varying degrees of importance)?
10. What shape are our historic resources in?
11. How can the HDLPC work with the City Council to protect our historic resources?
12. Discussion of:

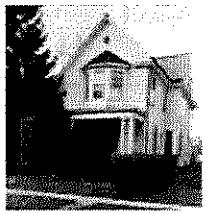
- Demolition Review and Demolition by Neglect Legislation
- Landmark Designations
- Education on Financial Incentives available for Historic Resources
- Preservation and Land Banking

42 Years Ago...

Historic Resource Inventory

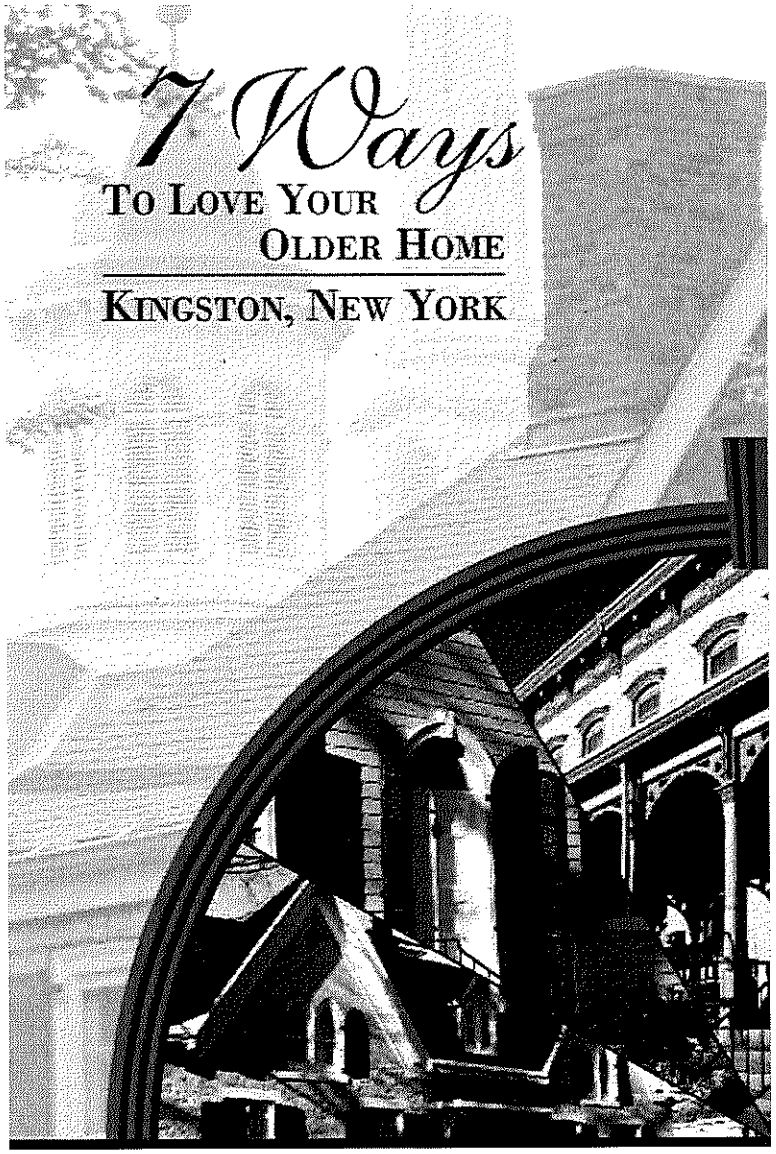
(1977)



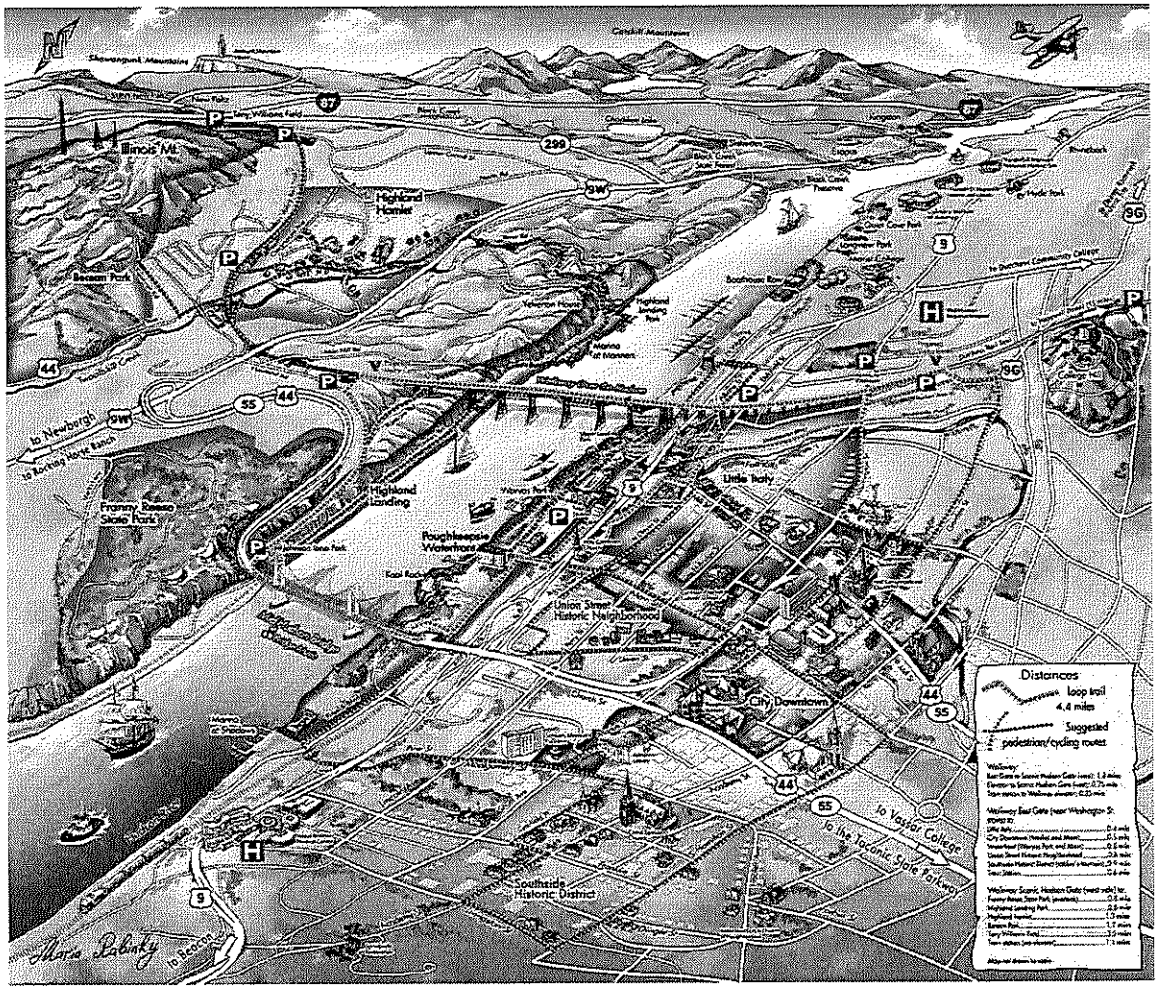
1412	S. Clinton	22				6
1413	S. Clinton	26				6
1414	S. Clinton	27				6
1415	S. Clinton	28				6
1416	S. Clinton	29				6
						

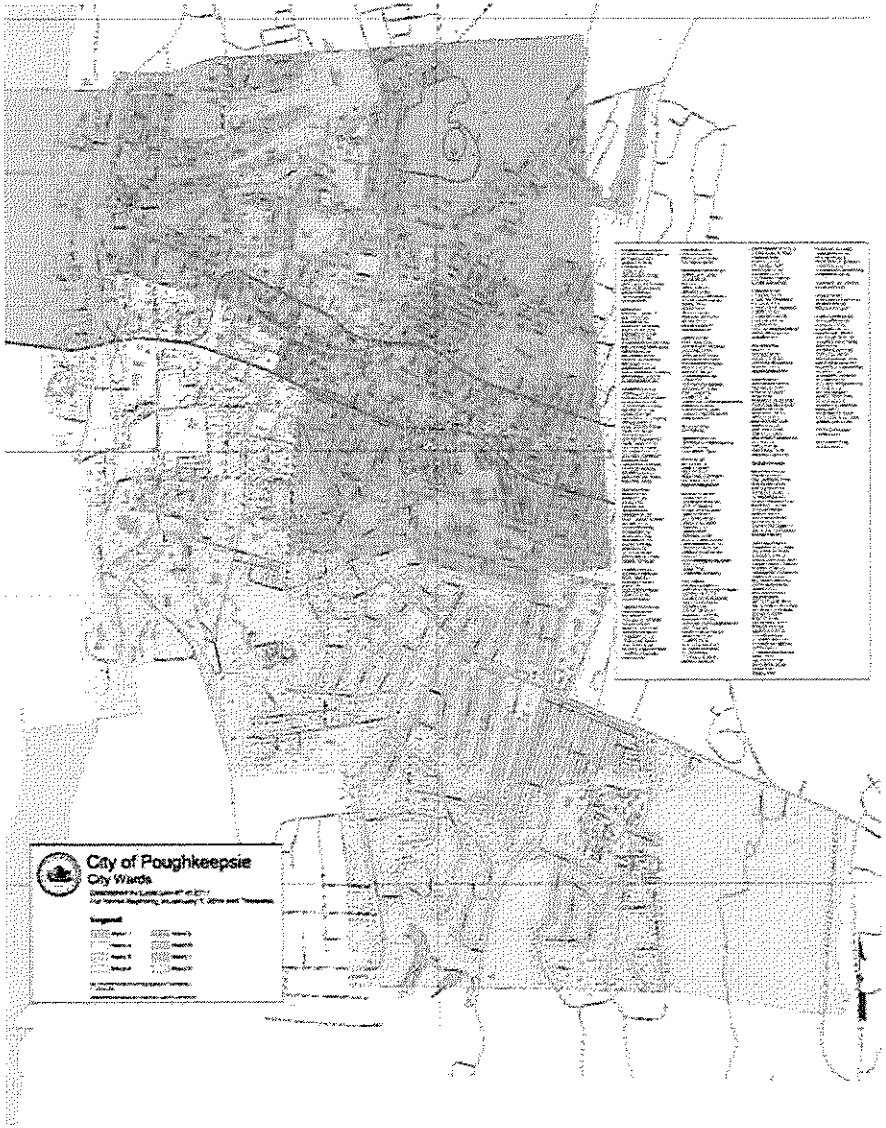
(2019) Updated and Reformatted Inventory

Why are Historic Resources important?



