

COMMON COUNCIL MEETING MARCH 4, 2014

THE MEETING WAS CALLED TO ORDER BY PRESIDENT NOBLE WITH THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE.

AT ROLL CALL THE FOLLOWING ALDERMEN WERE PRESENT:

ALDERMAN DUNN
ALDERMAN SECHE
ALDERMAN WILL
ALDERMAN DAWSON
ALDERMAN CAREY
ALDERMAN BALL
ALDERMAN MILLS
ALDERMAN SCHABOT
ALDERMAN BROWN

A MOTION TO DISPENSE WITH THE READING OF THE MINUTES OF THE PREVIOUS MEETING AND TO APPROVE SAME AS PREPARED AND FILED BY THE CITY CLERK WAS OFFERED BY ALDERMAN DUNN, SECONDED BY ALDERMAN SECHE. CARRIED ON ROLL CALL BY VOICE.

A MOTION TO DISPENSE WITH THE READING OF THE GENERAL BILLS WAS OFFERED BY ALDERMAN DAWSON, SECONDED BY ALDERMAN BROWN. CARRIED ON ROLL CALL BY VOICE.

PUBLIC SPEAKING:

JAMES RICHTER, 55 VAN BUREN ST., AT A BLOCK PARTY ON VANBUREN ST, CLAIMS A COUNCIL MEMBER CALLED HIS FAMILY RACIST. STREET LAMPS OUT THROUGHOUT THE CITY

JOE HAPPENY, 70 GARDEN ST., THE BUILDING AT 72 GARDEN ST WAS CONDEMNED TWICE IN 8 YEARS. IT IS CRUMBLING ONTO NEIGHBORING PROPERTIES. RUMOR IS OWNER OF RECORD INTENDS TO DONATE PROPERTY TO BE USED AS A GROUP HOME FOR AT RISK TEENS. HOPING THE VACANT PROPERTY RESOLUTION IS PASSED TONIGHT.

CHARLES LANDI, 20 ARLMONT ST. SUBJECT: "THE WASHINGTON AVE SINKHOLE, 4M\$ AND COUNTING"

I WANT TO ASSURE YOU THAT THERE IS NO ONE IN THIS CITY THAT WANTS A SOLUTION TO THIS PROBLEM MORE THAN I DO. I HAVE BEEN LIVING THIS PROBLEM FOR ALMOST 3 YEARS. I HAVE A GENUINE CONCERN THAT THERE ARE AT LEAST 2 QUESTIONS THAT SHOULD BE ASKED PRIOR TO VOTING ON RESOLUTION #38 AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH GEA ENGINEERING MUESER RUTLEDGE CONSULTANTS. LAST SEPTEMBER 2012 ONE OF KINGSTON'S BEST HEAVY EQUIPMENT OPERATORS, BUCKY HAMM, WAS OPERATING A CITY BACKHOE VERY CLOSE TO THE SINKHOLE WHEN HE ACCIDENTLY BROKE A NATURAL GAS LINE VERY CLOSE TO THE ROAD SURFACE. THE HEAVY SMELL OF NATURAL GAS QUICKLY PERMEATED THE ENTIRE AREA. OUR KFD AND CENTRAL HUDSON WERE CALLED IMMEDIATELY. THEN LIEUTENANT MARK BROWN STARTED PREPARING TO EVACUATE EVERY HOUSE IN THE IMMEDIATE AREA WHEN CENTRAL HUDSON LOCATED THE VALVES AND SHUT THE FLOW OF GAS OFF. A DISASTER AVERTED, ONLY TO FIND OUT THAT THERE IS A COMPLEX ARRAY OF NATURAL GAS LINES JUST UNDER THE SURFACE THE ENTIRE LENGTH OF WASHINGTON AVE. SO MY NO.1 QUESTION IS: SINCE I DIDN'T ANYONE FROM THE GEA GROUP SPEAK ABOUT HOW THEY INTENDED TO HANDLE THIS PUBLIC SAFETY ISSUE, DO THEY HAVE A PLAN? WHAT I DID HEAR THE GEA GROUP SAY WAS THAT THEIR PILE DRIVING VIBRATION PROCESS COULD CONCEIVABLY DAMAGE HOMES IN THE AREA, WHICH BRINGS ME TO MY 2ND QUESTION. WHO IS GOING TO PAY FOR THE DAMAGED HOMES CAUSED BY THE GEA'S VIBRATION PROCESS? ARE THESE CONCERNS ADDRESSED IN THE CONTRACT? I WOULD SUGGEST TO YOU THAT ANY CONTRACT AS RISKY AS THIS ONE SOUNDS, SHOULD HAVE A 40% RETAINAGE CLAUSE TO MITIGATE THE RISK DURING, AFTER COMPLETION AND INTO THE COURTS, WHICH IS SURELY WHERE THIS WILL GO. IMAGINE IF YOU WILL, A NATURAL GAS EXPLOSION THAT INJURES PEOPLE AND LEVELS 4 OR 5 HOMES IN THE IMMEDIATE AREA. IMAGINE IF YOU WILL, A DOZEN HOMES WITH FOUNDATIONS CRACKED SO BADLY THAT THEY HAVE TO BE ABANDONED UNTIL LITIGATION PROCEEDS THROUGH THE COURTS. I DIDN'T COME HERE TO SCARE ANYONE. I DID COME HERE TO STRONGLY URGE YOU TO ASK THE RIGHT QUESTIONS AND GET THE RIGHT ANSWERS BEFORE YOU APPROVE ANYTHING AS RISKY AS THIS IS.