Utilizing Historic Resources



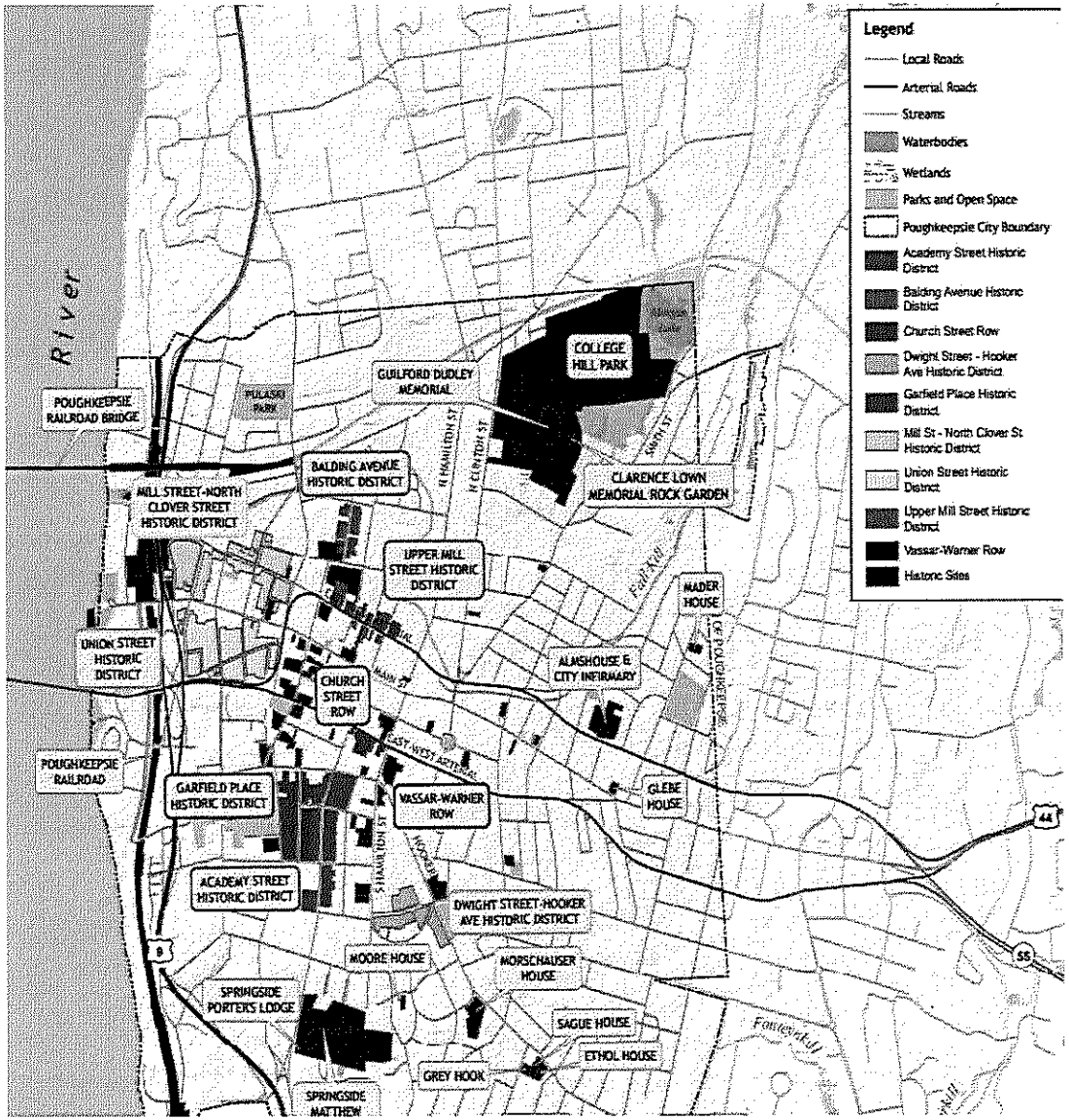


Historic Resource Locations

Historic Resource Quantity

Historic Resource Ranking

National and State Registered Properties



Local Register Properties

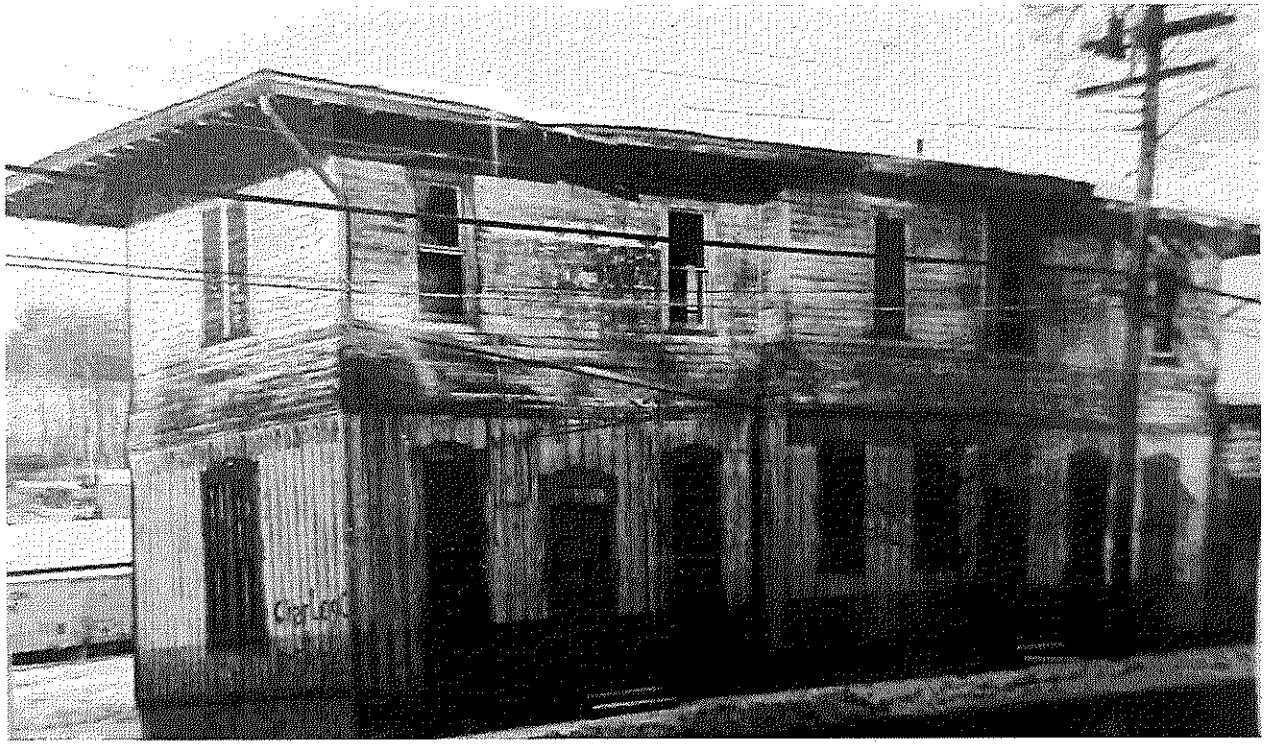
Historic Resource Condition

Altered

Demolished

Safety Nets for Historic Properties:

- **Demolition Review**
- **Preventing Demolition by Neglect**



Landmarking

historic tax credit workshops

Financial Incentives Available For Historic Homeowners

The New York State Historic Homeowner Tax Credit Program will cover up to 20% of qualified rehabilitation costs of owner-occupied historic houses, up to a credit value of $50,000.

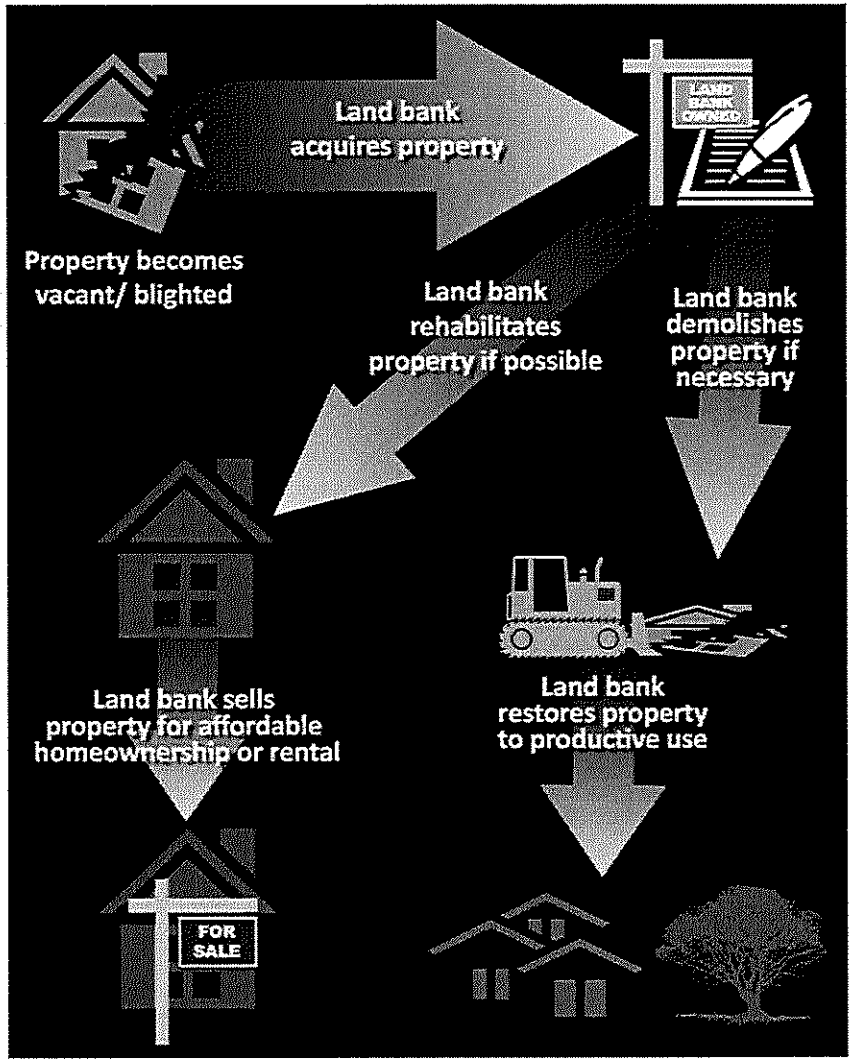
The Federal Historic Preservation Commercial Tax Credit will cover up to 20% of qualified rehabilitation costs. In eligible census tracts, the NYS Historic Commercial Properties Tax Credit can be combined with the Federal Historic Preservation Commercial Tax Credit to cover 40% of qualified rehabilitation expenditures.

Owners of properties like these in Newburgh's East End Historic District may be eligible for tax credits for approved repairs.

This program requires that the building be individually listed in the State or National Register of Historic Places, or a contributing building in a listed historic district. For the NYS historic tax credits, the building must be located in a qualifying census tract, and must meet the spending thresholds for each program, $5,000 for the NYS Historic Homeowner and $100,000 or 100% of the property's adjusted basis for the NYS and Federal Commercial credit.

To find out if a property is eligible, visit https://parks.ny.gov/shpo/tax-credit-programs/ or call the New York State Office of Parks, Recreation and Historic Preservation at 518-237-8643, and ask for the state tax credit staff member.

Land Bank Property Life Cycle:



Preservation and Land Banking

COMMON COUNCIL MEETING

Common Council Chambers
Monday, September 23, 2019
6:30 p.m.
6:00 Special Informational Meeting

I. 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 item.

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

VI. MAYOR'S COMMENTS:

VII. MOTIONS AND RESOLUTIONS:

1. Resolution R19-68, setting a public hearing for a proposed amendment to Chapter 19-3.19, "entitled Central Urban Density Residence District ("R-4 A")" by permitting neighborhood scaled commercial uses.

2. Resolution R19-69, fixing the compensation for Councilmembers.

3. Resolution R19-70, accepting a charitable donation for the Police Department.

4. Resolution R19-71, approving an MOA with the City of Poughkeepsie PBA.

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM COMMISSIONER OF FINANCE BRADY,** a communication regarding the Vehicle Leasing Program.

2. **FROM THE HDLPC,** a communication regarding land marking processes.

3. **FROM THE JAMES FIRM, LLC,** a notice of intent for The Palace Catering, located at 194 Washington Street to obtain a liquor license.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

THE JAMES FIRM
COUNSELLORS AT LAW

585 STEWART AVENUE
SUITE 615
GARDEN CITY, NY 11530
TEL: 516.858.5887
FAX: 516.858.5867

September 5, 2019

Via Certified Mail #7018 0680 0000 7380 1694

City Clerk
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12061

Re: Palace Diner Catering LLC
194 Washington Street
Poughkeepsie, NY 12601

Dear Mr./Ms. Chairman/Chairwoman,

I am writing to you on behalf of my client, Palace Diner Catering LLC, located at the address above. My client, intends to purchase the restaurant and to continue offering meals and alcoholic beverage service to the community. My client's intention is to apply to the New York State Liquor Authority to transfer the on-premise liquor, wine, beer and cider license for this location.

My client would like to submit their application to the State Liquor Authority prior to the expiration of the 30-day notice period on October 5, 2019. As such, I am respectfully requesting a waiver of the 30-day notice period or expedited review of our application so that the application can be filed sooner with the State Liquor Authority.

My client would face incredible hardship if a waiver is not granted. Specifically, the delay in submitting its application and obtaining a temporary permit prior to the purchase of the business will strain the business' bottom line as it needs all the cash reserves possibly at this very beginning stage. The applicant would not be able to open the restaurant and to begin generating enough business to meet its financial obligations. This would not serve the public convenience and advantage if the applicant is impeded from properly opening it restaurant, serving the community, and compensating its staff.

We ask that you consider our hardship and our request for a waiver. We sincerely appreciate your time and consideration in this matter.

Yours very truly,

Michael A. James

State Liquor Authority

OFFICE USE ONLY
○ Original ○ Amended Date _____

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice was Sent: 09/05/2019

1a. Delivered by: Certified Mail Return Receipt Requested

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

◉ New Application ○ Renewal ○ Alteration ○ Corporate Change ○ Removal ○ Class Change ○ Method of Operation Change

For **New** applicants, answer each question below using all information known to date
For **Renewal** applicants, answer all questions
For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)
For **Corporate Change** applicants, attach a list of the current and proposed corporate principals
For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation
For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type
For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: City of Poughkeepsie

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): _____ Expiration Date (if applicable): _____

5. Applicant or Licensee Name: Palace Diner Catering LLC

6. Trade Name (if any): N/A

7. Street Address of Establishment: 194 Washington Street

8. City, Town or Village: Poughkeepsie , NY Zip Code: 12601

9. Business Telephone Number of Applicant/Licensee: _____

10. Business E-mail of Applicant/Licensee: Pending

11. Type(s) of alcohol sold or to be sold: ○ Beer & Cider ○ Wine, Beer & Cider ◉ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

◉ Full food menu; full kitchen run by a chef or cook ○ Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment: Restaurant (full kitchen and full menu required)

14. Method of Operation: (check all that apply)

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☑ Recorded Music ☐ Karaoke
☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____
☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment
☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel
☐ Other (specify): _____

15. Licensed Outdoor Area: (check all that apply)

☑ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
☐ Sidewalk Cafe ☐ Other (specify): _____

2019 SEP -9 PM 2:59
CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

OFFICE USE ONLY
◯ Original ◯ Amended Date _____

16. List the floor(s) of the building that the establishment is located on: First, Basement

17. List the room number(s) the establishment is located in within the building, if appropriate: N/A

18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ◯ Yes ◉ No

19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ◉ Yes ◯ No

20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

Palace Diner Inc (Name) 2207944 (Serial Number)

21. Does the applicant or licensee own the building in which the establishment is located? ◯ Yes (if YES, SKIP 23-26) ◉ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: Papas Realty Holding LLC

23. Building Owner's Street Address: 194 Washington Street

24. City, Town or Village: Pougkeepsie State: NY Zip Code: 12601

25. Business Telephone Number of Building Owner: (201) 519-2955

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: Michael A. James

27. Representative/Attorney's Street Address: 585 Stewart Avenue, Ste. 615

28. City, Town or Village: Garden City State: NY Zip Code: 11530

29. Business Telephone Number of Representative/Attorney: (516) 858-5887

30. Business E-mail Address of Representative/Attorney: licensing@jamesfrm.com

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: Michael A. James Title: Attorney for Applicant

Principal Signature: _____

2010 SEP -9 PM 2:59

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, May 6, 2019 6:30 p.m. **City Hall**

I. PLEDGE OF ALLEGIANCE:

ROLL CALL- All Present (Councilmember R. Johnson came in after Roll Call)

II. REVIEW OF MINUTES:

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.

Constantine Kazolias 47 Noxon Street

WHERE DO I START WITH MY OPENING WRITTEN STATEMENT? DURING LBJ FAKE GULF OF TONKIN PRESIDENTIAL WAR, THE WAR CRY, WE HAVE TO DESTROY THE VILLAGE TO SAVES IT. DURING THE SAME PERIOD ON THE SHORES OF THE HUDSON WAS A CITY OF POUGHKEEPSIE. THRU FEDERAL/STATE PROGRAMS BY SOCIAL ENGINEERS, POUGHKEEPSIE WAS LAID TO WASTE. LEAVING WIDE OPEN FOR THE MODERN DAY CARPETBAGGERS, RIPPING THE CITY/SYSTEM OFF CONTRIBUTING TO THE CITY'S 40% TAX EXEMPT; BY BECOMING, THE DUMPING GROUND FOR DUTCHESS COUNTY WHERE 70% OF ALL LOW INCOME HOUSING IS LOCATED WITHIN ITS FOUR SQAURE MILES. TONITE BEFORE THIS COUNCIL THERE IS A PROPOSAL FOR A REZONNING OF AN EMTY PARCEL LOCATED ON A MAIN ENTRY POINT INTO THE CITY. THIS PARCEL WAS SOLD TO THE PRESENT OWNER FOR $100.00 WITH PROMISES TO BUILD A STEAK HOUSE!!!! THIS STEAK HOUSE ADDITION WOULD UPGRADE THE AREA ADDING TO THE CITY A D PRIVATE IVESTMENTS MILLIONS ALREADY INVESTED!!!!...NOW, ALONG COMES THIS DEVE; LOPER HUDSON RIVER HOUSING WHO HAS 39 PROJECTS WITH 32 IN THE CITY OF POUGHKEEPSIE.IS THERE A QUID-PRO-QUO, FOR ALL THESE HRV PROJECTS BEING LOPATED IN POUGHKEEPSIE? A THIS TIME A RED LI NE MUST BE DRAWN AND ENFORCED, BY DENING THIS SPOT REZONNING ON ONE OF THE MAIN ENTRYS INTO THE CITY!!!

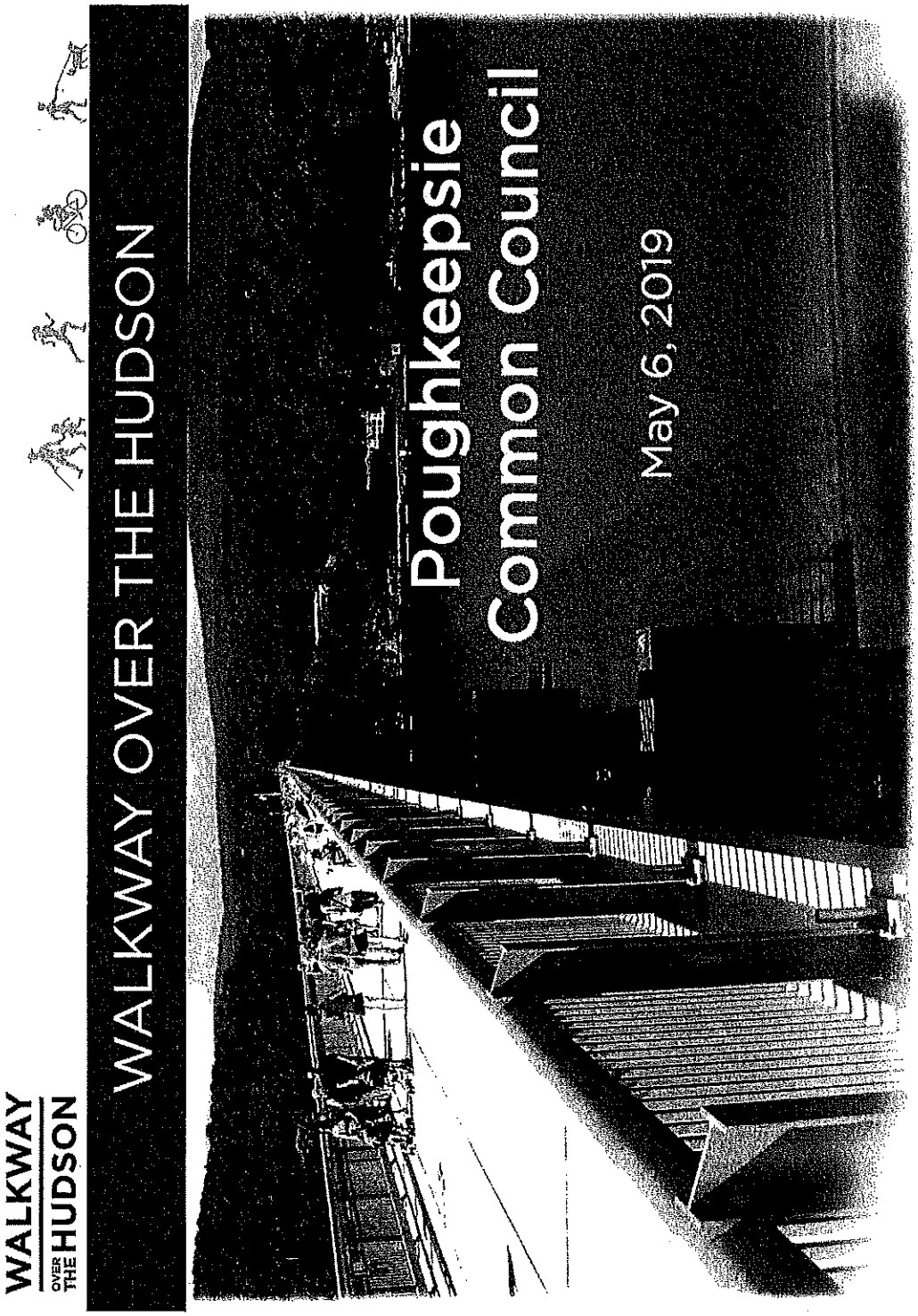
Cnt P. Kaz 05/05/19.

Constintine P. Kazolias
47 Noxon St.
Poughkeepsie, NY 12601-4101

Christine Smoot 35 Dubois Avenue
Laurie Sandow South Grand Avenue
Lou Vigliotti 112 Hudson Pointe Drive

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Finney- turned her time over the Walkway over the Hudson, who are here to give us an update on their activities recently.


WALKWAY OVER THE HUDSON
WALKWAY
OVER THE HUDSON
Poughkeepsie
Common Council
May 6, 2019

WALKWAY OVER THE HUDSON

WALKWAY MISSION

Through engaged stewardship and fundraising, we enhance the Walkway experience, support capital improvements, and deliver innovative programs that attract visitors and contribute to the economic vitality of the Hudson Valley.

2019 Board of Directors

John Storyk, Chair
Michael Fleischer, Second Vice Chair
Michael Graham, Treasurer
Kathleen Smith, Secretary
Daniel Aronzon
Christina Bark
Paul Haering
Anita Jones
Natasha Krupp
Ron Lane
Robert Levine
Michael Oates
David Ping
Emily V. Saland
Howard Schwartz
Maureen Solero
Scott Sweeney

Walkway Staff

- Elizabeth Waldstein-Hart, Executive Director
- Jill Romeo, Controller
- Theresa Sanchez, Director of Programs and Visitor Experience
- Geoff Brault, Director of Marketing and Communications
- Jami Anson, Director of Special Events
- Heather Ohlson, Executive Administrator
- Nicole Stanton, Development Assistant

WALKWAY OVER THE HUDSON

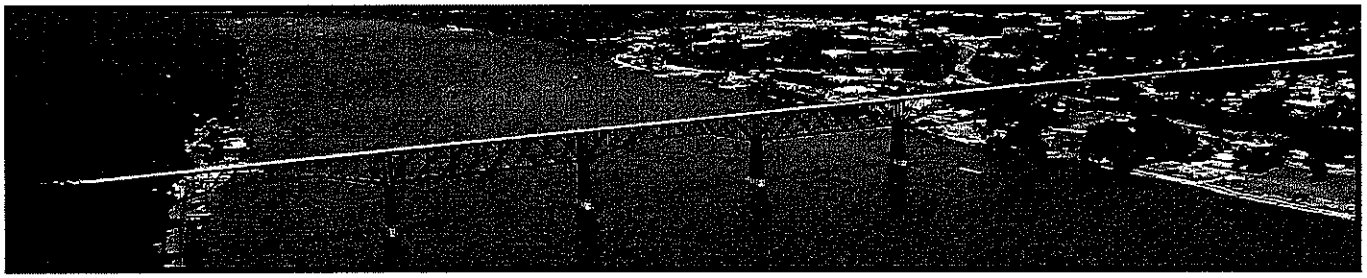
WALKWAY IMPACT AND DEMOGRAPHICS

- More than five million people have visited Walkway Over the Hudson
- Averaging nearly 600,000 guests per year
- 60% of Walkway users reside in Dutchess or Ulster County^
- 58% Female / 42% Male | 54% Repeat Visitors | 50% spend 60-90 minutes*
- 42% of repeat visitors visit the Walkway twice per month or more*

^ Open Space Institute New York State Parks User Demographic Study
* Pattern For Progress Quality of Life Report

A recently-completed Quality of Life study in partnership with Pattern for Progress and Marist College found 96% of local residents believe the Walkway has positively impacted the region

A 2011 economic impact study and follow-up analysis verified that Walkway visitor spending results in a $24 million annual economic impact for the Mid-Hudson Region. This revenue translates to 383 new jobs, $9.4 million in new wages, and $779,000 in new tax revenues annually for Dutchess & Ulster counties.



WALKWAY OVER THE HUDSON

WALKWAY REACH

- **Over 500,000 visitors in 2017, 2018**
- **Over 200,000 annual unique hits on walkway.org.**
- **Traditional media partnerships with iHeart Radio, Pamal Broadcasting, Poughkeepsie Journal, and more**
- **Over 75,000 followers on social media**
- **Over 22,000 email subscribers**
- **3,000 Walkway print newsletters**
- **Over 100,000 vicinity maps**
- **3,000 Starry Starry Night invitations**

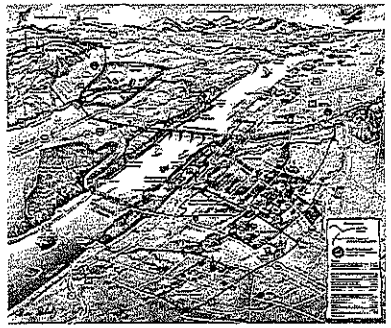
26% of all Walkway guests (approximately 150,000 people) visited the destination because of content found via social media or Walkway's website*

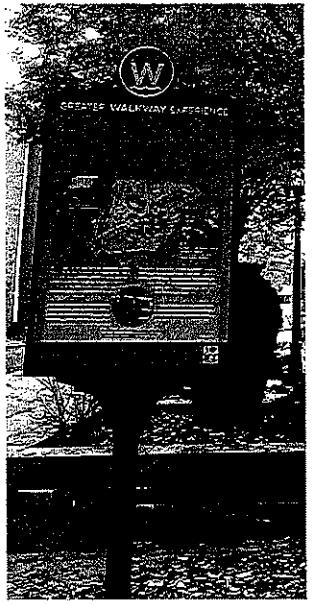
*Pattern For Progress Impact Study, August 2018

58,300 Fans **8,800 Followers** **10,300 Followers**

WALKWAY OVER THE HUDSON

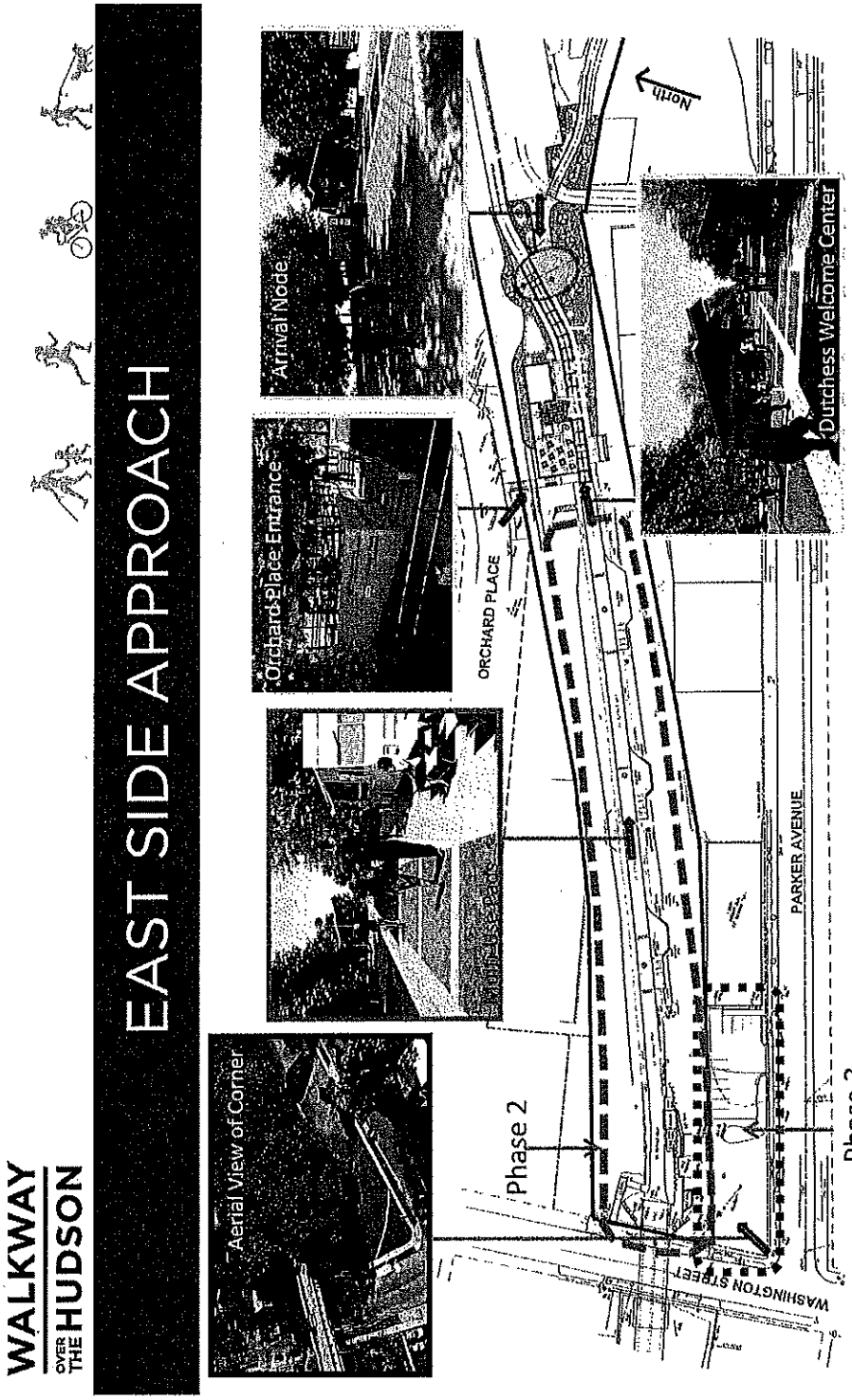
GREATER WALKWAY EXPERIENCE





Neighborhood Discovery Zones inform and interpret the region

Regional Gateway Signs at high-traffic locations throughout Poughkeepsie and Highland for wayfinding and interpretation