LOWELL THING, 55 W. CHESTNUT ST., CONCERNED THAT VANSTEENBURG HOUSES PROXIMITY TO WASHINGTON AVENUE MAY CAUSE DAMAGE TO THE STRUCTURE DURING THE SINKHOLE RENOVATION.

SUZANNE CAHILL, 104 WASHINGTON AVE., SHE OWNS HOME LOCATED IMMEDIATELY ADJACENT TO THE SINKHOLE. HAS HAD TO DEAL WITH MANY PROBLEMS RELATED TO THE SINKHOLE. WANTS A SOLUTION ASAP TO RESOLVE THE SINKHOLE PROBLEM. HAS REVIEWED THE DOCUMENTS AND FEELS CONFIDENT THAT THEY WILL ADDRESS THE PROBLEM.

JOE DIFALCO, 66 GLEN ST., ATTENDED BOTH HEARINGS ON THE WASHINGTON AVENUE TUNNEL SOLUTIONS. ASKING TO MOVE FORWARD WITH THE PROPOSAL.

CLAIMS:

#14-04 AUTO DAMAGE
#14-05 AUTO DAMAGE

COMMUNICATIONS;

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| 1. MAYOR GALLO | RE: REAPPOINTMENT TO RECREATION COMMISSION | FILE |
| 2. MAYOR GALLO | RE: APPOINTMENT TO ZONING BOARD OF APPEAL | FILE |
| 3. MAYOR GALLO | RE: APPOINTMENT TO HUMAN RIGHTS COMMISSION | FILE |
| 4. MAYOR GALLO | RE: APPOINTMENT TO CONSERVATION ADVISORY COUNCIL | FILE |
| 5. MAYOR GALLO | RE: APPOINTMENT TO HUMAN RIGHTS COMMISSION | FILE |
| 6. B. LANDI, YOUTHBUILD | RE: 94 FURNACE ST. | CD |
| 7. ALDERMAN BALL | RE: STREET SIGN ALBANY/MANOR AVENUES | PS |
| 8. KYLE BARNETT | RE: KINGSTON INDUSTRIAL COMPLEX | FINANCE |
| 9. TOWN OF SHANDAKEN | RE: RESOLUTION CONCERNING ULSTER & DELAWARE RAILROAD RIGHT OF WAY | PS |
| 10. ALDERMAN BALL | RE: NO PARKING ON PROGRESS/O'NEIL STREET | PS |
| 11. R. SWENSON, ENGINEER | RE: REPLACEMENT OF GREENKILL AVENUE BRIDGE OVER BROADWAY | FINANCE |
| 12. SEAN GRIFFIN | RE: 4 TH AMENDMENT PROTECTION ACT | L&R |
| 13. ALDERMAN SCHABOT | RE: HANDICAP PARKING AT 103 GROSS ST. | PS |
| 14. STEVEN PERUSO | RE: AUTO DAMAGE CLAIM | FINANCE |
| 15. R. SWENSON, ENGINEER | RE: WASHINGTON AVENUE STABILIZATION, TANNERY BROOK PIPING & RESTORATION | FINANCE |
| 16. J. TUEY, COMPTROLLER | RE: BUDGET MODIFICATION REQUEST | FINANCE |
| 17. HOWARD JOHNSON | RE: 494 WILBUR AVENUE | FINANCE |
| 18. MAYOR GALLO | RE: ANGIE CARROLL CLAIM FOR POTHOLE AT 235 LINDERMAN | FINANCE |
| 19. ANGIE CARROLL | RE: POTHOLE AT 235 LINDERMAN AVENUE | FINANCE |
| 20. MAYOR GALLO | RE: DOROTHY PARKER TICKER AND TOWING CHARGES 113 CEDAR STREET | FINANCE |
| 21. J. TUEY, COMPTROLLER | RE: BUDGET MODIFICATION REQUEST | FINANCE |
| 22. J. TUEY, COMPTROLLER | RE: BUDGET MODIFICATION REQUEST | FINANCE |

23. J. TUEY, COMPTROLLER	RE: BUDGET MODIFICATION REQUEST	FINANCE
24. J. TUEY, COMPTROLLER	RE: BUDGET MODIFICATION REQUEST	FINANCE
25. J. TUEY, COMPTROLLER	RE: BUDGET MODIFICATION REQUEST	FINANCE
26. J. TUEY, COMPTROLLER	RE: BUDGET MODIFICATION REQUEST	FINANCE
27. J. TUEY, COMPTROLLER	RE: BUDGET MODIFICATION REQUEST	FINANCE
28. R. SWENSON, ENGINEER	RE: REPLACEMENT OF GREENKILL AVE. BRIDGE OVER BROADWAY/CSX DESIGN REVIEW	FINANCE
29. R. SWENSON, ENGINEER	RE: STREET LIGHTING ENERGY ANALYSIS PROPOSAL CT MALE ASSOCIATES	PS/FINANCE
30. R. SWENSON, ENGINEER	RE: JACOBS VALLEY STORM SEWER REPLACEMENT	FINANCE
31. J. TUEY, COMPTROLLER	RE: REQUESTED LEGISLATION FOR CITY PARKING LOT RESTRICTIONS	L&R
32. MAYOR GALLO	RE: RECOMMENDATION OF APPOINTMENT TO COMPLETE STREET ADV. COUNCIL	PS
33. MAYOR GALLO	RE: TOWING CHARGES DIANE TRIPP	FINANCE
34. MAYOR GALLO	RE: 508-594 WILBUR AVENUE	FINANCE
35. G. SWANSEY, ECON. DEV.	RE: AUTHORIZATION TO APPLY FOR A GRANT AND EXECUTE DOCUMENTS	FINANCE
36. MIKE HENDERSON	RE: BMX LEASE	L&R
37. ALD. SECHE, ALD. DUNN	RE: REVERSAL OF WALL AND FAIR STREETS	PS
38. JEFF KELLY	RE: COL. GARDENS/BIRCHWOOD VILLAGE/STUYVESANT CHARTER SPEED LIMIT	PS
39. ALDERMAN WILL	RE: EXECUTIVE SESSION, ALDERMAN LIAISON ROLE	PS
40. ALDERMAN WILL	RE: KLDC COUNSEL, ETHICS LAW	ETHICS
41. DAVID BERSAK	RE: REZONING R1 TO R6 AND PROPOSED SITE PLAN FOR LANDS ON GROSS STREET	L&R
42. CORPORATION COUNSEL	RE: ALDERMAN BRAD WILL	FILE
43. CORPORATION COUNSEL	RE: LEGISLATION REGARDING FEES	FINANCE
44. CORPORATION COUNSEL	RE: PIKE PLAN INSPECTION	FINANCE

A MOTION TO DISPENSE WITH THE SECOND READING OF THE GENERAL BILLS AND PAY SAME OFFERED BY ALDERMAN SECHE, SECONDED BY ALDERMAN DAWSON. CARRIED ON ROLL CALL BY VOICE.

REPORT OF COMMITTEES:

FINANCE/AUDIT COMMITTEE:

AMENDING CHAPTER 8 OF THE CODE OF THE CITY OF KINGSTON AND RECOMMENDING THE APPOINTMENT OF ANDREW CHAMP-DORAN TO THE BOARD OF ASSESSMENT REVIEW. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

RECOMMENDING APPROVAL FOR MODIFICATIONS TO THE 2013 GENERAL BUDGET. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

RECOMMENDING APPROVAL FOR MODIFICATIONS TO THE 2013 SEWER BUDGET. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

AUTHORIZING APPROVAL TO ENTER INTO A STIPULATION OF SETTLEMENT CORRECTING AND REDUCING THE 2008-2013 ASSESSMENT ROLL FOR SBL NO. 48.82-1-7. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE, 8 YES, 1 NO. ALDERMEN WILL VOTING AGAINST.

FINANCE/AUDIT COMMITTEE:

RECOMMENDING APPROVAL FOR MODIFICATIONS TO THE 2014 CIVIL SERVICE BUDGET. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

RECOMMENDING APPROVAL FOR MODIFICATIONS TO THE 2014 POLICE DEPARTMENT BUDGET. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

RECOMMENDING APPROVAL FOR MODIFICATIONS TO THE 2014 POLICE DEPARTMENT BUDGET. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

RECOMMENDING APPROVAL FOR MODIFICATIONS TO THE 2014 DEPARTMENT OF PUBLIC WORKS BUDGET. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

AUTHORIZING THE PAYMENT TO JOSEPH HURWITZ & ASSOCIATES FOR SERVICES IN CONNECTION WITH THE INSPECTION OF PIKE PLAN CONSTRUCTION ISSUES. SPONSORED BY ALDERMEN MILLS, DUNN, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE 8 YES, 1 NO. ALDERMAN WILL VOTING AGAINST.