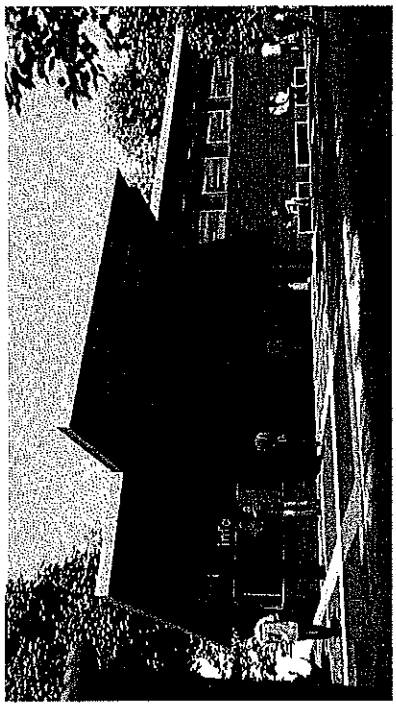
Current and planned construction

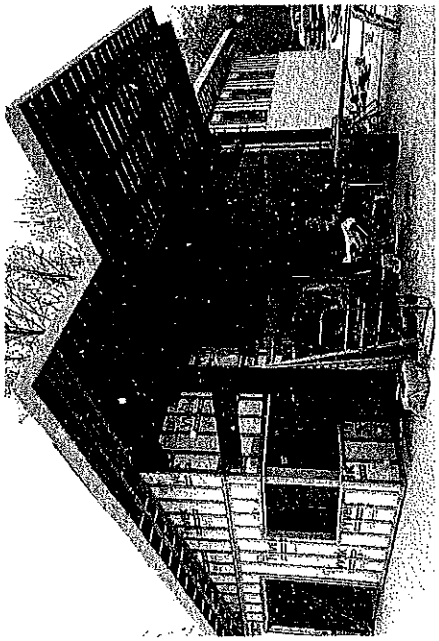
WALKWAY OVER THE HUDSON

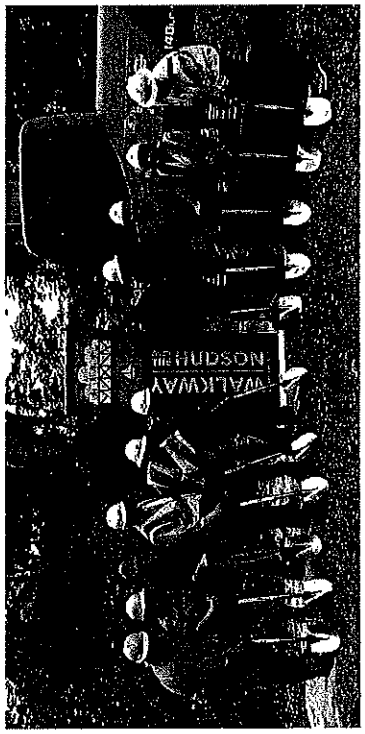
DUTCHESS WELCOME CENTER - JUNE 2019

Phase I:

- Reconfigured entrance
- New Structure with bathrooms
- Information booth and office space
- Event gathering area
- Picnic and dining patio

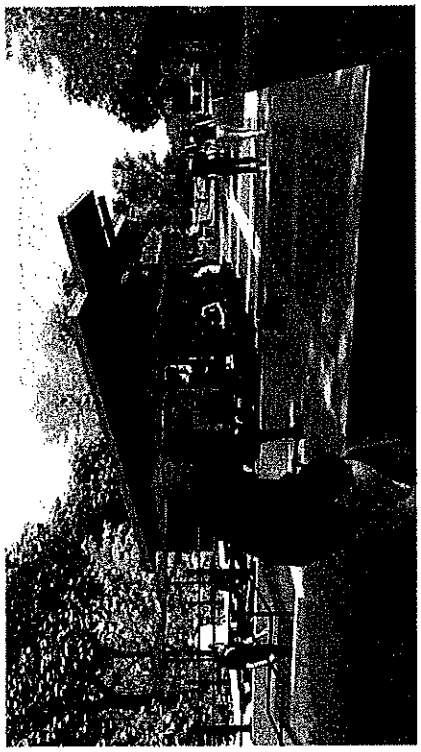




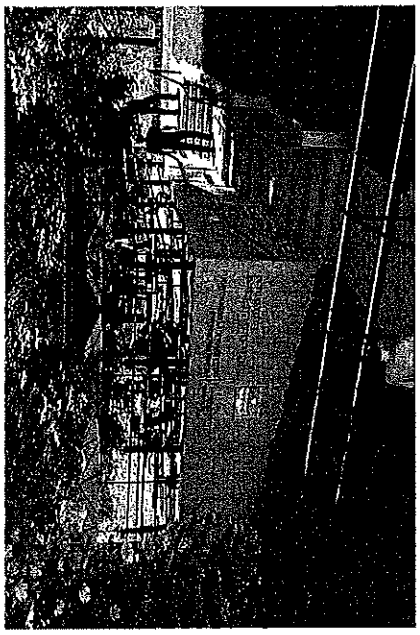


WALKWAY OVER THE HUDSON

DUTCHESS WELCOME CENTER - JUNE 2019



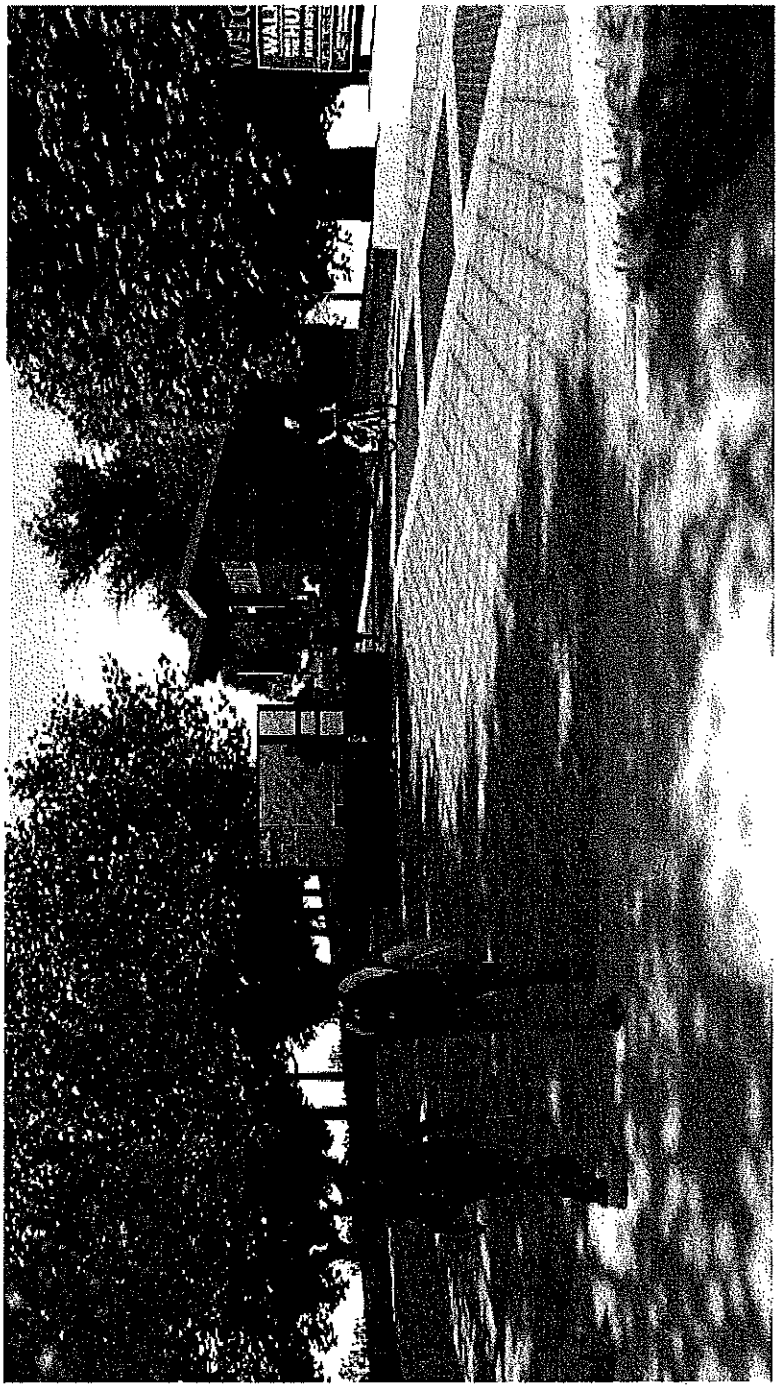
View looking east to parking area/Dutchess Rail Trail



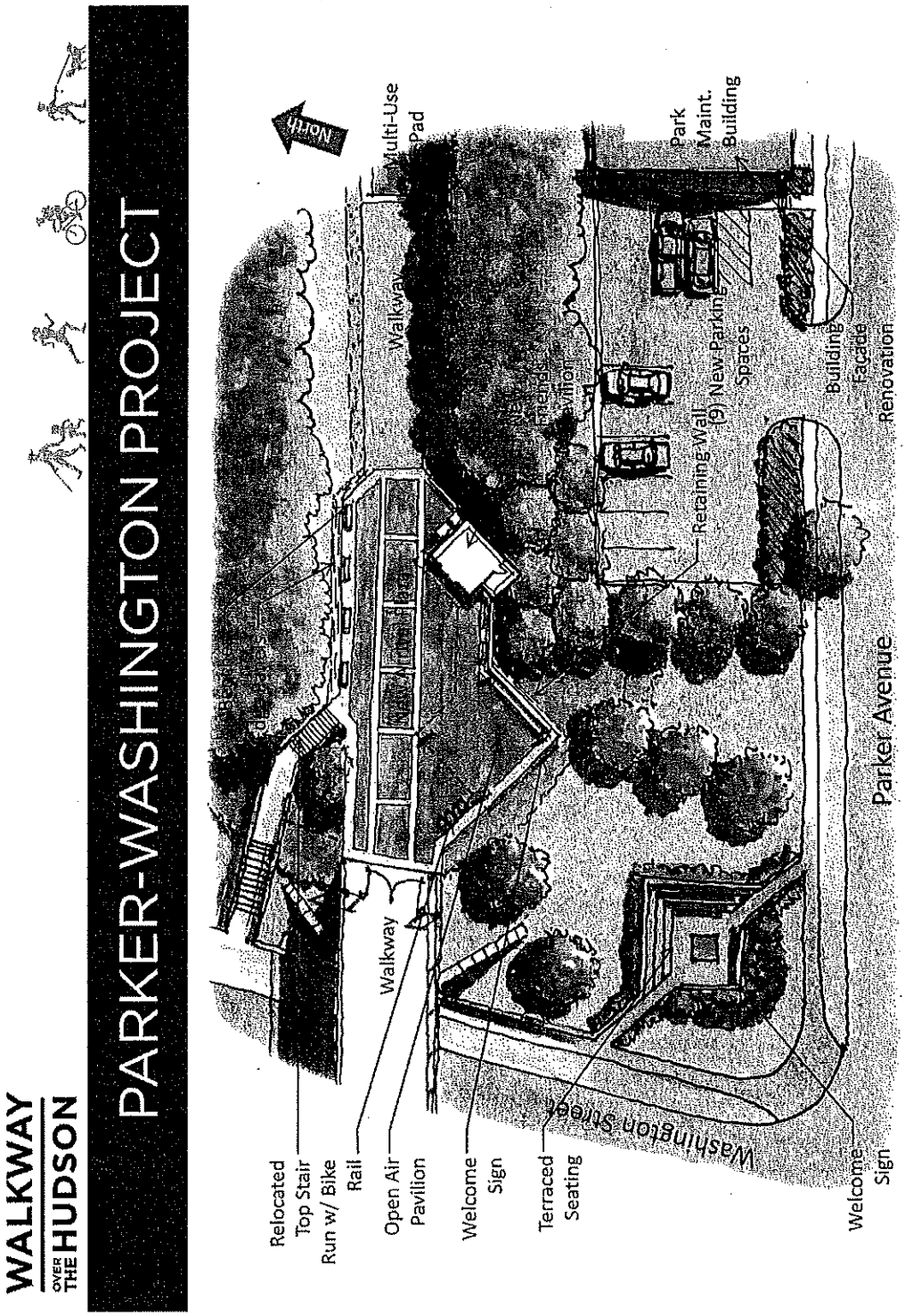
New Neighborhood Access- June 2019

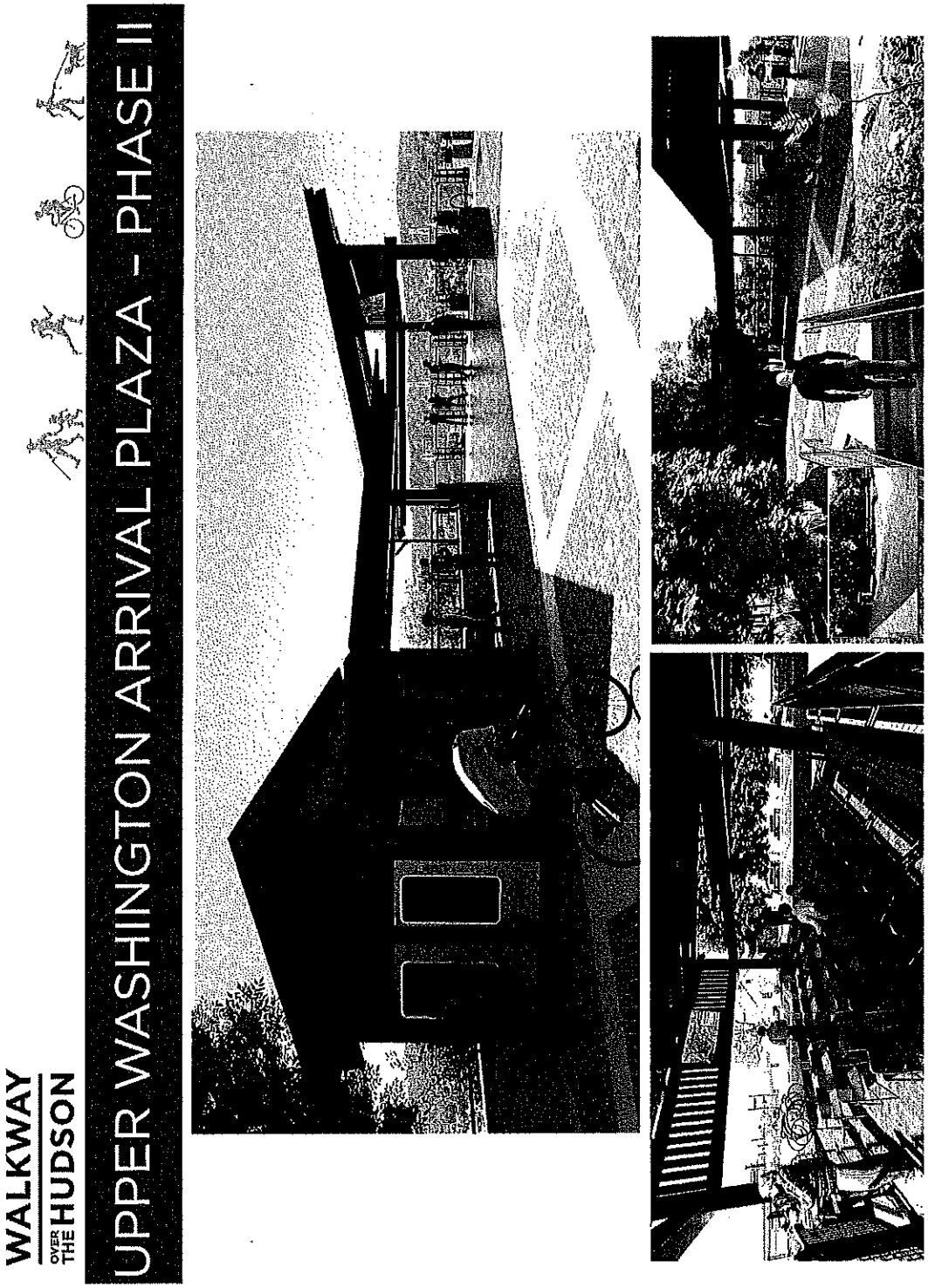
WALKWAY OVER THE HUDSON

DUTCHESS WELCOME CENTER - JUNE 2019



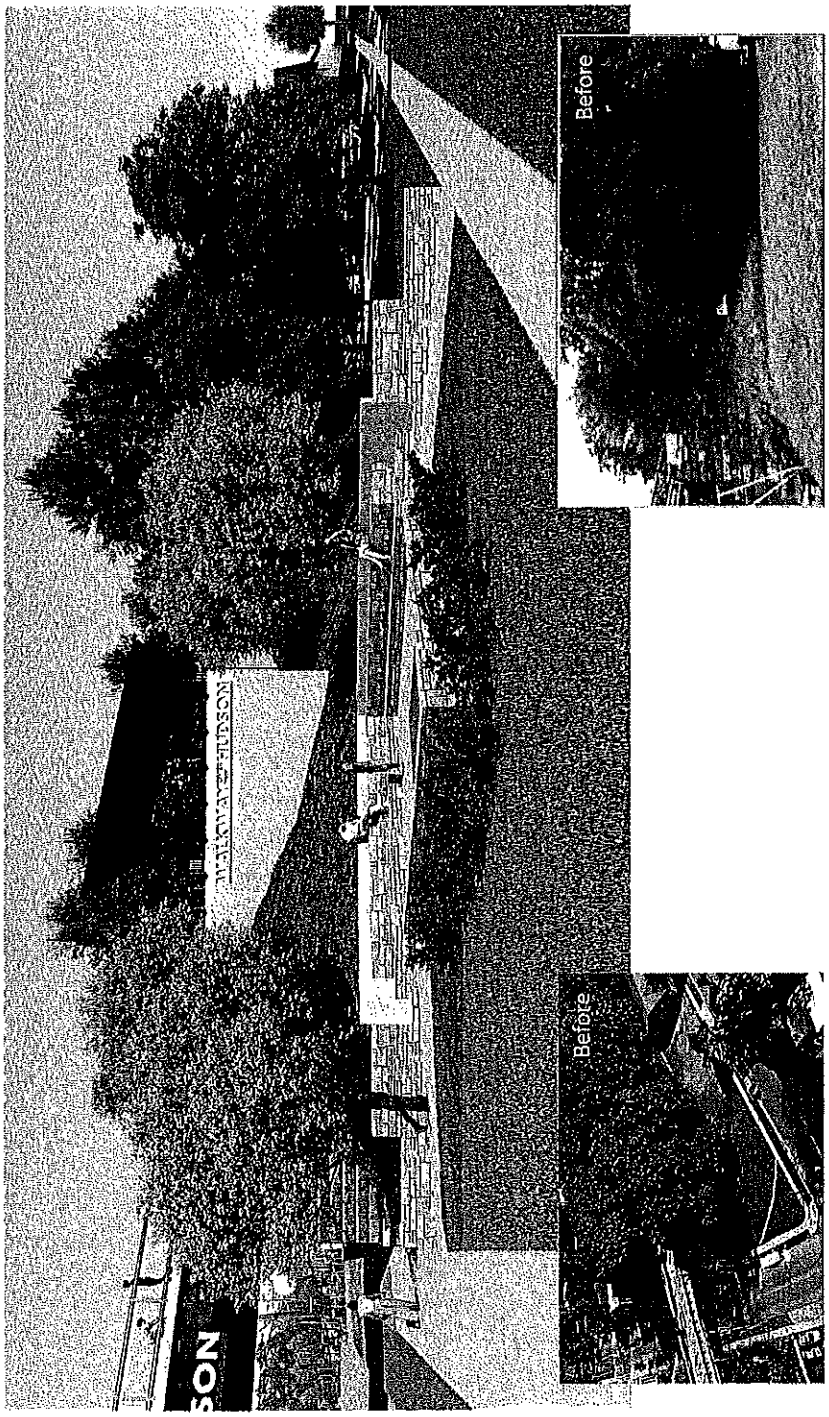
Walking west toward Walkway from Dutchess Rail Trail


WALKWAY
OVER THE HUDSON
PARKER-WASHINGTON PROJECT
North
Relocated Top Stair
Run w/ Bike Rail
Walkway
Open Air Pavilion
Welcome Sign
Terraced Seating
Walkway
Multi-Use Pad
Pavilion
Retaining Wall
(9) New Parking Spaces
Park Maint. Building
Building Facade Renovation
Welcome Sign
Washington Street
Parker Avenue


WALKWAY
OVER THE HUDSON
UPPER WASHINGTON ARRIVAL PLAZA - PHASE II

WALKWAY OVER THE HUDSON

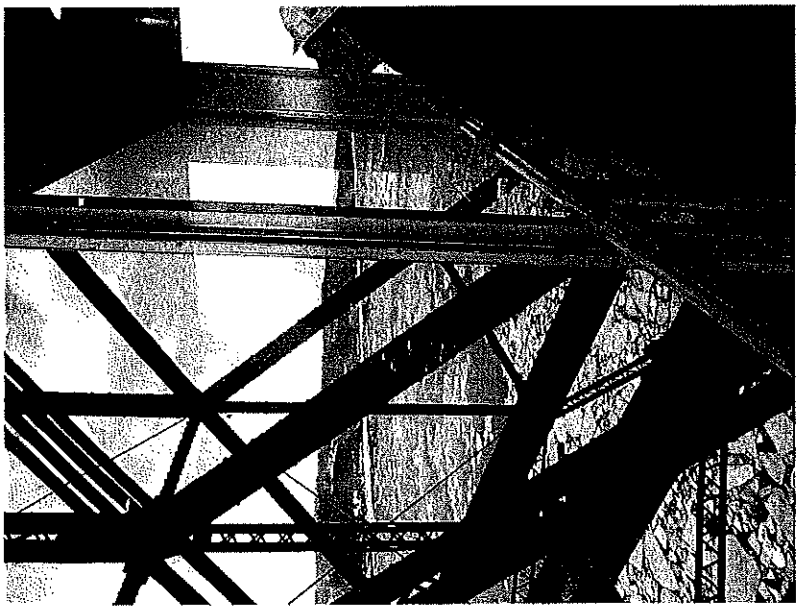
PARKER-WASHINGTON CORNER - PHASE III

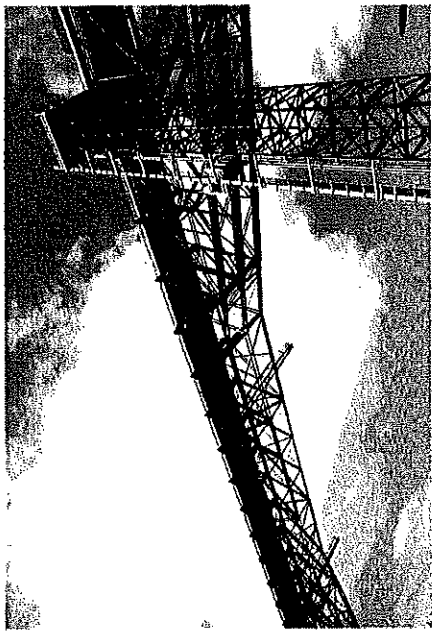


WALKWAY OVER THE HUDSON

WALKWAY ELEVATOR REFURBISHMENT

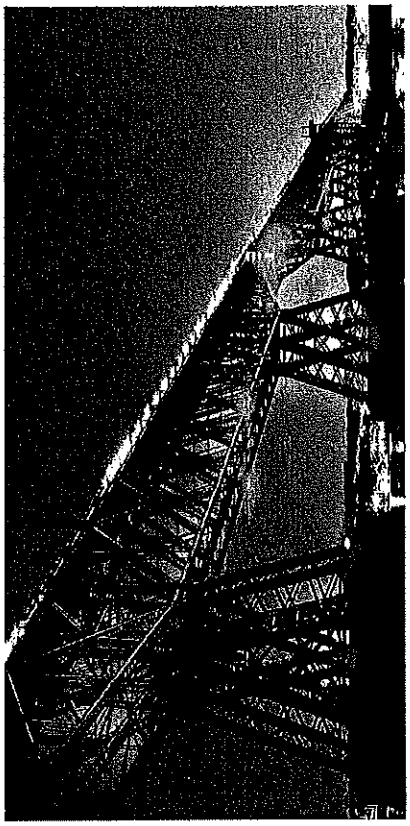
- Opened in 2014 with federal funding
- Maintenance and upgrades by May 2019
- Elevator important for accessibility, non-vehicular commuters, and easy access from Metro North/Amtrak train station
- Is a fun Walkway amenity for visitors to experience.

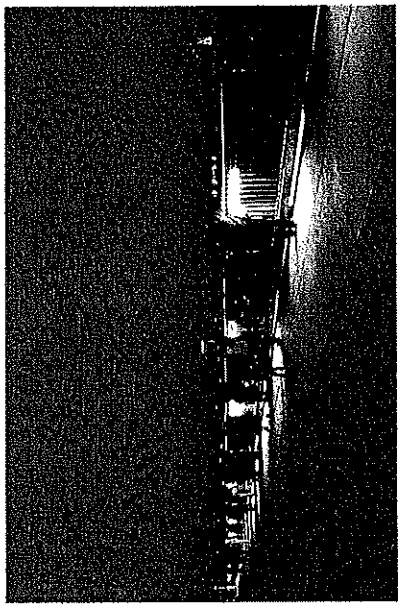


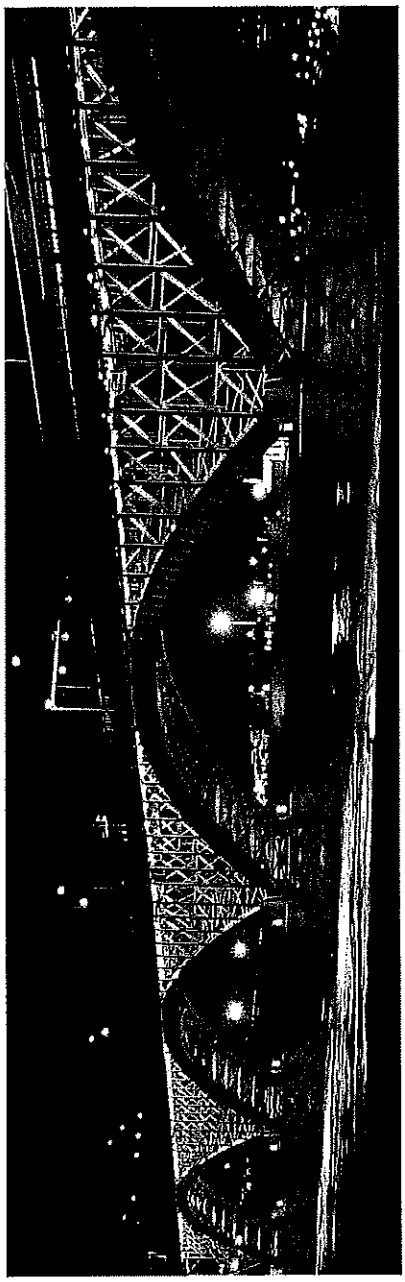


WALKWAY OVER THE HUDSON

LIGHT THE WALKWAY







WALKWAY OVER THE HUDSON

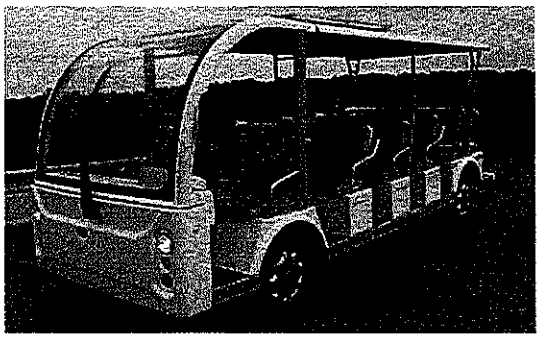
PROGRAM AND COMMUNITY PARTNERS

- Poughkeepsie Public Library*
- MidHudson Children's Museum*
- American Legion/VFW
- The Art Effect
- Arts Mid-Hudson
- Family Partnership
- First Friday
- Marist College*
- Vassar College*
- SUNY New Paltz*
- Mid-Hudson Astronomical Association*
- iHeart Media*
- Millman, Harris and Romano Foundation
- Parks and Trails NY
- Open Space Institute

*Walkway at Night Supporter

WALKWAY OVER THE HUDSON

INCREASING ACCESSIBILITY FOR ALL



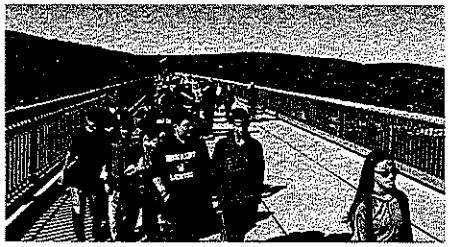
Recent research has highlighted common hesitations to experiencing the Walkway include a fear of heights, a worry about venturing onto the Walkway and not having the strength or energy to return, and concerns about their distance from a restroom.

- A fully-electric 11 passenger, wheelchair accessible electric vehicle.
- Regular schedule of tram runs looping the bridge on weekends and high-traffic days.
- Will support guided tours, emergency transport, and event transportation

WALKWAY OVER THE HUDSON

PROGRAM AND VOLUNTEER UPDATE

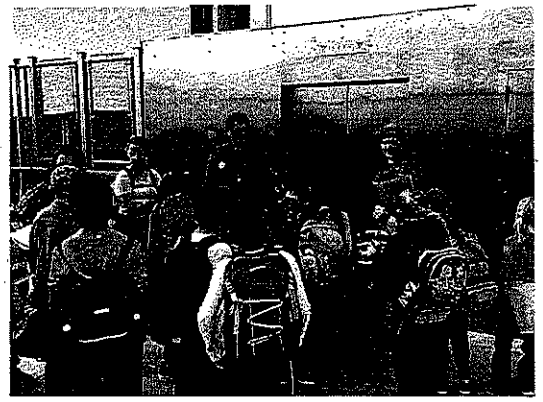
- 50 Volunteers with over 5 years of service
- 26 New Ambassadors in Training
- 19 Tours booked for 2019
- 37 Walkway planned events for 2019
- 26 Community fundraisers/event (12,200 estimated attendance)
- Walkway data indicates that all nonprofit events on the landmark structure since 2009 have resulted in over ***$8 million*** raised for local causes.