AUTHORIZING THE EXPENDITURE OF CAPITAL FUNDS THROUGH THE OFFICE OF COMMUNITY DEVELOPMENT AND STATE AGENCIES FOR A VARIETY OF APPROVED 2013/14 COMMUNITY DEVELOPMENT AND STATE AGENCY PROJECTS. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH GEA ENGINEERING/MUESER RUTLEDGE CONSULTANTS. SPONSORED BY ALDERMAN MILLS, DUNN, BALL, WILL, BROWN. CARRIED ON ROLL CALL BY VOICE 8 YES, 1 NO. ALDERMAN WILL VOTING AGAINST.

FINANCE/AUDIT COMMITTEE:

ACCEPTING THE ENGINEERING SERVICES PROPOSAL SUBMITTED BY ARCADIS/BRINNIER & LARIOS PC. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

FINANCE/AUDIT COMMITTEE:

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM AID ELIGIBLE COSTS OF A TRANSPORTATION FEDERAL AID PROJECT, AND APPROPRIATING FUNDS THEREFORE. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

LAWS & RULES/CABLE COMMITTEE:

AUTHORIZING THE IMPLEMENTATION AND FUNDING IN THE FIRST INSTANCE 100% OF THE FEDERAL AID AND STATE "MARCHISELLI" PROGRAM AID ELIGIBLE COSTS, OF A TRANSPORTATION FEDERAL AID PROJECT AND APPROPRIATING FUNDS THEREFORE. SPONSORED BY ALDERMEN SECHE, BROWN, SCHABOT, DAWSON, CAREY. CARRIED ON ROLL CALL BY VOICE.

LAWS & RULES/CABLE COMMITTEE:

AUTHORIZING THE APPROVAL OF THE HUDSON LANDING DEVELOPERS AGREEMENT AND AUTHORIZING THE MAYOR TO ENTER INTO AND EXECUTE THE AVR ACQUISITION CORPORATION D/B/A KINGSTON LANDING DEVELOPMENT, LLC. SPONSORED BY ALDERMEN SECHE, BROWN, SCHABOT, DAWSON, CAREY. CARRIED ON ROLL CALL BY VOICE.

SEE PAGE #47 FOR RESOLUTION 42 OF 2014.

FINANCE/AUDIT COMMITTEE:

AUTHORIZING THE SETTLEMENT OF SMALL CLAIMS ACTION OF PEGGY MORANO AGAINST THE CITY OF KINGSTON. SPONSORED BY ALDERMEN MILLS, DUNN, WILL, BALL, BROWN. CARRIED ON ROLL CALL BY VOICE.

SEE PAGE #48 FOR RESOLUTION 43 OF 2014.

GENERAL GOVERNMENT/PUBLIC SAFETY COMMITTEE:

AMENDING NO PARKING ZONE ON PROGRESS STREET. SPONSORED BY ALDERMEN CAREY, SECHE, BALL, SCHABOT, BROWN. CARRIED ON ROLL CALL BY VOICE.

SEE PAGE #49 FOR RESOLUTION 44 OF 2014.

PUBLIC SAFETY/GENERAL GOVERNMENT COMMITTEE:

ADDING HANDICAP PARKING ON GROSS STREET. SPONSORED BY ALDERMEN CAREY, SECHE, BALL, SCHABOT, BROWN. CARRIED ON ROLL CALL BY VOICE.

SEE PAGE #50 FOR RESOLUTION 45 OF 2014.

LAWS & RULES/CABLE COMMITTEE:

AN ORDINANCE ADDING CHAPTER 179 ENTITLED "VACANT BUILDINGS" AND RECOMMENDING A NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE. SPONSORED BY ALDERMEN SECHE, BROWN, SCHABOT, DAWSON, CAREY. CARRIED ON ROLL CALL BY VOICE.

SEE PAGE #51 FOR RESOLUTION 46 OF 2014.

FIRST READING LOCAL LAW #1 OF 2014 OF THE COMMON COUNCIL OF THE CITY OF KINGSTON, NEW YORK, EXTENDING AND IMPOSING THE SIX MONTH MORATORIUM ON THE ERECTION OF BILLBOARDS WITHIN THE CITY OF KINGSTON.

THE MEETING WAS ADJOURNED IN MEMORY OF WILLIAM J. CURRAN, ALFREDO DIBELLA AND GREGORY GREGOR. A MOTION TO ADJOURN WAS OFFERED BY ALDERMAN BROWN, SECONDED BY ALDERMAN WILL. CARRIED ON ROLL CALL BY VOICE.

RESPECTFULLY SUBMITTED,
CARLY WILLIAMS
CITY CLERK