WALKWAY OVER THE HUDSON

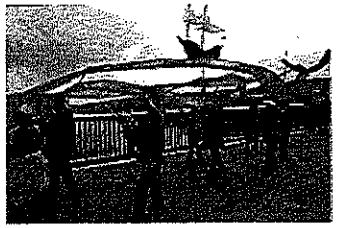
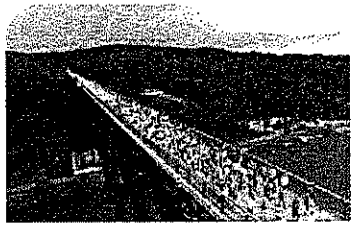
OPPORTUNITIES FOR LOCAL YOUTH

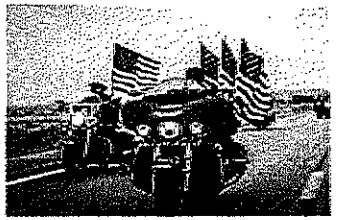
- Engage schools, scouts, and clubs in Walkway events
- Create program to attract students to serve as Walkway guides and docents.
- Host school-based and youth-program Walkway tours and field trips
- **Launch summer teen workplace program with Family Partnership on Walkway. Create opportunities for youth employment, training and leadership. (Grant funded!)**



WALKWAY OVER THE HUDSON

RECOGNIZING TEN YEARS OF SUCCESS



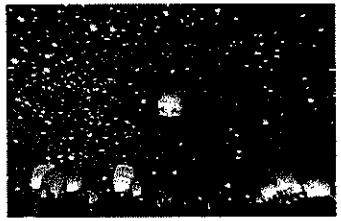
GUINNESS WORLD RECORDS™

Planned Anniversary Celebration
10/4,5,6

- Starry Starry Night
- Fall Festival
- Lighting Ceremony
- SkyRide

10th Anniversary Year Ideas

- Dinner on the Walkway
- Guinness Record Event
- Laser Light Show
- Overnight on the Walkway

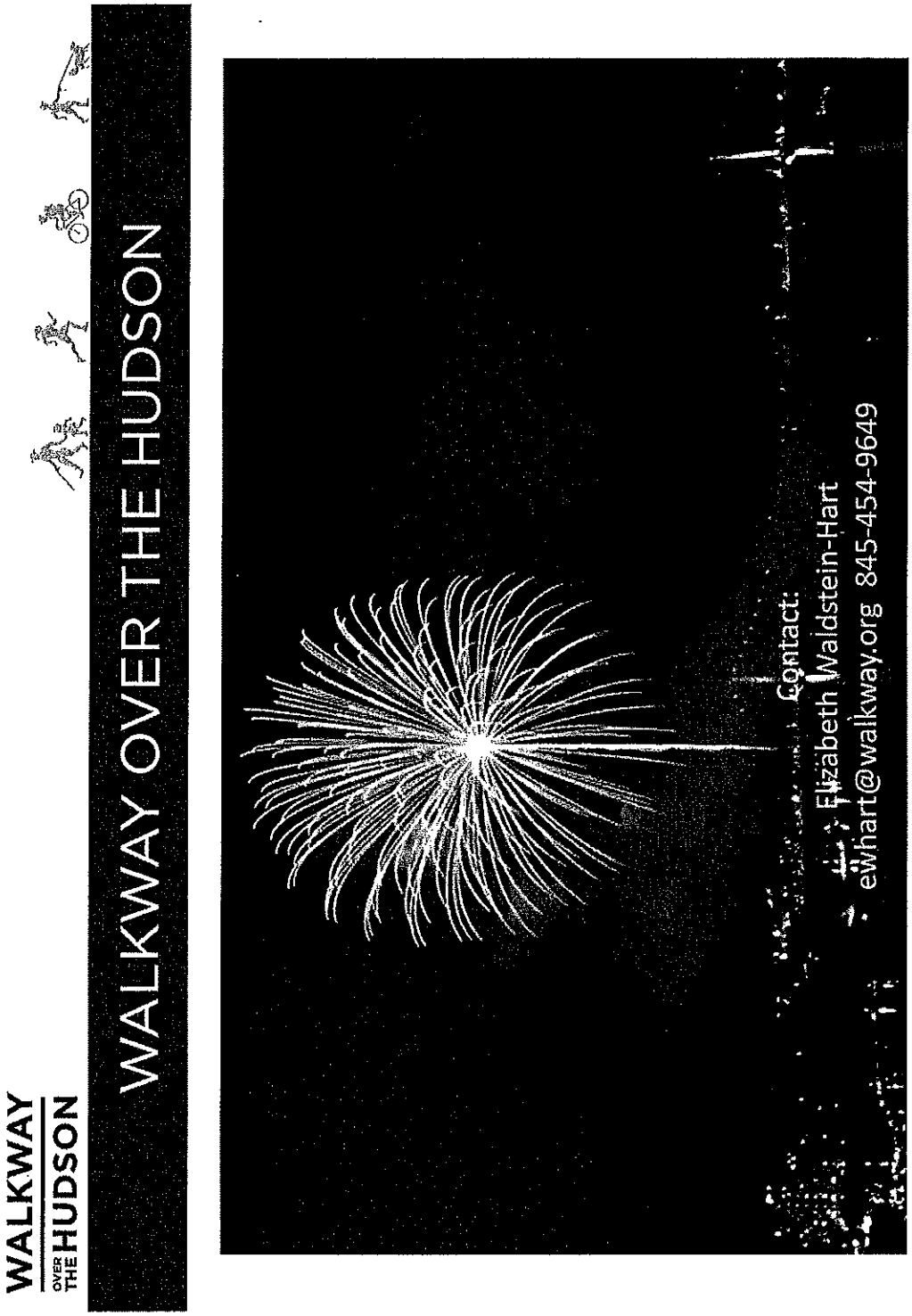


WALKWAY OVER THE HUDSON

CALENDAR OF EVENTS

- Walkway at Night: *next event 6/14*
- Illuminate the Walkway-
  Memorial Day Event: *5/26*
- 4th of July: *4/1*
- Walkway Lecture Series: *next 5/19*
- Flag Changing Ceremony: *next 5/26*
- Movies Under the Walkway: *next 6/29*
- Starry Starry Night: *10/4*
- Make A Difference Day: *10/26*
- Santa On the Walkway: *11/29*
- Celebration of Lights: TBD

More dates on walkway.org!


WALKWAY
OVER THE HUDSON
WALKWAY OVER THE HUDSON
Contact:
Elizabeth Waldstein-Hart
ewhart@walkway.org 845-454-9649

VI. MAYOR'S COMMENTS:

Mayor Rolison-Absent.

City Administrator Nelson: So yes on behalf of Mayor Rolison he extends his apologies to you Madam Chair, and your colleagues. He is attending the annual New York Conference of Mayors Conference up in Cooperstown. I had the pleasure of joining him yesterday and was there briefly this morning. And I'm pleased to announce that the city was awarded for the 2nd year in a row The New York Conference of Mayors awarded us its Innovation and Government Efficiency Award. This was for the police retention program which is now being looked at by other municipalities as potentially something that they could replicate. Those municipalities that are finding themselves having the same outmigration of officers that the City of Poughkeepsie experienced between 2016 and 2018. You'll recall Madam Chair that last year the city won the same award for innovation and efficiency. That one was for the transit consolidation with city transit and Dutchess County. I was told that this was the first time that in NYCOM's over 100 year history that there is apparently one back to back award so we were very proud of that.

I'd also like to take a moment to thank Lieutenant Sean McCarthy and Lieutenant Zeltman, both of them conducted on behalf of the city one of the breakout training sessions up at NYCOM which was on Procedural Justice. And that was very well attended and there were literally hundreds of representatives of towns and cities and villages throughout the state that come together twice each year to share best practices and to talk about some of the challenges. Everything from budgeting to state budget challenges and so forth. So there were a lot of breakout sessions and we were very proud to have our police force represent the city so well in the procedural justice workshop that they did this morning.

And that's all I had Madam Chair.

VII. MOTIONS AND RESOLUTIONS:

1. **A motion was made by Councilmember Randall Johnson and seconded by Councilmember Lorraine Johnson to receive and print.**

RESOLUTION
R19-48
EXTRACT OF MINUTES

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on May 6, 2019 at 6:30 o'clock p.m., local time.

The meeting was called to order by Chairwoman Finney, and, upon roll being called, the following members were:

PRESENT:

Council Chair Ann Finney
Councilmember Sarah Brannen

Councilmember Natasha Cherry
Councilmember Yvonne Flowers
Councilmember Lorraine Johnson
Councilmember Randall A. Johnson II
Councilmember Matthew McNamara
Councilmember Christopher D. Petsas
Councilmember Sarah A. Salem

ABSENT:

The following persons were ALSO PRESENT:

Commissioner of Finance William Brady

The following resolution was offered by Councilmember Cherry, seconded by Councilmember Randall Johnson, to wit;

RESOLUTION NO. R19-48 DATED MAY 6, 2019

CITY OF POUGHKEEPSIE
POUGHKEEPSIES' WATER TREATMENT FACILITY
UV DISINFECTION REPLACEMENT

SEQR TYPE II CLASSIFICATION

WHEREAS, the City of Poughkeepsie, Dutchess County, New York (hereinafter the "City") has received a preliminary engineering report of T&B Engineering, P.C. recommending replacement of UV Disinfection Equipment at the Poughkeepsies' Joint Water Treatment Facility (the "Project"); and

WHEREAS, at its meeting on April 2, 2019, the Poughkeepsies' Joint Water Board recommended that the City and Town undertake and finance the Project; and

WHEREAS, 6 NYCRR Part 617.5(c)(2) states "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrades to buildings to meet building or fire codes, unless such action meets or exceeds any of the thresholds in Section 617.4 of this Part" has been determined not to have a significant impact on the environment and are precluded from environmental review under Environmental Conservation Law Article 8; and,

WHEREAS, the proposed Project does not meet or exceed any of the thresholds in Section 617.4;

NOW, THEREFORE, BE IT RESOLVED in consideration of the foregoing:

1. The Common Council of the City of Poughkeepsie hereby finds that the Poughkeepsie's' Water Treatment Facility Project including the replacement of UV Disinfection equipment is a Type II Action and is not subject to review under SEQR (6 NYCRR Part 617.5).

2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Council Chair Ann Finney	VOTING Aye
Councilmember Sarah Brannen	VOTING Aye
Councilmember Natasha Cherry	VOTING Aye
Councilmember Yvonne Flowers	VOTING Aye
Councilmember Lorraine Johnson	VOTING Aye
Councilmember Randall A. Johnson II	VOTING Aye
Councilmember Matthew McNamara	VOTING Aye
Councilmember Christopher D. Petsas	VOTING No
Councilmember Sarah A. Salem	VOTING Aye

The foregoing resolution was thereupon declared duly adopted.

Approved: May 6, 2019

_____
Robert G. Rolison
Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 6th of May, 2019 and entitled:

RESOLUTION NO. 48 DATED MAY 6, 2019

CITY OF POUGHKEEPSIE
POUGHKEEPSIE'S' WATER TREATMENT FACILITY
UV DISINFECTION REPLACEMENT

SEQR TYPE II CLASSIFICATION

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ___ day of May, 2019.

-SEAL-

Deanne Flynn

City Chamberlain

R 19-48			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Chairwoman Finney	Voter	☑	☐	☐	☐

2. **A motion was made by Councilmember Randall Johnson and seconded by Councilmember Lorraine Johnson to receive and print.**

RESOLUTION
R19-50

INTRODUCED BY COUNCILMEMBER SALEM

WHEREAS, the City of Poughkeepsie Common Council is considering action on a proposed update to the city's Local Waterfront Revitalization Program (LWRP); and

WHEREAS, the City of Poughkeepsie been engaged with consultants BFJ Planning to revise its 1999 LWRP document and has completed a preliminary draft document; and

WHEREAS, a Full Environmental Assessment Form (EAF) Part 1, dated 5/1/19, has been prepared to address the potential environmental impacts of the action; and

WHEREAS, after comparing the thresholds contained in 6 NYCRR 617.4, the Common Council has determined that the proposed action is a Type 1 action; and

WHEREAS, after examining the EAF, the Common Council has determined that the only other involved agencies on this matter are the New York State Department of State and Dutchess County; however, interested agencies include but are not limited to the City Planning Board and Waterfront Advisory Committee under SEQR because of their non-binding review responsibilities; and

NOW THEREFORE,

BE IT RESOLVED, that the Common Council hereby declares its intent to act as Lead Agency for the environmental review of this action and directs the City Chamberlain to circulate said declaration to other involved and interested agencies; and

BE IT FURTHER RESOLVED, that a Determination of Significance will be made at such time as all information has been reviewed by the Common Council to enable it to determine whether the action will or will not have significant effect on the environment.

SECONDED BY COUNCILMEMBER RANDALL JOHNSON

CITY OF POUGHKEEPSIE
BUILDING, PLANNING AND ZONING DEPARTMENT
62 Civic Center Plaza
Poughkeepsie, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4059

MEMORANDUM

To:	Common Council
From:	Paul Hesse, Community Development Coordinator
Date:	May 1, 2018
Re:	Common Council Declaration of Lead Agency for Environmental Review of LWRP Update

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Lead Agency Declaration

At the May 6, 2019 Common Council meeting, the Council will be presented with a resolution for its intent to declare itself lead agency for the environmental review of the Local Waterfront Revitalization Program (LWRP) plan update. As the local entity responsible for adopting the LWRP, the Common Council is the only entity able to declare itself lead agency, making this a proforma but necessary step.

As with other recent instances of the Common Council declaring itself lead agency, the item under review, in this case the draft LWRP, will be circulated along with a completed Part 1 Environmental Assessment Form to involved and interested agencies for their consent to the Council's lead agency declaration. It's important to note that the LWRP update as its drafted now is simply a *preliminary* draft. We expect that there will be revisions based on comments from the Council, those agencies that we circulated to, as well as the public following our planned public hearing in the Fall. Those agencies that we circulate the draft to include New York State Department of State and Dutchess County, as well as various city boards and committees such as the Planning Board and Waterfront Advisory Committee. Involved and interested agencies will have 30 days to consent.

In order to reduce paper usage (the preliminary draft is nearly 200 pages), a copy of the preliminary draft LWRP can be downloaded here:

http://cityofpoughkeepsie.com/wp-content/files/lwrp/2019-05-01_PoughkeepsieLWRP_preliminary_Draft.pdf

I have, however, included the timeline for the project, which outlines the work done so far and the dates of key next steps, notably an anticipated SEQRA negative declaration in early July, NYSDOS review of the draft LWRP over the summer, and a public hearing in the Fall. For now, the most important next step is for the Council to initiate the SEQRA process by declaring its intent to be lead agency.

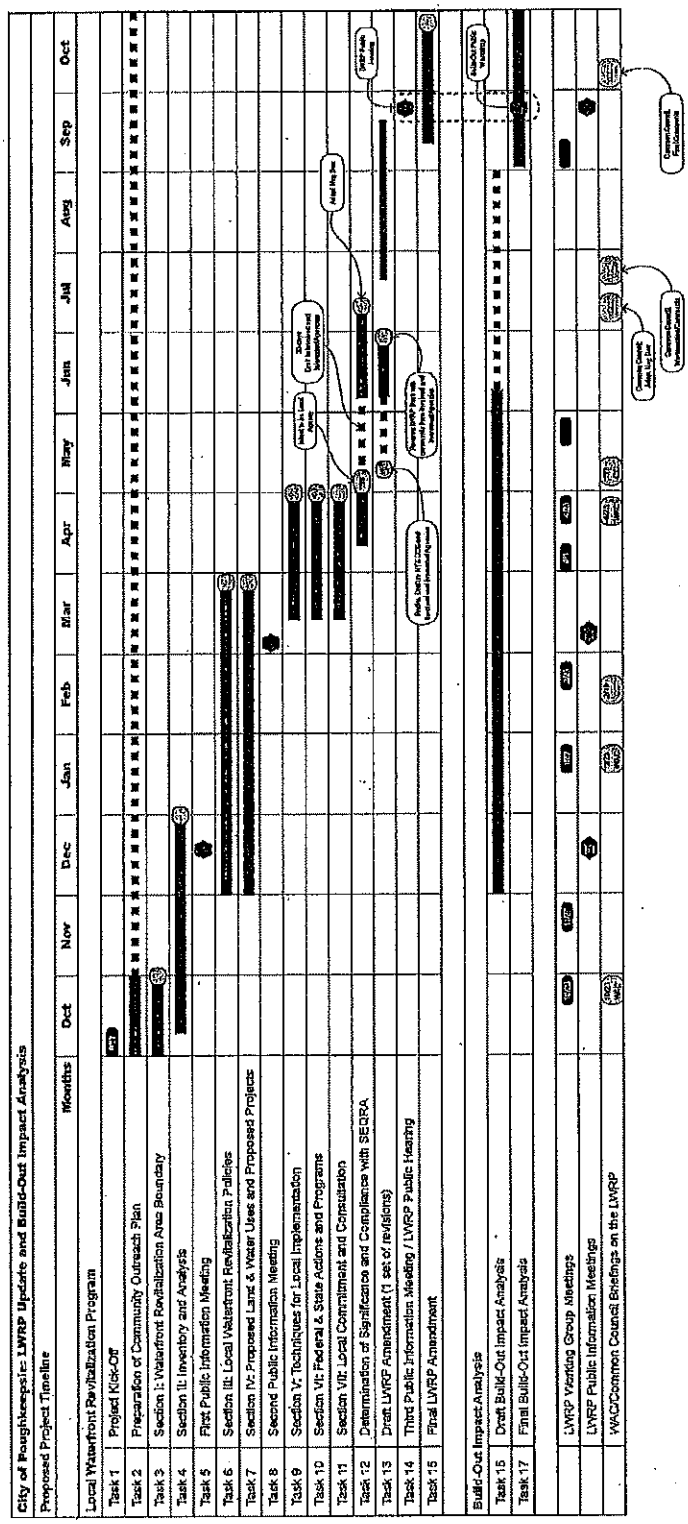
LWRP Purpose

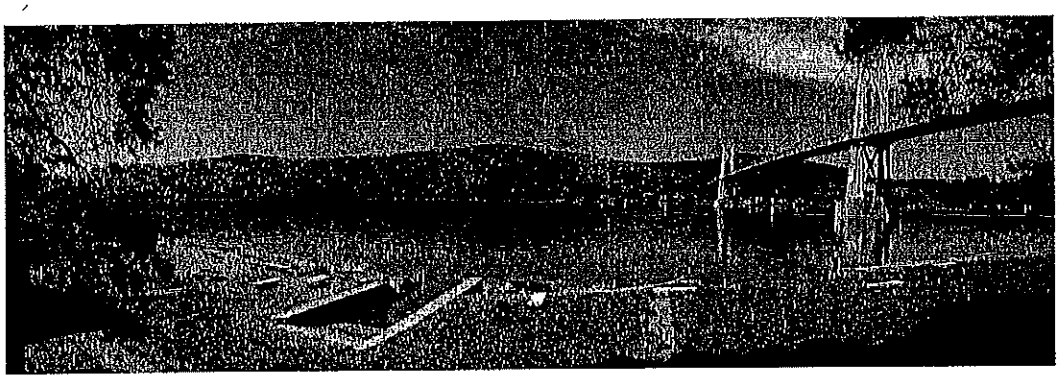
To recap our project team's past briefing to the Common Council, the LWRP serves three primary purposes: 1) The document serves as a reference for the Waterfront Advisory Committee to evaluate development projects in the waterfront area, 2) If accepted by the New York State Department of State, the LWRP policies give the city jurisdiction over actions by state and federal agencies, and 3) An adopted LWRP increases the likelihood of the city and/or private entities receiving state grant funding for projects identified in the plan.

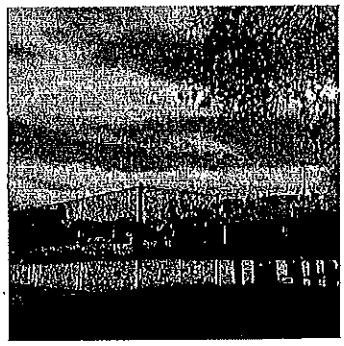
Regarding projects that are identified in the LWRP, they are generally described in broad terms, allowing for flexibility as plans are advanced toward implementation. As a project progresses, standard environmental review and approvals processes will still apply. In other words, the environmental review and approval of the LWRP is not intended to supplant the environmental review and approval necessary for an individual project. The benefit of including a particular project in the LWRP at this time is, again, to increase its eligibility and competitiveness for state grants.

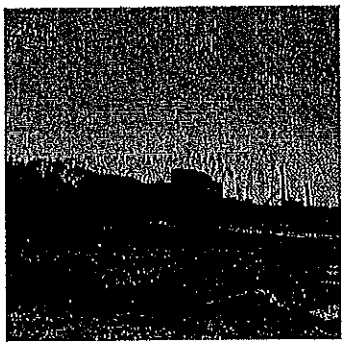
An overview of the process and all project materials to date can be found at the following web address:

http://cityofpoughkeepsie.com/lwrpupdate/


City of Poughkeepsie: LWRP Update and Build-Out Impact Analysis
Proposed Project Timeline
Months
Oct
Nov
Dec
Jan
Feb
Mar
Apr
May
Jun
Jul
Aug
Sep
Oct
Local Waterfront Revitalization Program
Task 1 Project Kick-Off
Task 2 Preparation of Community Outreach Plan
Task 3 Section I: Waterfront Revitalization Area Boundary
Task 4 Section II: Inventory and Analysis
Task 5 First Public Information Meeting
Task 6 Section III: Local Waterfront Revitalization Policies
Task 7 Section IV: Proposed Land & Water Uses and Proposed Projects
Task 8 Second Public Information Meeting
Task 9 Section V: Techniques for Local Implementation
Task 10 Section VI: Federal & State Actions and Programs
Task 11 Section VII: Local Commitment and Consultation
Task 12 Determination of Significance and Compliance with SEQRA
Task 13 Draft LWRP Amendment (1 set of revisions)
Task 14 Third Public Information Meeting / LWRP Public Hearing
Task 15 Final LWRP Amendment
Build-Out Impact Analysis
Task 16 Draft Build-Out Impact Analysis
Task 17 Final Build-Out Impact Analysis
LWRP Working Group Meetings
LWRP Public Information Meetings
WAC/Common Council Briefings on the LWRP







Local Waterfront Revitalization Program

City of Poughkeepsie, New York

Full Environmental Assessment Form Part 1

May 1, 2019

City of Poughkeepsie
Local Waterfront Revitalization Program

Introduction

Pursuant to the New York State Environmental Quality Review Act (SEQR), the proposed action discussed in this Full Environmental Assessment Form (EAF) is the adoption of an update to the City of Poughkeepsie's Local Waterfront Revitalization Program (LWRP), which was locally adopted 1999. In considering adoption of the LWRP Update, the City of Poughkeepsie Common Council is proposing to modify certain existing policies to reflect changed conditions and priorities since the 1999 LWRP, and to propose specific projects to implement those policies.

Project Description

As the New York State Department of State (NYS DOS) describes, an LWRP is "both a land and water use plan prepared by a community, as well as the strategy to implement the plan." An approved LWRP reflects community consensus and provides a clear direction for appropriate future development. In addition, State permitting, funding and direct actions must be consistent, to the maximum extent practicable, with an approved LWRP. Within the Federally defined coastal area, Federal agency activities are also required to be consistent with an approved LWRP.

Poughkeepsie's original LWRP was adopted in 1999. The City's Waterfront Revitalization Area (WRA) is revised in the updated document, primarily to extend inland along the Fall Kill, recognizing the importance of the creek as an inland waterway and providing opportunities for funding to support expanded public access on the creek (Figure 1). Some key focus areas of the 1999 LWRP have been implemented, such as construction of a Parking Deck at the Railroad Station and extension of some portions of the Greenway Trail Linking Public Shoreline Lands. With updated priorities for the Hudson River waterfront and addition of the Fall Kill within the WRA, there are several new ideas that have been included in the proposed update to the City's LWRP.

The LWRP document includes seven sections that are created during the LWRP planning process:

- Section 1: Waterfront Revitalization Area
- Section 2: Inventory and Analysis
- Section 3: State and Local Policies
- Section 4: Proposed Land and Water Uses and Proposed Projects
- Section 5: Techniques for Local Implementation
- Section 6: Federal and state actions and programs likely to affect implementation of the LWRP
- Section 7: Local Commitment and Consultation

The Common Council, through the adoption of the proposed action, seeks to update the 1999 LWRP as needed to reflect the fact that many goals of the existing LWRP have been met, that changes in the regulatory environment should be addressed, and that an update of community policies and projects is needed.

Under Chapter 18-1/2 of the City Code (Waterfront Consistency Review), any Type 1 or Unlisted action under the State Environmental Quality Review Act (SEQRA) is required to be reviewed by the City agency with approval authority over the action (typically the Common Council, Planning Board, or Zoning Board

of Appeals) for consistency with the statewide and local land- and water-use policies set forth in the LWRP and with the projects contained within the LWRP.

Proposed LWRP Policies

The LWRP Working Group, City staff, and the Waterfront Advisory Committee conducted a thorough review of the policies contained in the 1999 LWRP. Changes to local policies were proposed to reflect current conditions and priorities, as well as to streamline and clarify the intent of the policies. Per NYS DOS requirements, the policies are divided into 10 categories:

- Development Policies
- Fish and Wildlife Policies
- Flooding and Erosion Policies
- General Policy
- Public Access Policies
- Recreation Policies
- Historic and Scenic Quality Policies
- Energy and Ice Management Policies
- Water and Air Resource Policies
- Wetlands Policy

Proposed LWRP Projects

Based on discussions with the LWRP Working Group, site visits, and input from City staff and the public, the LWRP proposes a set of site-specific and programmatic projects to be undertaken in order to implement the LWRP. The projects are organized by project type as follows:

- Hudson River Projects
- Harbor Management Projects
- Fall Kill Projects
- Area-wide Projects

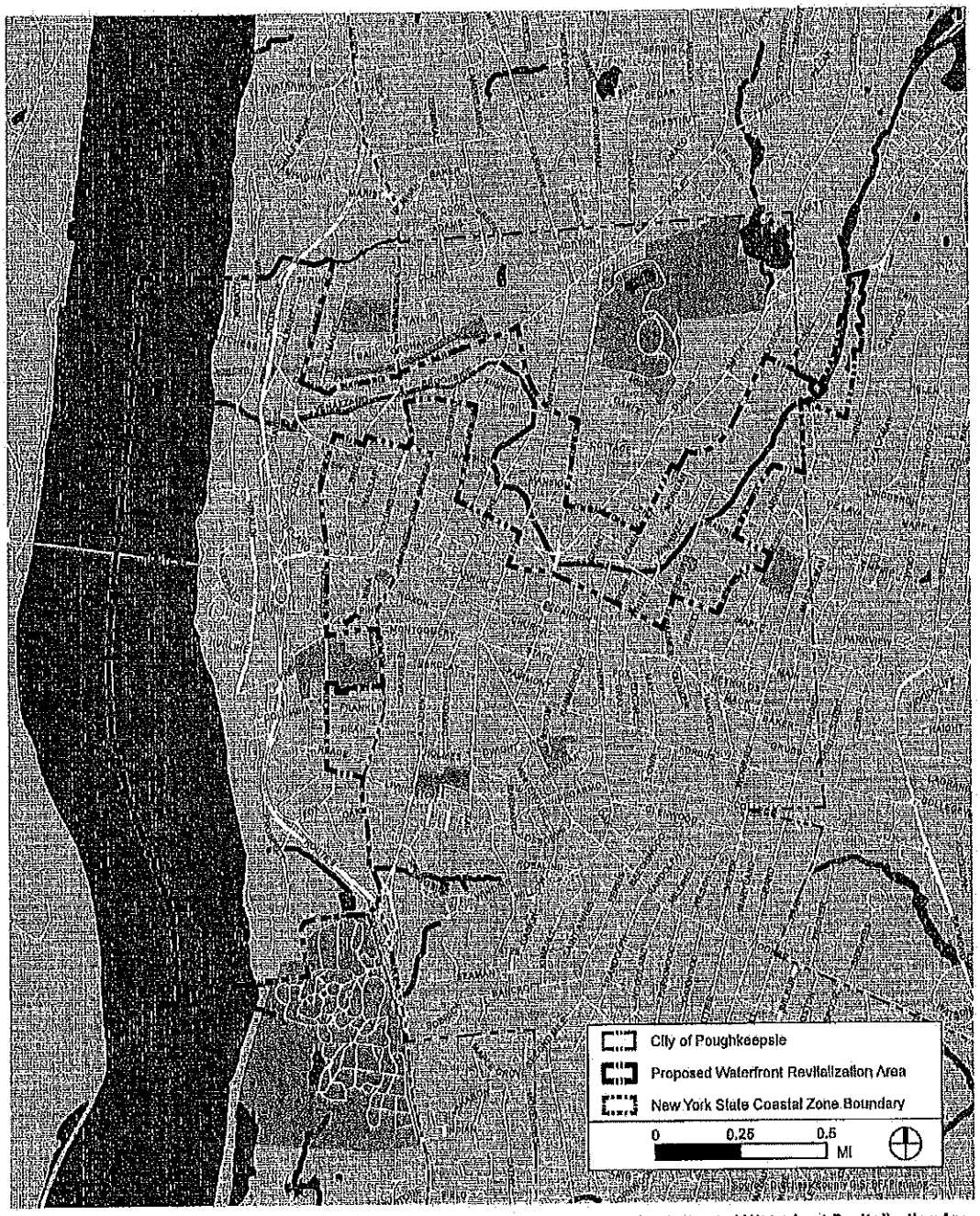


Figure 1: Proposed Waterfront Revitalization Area

City of Poughkeepsie
Local Waterfront Revitalization Program

City of Poughkeepsie
Local Waterfront Revitalization Program

Full Environmental Assessment Form

Part 1 of the Full Environmental Assessment Form (EAF) evaluates the potential for environmental impacts to be created by the approval of the LWRP Update by the City of Poughkeepsie Common Council. This legislative action is generic in nature, not site-specific, and does not directly result in physical changes to the environment.

The form that follows is published by the New York State Department of Environmental Conservation (NYS DEC), and portions are designed for site-specific actions rather than area-wide or generic proposals. As a result, consistent with the form's directions, these non-relevant sections (contained in Sections G and E on pages 3-13 of the form) are not completed.

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: City of Poughkeepsie Local Waterfront Revitalization Program		
Project Location (describe, and attach a general location map): The proposed LWRP update applies to the Waterfront Revitalization Area shown in Figure 1		
Brief Description of Proposed Action (include purpose or need): The City of Poughkeepsie Common Council propose to update the City's existing locally adopted 1999 LWRP, including revisions of the inventory and analysis, modifications of existing policies, and recommendations of projects to implement the LWRP. These revisions reflect changing conditions and priorities since the 1999 LWRP was adopted. See introductory narrative for details of the proposed LWRP update.		
Name of Applicant/Sponsor: City of Poughkeepsie Common Council	Telephone: (845) 451-4225 E-Mail:	
Address: 62 Civic Center Plaza		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Project Contact (if not same as sponsor; give name and title/role): Paul Hesse, Community Development Coordinator	Telephone: (845) 451-4106 E-Mail: PHesse@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes☐No	Adoption of LWRP	October 2019 (projected)
b. City, Town or Village Planning Board or Commission ☐Yes☑No		
c. City, Town or Village Zoning Board of Appeals ☐Yes☑No		
d. Other local agencies ☐Yes☑No		
e. County agencies ☑Yes☐No	Dutchess County Planning Department - Review and Recommendation	October 2019 (projected)
f. Regional agencies ☐Yes☑No		
g. State agencies ☑Yes☐No	NYS Department of State Approval	October 2019 (projected)
h. Federal agencies ☑Yes☐No	U.S. Office of Ocean and Coastal Resource Management - Concurrence	October 2019 (projected)

i. Coastal Resources.
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☑Yes☐No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☑Yes☐No
iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☑Yes☐No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes☐No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☑Yes☐No
If Yes, identify the plan(s):
City of Poughkeepsie Comprehensive Plan; Hudson River Valley National Heritage Area; Historic Hudson River Towns; Active NYS DEC remediation sites: C314070 (CH - Water St. - Poughkeepsie MGP), C314081A (Off-Site Former AC Dutton Lumber Yard)

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes☑No
If Yes, identify the plan(s):

Page 2 of 13

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

The WRA includes 20 of the City's 24 zoning districts (C-1, C-2, C-3, H-M, I-1, I-2, O-R, R-2, R-3, R-4, R-4A, R-5, R-6, R-D, W, WTOD, G-OM, G-CM, G-RM). There are no proposed zoning modifications in the LWRP update.

b. Is the use permitted or allowed by a special or conditional use permit? ☑ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☑ No

If Yes,

i. What is the proposed new zoning for the site? N/A

C.4. Existing community services.

a. In what school district is the project site located? Poughkeepsie City School District

b. What police or other public protection forces serve the project site?

City of Poughkeepsie Police Department

c. Which fire protection and emergency medical services serve the project site?

City of Poughkeepsie Fire Department

d. What parks serve the project site?

Upper Landing Park, Waryas Park, Eastman Park, Wheaton Park, Malcolm X Park, Kaal Rock Park, Kaal Rock Point

D. Project Details *The following Sections D and E are intended for site-specific, not generic actions; consistent with the above directions, these sections are left blank. Please proceed to Section F.*

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐Yes☐No
If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐Yes☐No
If Yes,
i. Total number of structures _____
ii. Dimensions (in feet) of largest proposed structure: _____height; _____width; and _____ length
iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐Yes☐No
If Yes,
i. Purpose of the impoundment: _____
ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐Other specify: _____
iii. If other than water, identify the type of impounded/contained liquids and their source. _____
iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) ☐Yes☐No
If Yes:
i. What is the purpose of the excavation or dredging? _____
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
- Volume (specify tons or cubic yards): _____
- Over what duration of time? _____

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____
iv. Will there be onsite dewatering or processing of excavated materials? ☐Yes☐No
If yes, describe. _____
v. What is the total area to be dredged or excavated? _____ acres
vi. What is the maximum area to be worked at any one time? _____ acres
vii. What would be the maximum depth of excavation or dredging? _____ feet
viii. Will the excavation require blasting? ☐Yes☐No
ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐Yes☐No
If Yes:
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres: _____

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐Yes☐No

If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐Yes☐No

If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐Yes☐No

If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐Yes☐No

If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No
- Do existing lines serve the project site? ☐Yes☐No

iii. Will line extension within an existing district be necessary to supply the project? ☐Yes☐No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐Yes☐No

If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐Yes☐No

If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐Yes☐No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐Yes☐No
- Is the project site in the existing district? ☐Yes☐No
- Is expansion of the district needed? ☐Yes☐No

- Do existing sewer lines serve the project site? ☐Yes☐No
- Will a line extension within an existing district be necessary to serve the project? ☐Yes☐No

  If Yes:
  - Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐Yes☐No

If Yes:
- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐Yes☐No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____

- If to surface waters, identify receiving water bodies or wetlands: _____
- Will stormwater runoff flow to adjacent properties? ☐Yes☐No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐Yes☐No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐Yes☐No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐Yes☐No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐Yes☐No

ii. In addition to emissions as calculated in the application, the project will generate:
- _____Tons/year (short tons) of Carbon Dioxide (CO_2)
- _____Tons/year (short tons) of Nitrous Oxide (N_2O)
- _____Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- _____Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- _____Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes☐No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes☐No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐Yes☐No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐Morning ☐Evening ☐Weekend ☐Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐Yes☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐Yes☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: _____
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐Yes ☐No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐Yes ☐No

Describe: _____

n. Will the proposed action have outdoor lighting? ☐Yes ☐No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐Yes ☐No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐Yes ☐No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐Yes ☐No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐Yes ☐No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: _____
- Operation: _____

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)
☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐Yes☐No

i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐Yes☐No

If Yes,

i. Identify Facilities: _____

e. Does the project site contain an existing dam? ☐Yes☐No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐Yes☐No

If Yes:

i. Has the facility been formally closed? ☐Yes☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐Yes☐No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐Yes☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐Yes☐No

☐ Yes – Spills Incidents database Provide DEC ID number(s): _____

☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): _____

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐Yes☐No

If yes, provide DEC ID number(s): _____

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? ☐Yes☐No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐Yes☐No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ feet

b. Are there bedrock outcroppings on the project site? ☐Yes☐No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site: _____ _____% _____ _____% _____ _____%

d. What is the average depth to the water table on the project site? Average: _____ feet

e. Drainage status of project site soils: ☐ Well Drained: _____% of site ☐ Moderately Well Drained: _____% of site ☐ Poorly Drained _____% of site

f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____% of site ☐ 10-15%: _____% of site ☐ 15% or greater: _____% of site

g. Are there any unique geologic features on the project site? ☐Yes☐No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐Yes☐No

ii. Do any wetlands or other waterbodies adjoin the project site? ☐Yes☐No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐Yes☐No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name _____ Classification _____
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name _____ Approximate Size _____
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐Yes☐No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? ☐Yes☐No

j. Is the project site in the 100-year Floodplain? ☐Yes☐No

k. Is the project site in the 500-year Floodplain? ☐Yes☐No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐Yes☐No
If Yes:
i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____

n. Does the project site contain a designated significant natural community? ☐Yes ☐No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation): _____

ii. Source(s) of description or evaluation: _____

iii. Extent of community/habitat:

- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐Yes ☐No

If Yes:

i. Species and listing (endangered or threatened): _____

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐Yes ☐No

If Yes:

i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐Yes ☐No

If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐Yes ☐No

If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐Yes ☐No

i. If Yes: acreage(s) on project site? _____

ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐Yes ☐No

If Yes:

i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature

ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐Yes ☐No

If Yes:

i. CEA name: _____

ii. Basis for designation: _____

iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Paul Hesse _____ Date _____

Signature _____ Title Community Development Coordinator _____

PRINT FORM

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R 19-50						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Chairwoman Finney	Voter	☑	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM DEPUTY CHIEF FRANCO,** a communication regarding proposed changes to Section 8-7 of Chapter 8 "FIRE PREVENTION", requiring an operating permit for public establishment.

The City of Poughkeepsie
New York

Victor Aqeel
Assistant Corporation Counsel
vaqeel@cityofpoughkeepsie.com

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Poughkeepsie, New York 12602
TEL: (845) 451-4065
FAX: (845) 451-4070

May 1, 2019
COMMON COUNCIL
City of Poughkeepsie

Re: Proposed Amendment to Chapter 8 FIRE PREVENTION AND PROTECTION.

Dear Chairwoman Finney and Council Members:

Attached herewith, please find proposed change to Section 8-7 of Chapter 8 **"FIRE PREVENTION AND PROTECTION"** of the City of Poughkeepsie Code. Please note that additions are delineated in **BOLD AND UNDERLINE** print.

As recommended by Fire Chief Mark Johnson, the proposed city ordinance change seeks to formally require commercial establishments who operate a kitchen hood system to apply for a permit. The Fire Chief shall prescribe the form for the permit application and said application shall be accompanied by such plans and supplementary materials as are necessary in the view of the Fire Chief to valuate the application.

The additional permit requirement will be made part of an operating permit license application, which is already required by the Fire Department. If there is a Commercial Kitchen present, the following is required:

1. A record of annual inspection and Testing of cooking fire suppression system.
2. Fire suppression system must be linked to a monitored fire alarm when tripped
3. Kitchen hood must have annual certificate.
4. Kitchen hood must be commercially cleaned every six months and must provide certificate and/or sticker on the hood system.

Please let me know if you have any questions or concerns.

Respectfully submitted,

Victor Aqeel, Assistant Corporation Counsel

ORDINANCE AMENDING §8-7
OF CHAPTER 8 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "FIRE PREVENTION AND PROTECTION"

(O-19-__)

INTRODUCED BY COUNCILMEMBER _____:

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

SECTION 1: §8-7 is hereby amended by the following addition:

Section 8-7. Permits Required.

(a) It shall be unlawful for any person, his or her agents or servants thereof to engage in the following activities without first having obtained a permit from the Chief of the Fire Department:

(1) Operation of an acetylene generator with a carbide capacity in excess of five gallons.
(2) Operation of any tire recapping or rebuilding plant.
(3) Operation of an automobile wrecking yard.
(4) Storage of calcium carbide in excess of 200 pounds.
(5) Storage of cellulose nitrate plastics in excess of 25 pounds.
(6) Storage, handling or use of more than 2,000 gallons of flammable compressed gas or 6,000 gallons of nonflammable compressed gas, including liquefied, low-temperature or cryogenic gases.
(7) Operation of a dry-cleaning plant utilizing flammable or combustible liquids.
(8) Conduct a fireworks or pyrotechnic display.
(9) Storage, handling or use of:
a. Class I liquids in excess of five gallons inside any building or in excess of 10 gallons outside any building, except in the case of storage in the fuel tank of a vehicle or other engine.

b. Class II or Class III liquids in excess of 25 gallons inside any building or 60 gallons outside any building, except in connection with the use of fuel oil in connection with oil-burning equipment.
(10) Manufacturing, processing, blending or refining of flammable or combustible liquids.
(11) Abandonment or removal of underground tanks.
(12) Installation of stationary storage tanks for the storage of flammable or combustible liquids.
(13) Storage, handling or use of hazardous materials, as defined by Chapter C, § 1174.1(a) of the Uniform Code.
(14) Installation of liquefied petroleum gas in excess of 2,000 gallons in capacity.
(15) Installation of sprinkler and standpipe systems.
(16) Installation of wood or other solid-fuel-burning apparatus.
(17) Use of any open flame or fire in a theatrical performance.
(18) Installation of a fire alarm system or systems.
(19) Storage of portable propane gas containers, with a capacity of more than 2.5 pounds and less than 100 pounds, awaiting use or resale as part of a propane cylinder exchange or sale business.
20) Operation of commercial kitchen, including any business which has a kitchen hood present.

(b) All applications for permits shall be made on forms and in such detail as the Chief of the Fire Department shall prescribe and shall be accompanied by such plans and supplementary materials as are necessary in the view of the Fire Chief to valuate the application.

(c) Any permit issued under this section is subject to revocation or suspension for due cause, subject to appeal as provided in Section **8-11**.

(d) The fees shall be in accordance with the fee schedule as promulgated by the Fire Chief, with the approval of the Common Council.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITION(S) denoted by **Underlining and Bold.**

2. **FROM EUROPA MCGOVERN,** a communication regarding Climate Smart Communities Pledge.

3. **FROM COUNCILMEMBER PETSAS,** requesting an update on the license renewal discussions with the proprietor of the Ice House.

4. **FROM COUNCILMEMBER PETSAS,** a communication regarding a proposed traffic change on Vernon Terrace to one-way.

5. **FROM COUNCILMEMBER BRANNEN,** a communication on strengthening and streamlining historic preservation policies in the City of Poughkeepsie."

6. **FROM CAFÉ SWEET SPOT, INC. (located at 296 Main Street),** a notice of intent to obtain a liquor license. **Referred to Corporation Counsel**

7. **FROM SAFECO,** a notice of property damage sustained by Pamela Hardy, on February 9, 2019. **Referred to Corporation Counsel**

8. **FROM BROOKE JACKSON,** a notice of personal injuries sustained on January 29, 2019. **Referred to Corporation Counsel**

9. **FROM JOHN DEARDEN,** a notice of property damage sustained on April 14, 2019. **Referred to Corporation Counsel**

10. **FROM DOROTHY VASQUEZ,** a notice of property damage sustained on February 15, 2019. **Referred to Corporation Counsel**

11. **FROM DREW GARZA,** a notice of personal injury sustained on January 26, 2019. **Referred to Corporation Counsel**

X. NEW BUSINESS:

XI. OLD BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Cherry and Councilmember Petsas to adjourn the meeting at 9:27 p.m.

Dated: September 19, 2019

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on May 6, 2019.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain