



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, October 21, 2019 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL- 8 Present 1 Absent (N. Cherry)

II. REVIEW OF MINUTES:

CCM 5-20-19, 6-3-19, 6-17-19, 7-1-19, 7-8-19						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	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	☒	☐	☐	☐

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.

Warren Jones- North Clover Street

William Smith- 42 Columbia Street

Common Council meeting for October 21,2019

Someone sent me a flier in the mail, when I first glanced over the flier, I did not know if I lived in Poughkeepsie or the City of Poughkeepsie due to the fact the slogan was "Getting it Done for Poughkeepsie". But after reading the flier, I now know that somebody was talking about the City of Poughkeepsie.

SAFER

The City of Poughkeepsie is a sanctuary city, which is a place that provides protection to the residents living there. Even though the flier claims an overall 50% reduction in crime, I could tell you that reduction in crime is 1%for three years.

CLEANER

The street sweeper is suppose to come down my street once a week but it comes down only twice a year, with this being said this past year during leaf pick up in November not one sweeper came down Franklin, Columbia or Young Street. I also have a pothole in front of my driveway on Columbia street that was never fixed. I have called in every year for three years now to get it fixed but still nothing. Not to mention the pothole was the city's fault, the hole was dug up to fix a cable for lighting, sure the cable was fixed but not the giant hole in front of my property. The flier also talks about crosswalks and zombie properties but us residents are still waiting for crosswalks to be painted on Franklin, Columbia, and Young Street, not to mention the numerous zombie properties which have appeared more now than in the last three years and the reason behind that being the City of Poughkeepsie has the highest property tax in the county.

STRONGER

Instead of reduced city deficit by \$3 million it should read reduced by \$6 million. With the surplus for 3 years and height proportion taxes in the city creating \$400k in savings for the bus system. The city's buses were cleaner and safer for city residents. Common council and who ever he likes gives money away to nonprofits. Let's not talk about how they are stealing money from seniors using the water and sewer systems.

I would like this flier to be put in October 21,2019 minute thank William Smith 42 Columbia st.

Laurie Sandow South Grand Avenue

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Finney- As Ms. Sandow has noted, tomorrow evening, there will be a joint meeting of the Waterfront Advisory Commission and the Common Council members to review and discuss in public on the record the current text of the local Waterfront Revitalization Plan. I will say that a number of Councilmembers have put in an extraordinary amount of work to become our in-house experts on the topic, and have produced amazing

amounts of documents, which I am happy to say they read and digested for us. So I do encourage members of the public to attend or to watch it because it is a very important policy statement which demonstrates the ways in which we as a community, have considered the various issues associated with having a waterfront that needs attention and offers so much potential for everyone.

I'm sure that Councilmembers Salem and Brannen will have more to add on this later in the meeting.

As we all know, the budget was released to the public last week, and I encourage everyone to flip through those parts of it which interest you and pass along any questions or comments to Miss Flynn or two of your Councilmembers or to Mr. Nelson so that we can consider them in our work on the budget. I expect to have the budget on the agenda Dec. 4 and Dec. 16, at which point we hope we plan to have resolved any outstanding issues and to vote on what has been provided to us.

Lastly, this evening, Mr. Ackermann will briefly discuss the legislation, the initiative that we are taking to address quality of life and criminal activities associated with different retail stores in the city. One of the issues as well is absentee landlords and the inability to get the level of accountability from these particular landowners. So in addition to the zoning possible zoning changes, we are looking at possibly incorporating in city requirements the New York state tax reporting form for limited liability and other private entities whereby all ultimate owners must be disclosed to New York State. And here in Poughkeepsie, I think it's important for us to know who is coming in, who's buying, in part because we have concerns about warehousing and concerns about economic value in the city being siphoned off for activities outside the city. The cross collateralization issue, which tends to have the potential to slow down our own development because the profits are going to other development activities of the owners. So I'm working with Mr. Ackermann to come up with something which we will all be discussing. It's a very important issue, and we want to do a good job with it. So I hope to have more to report in December and that's it.

Councilmember Petsas: To ask a question on your comments regarding the budget. Can you tell me if we plan to have department heads here to explain their budget? Yes.

Councilmember Petsas: Or whether we're going back into what we've been doing, which was no public discussion of the budget outside of closed room discussions.

Chairwoman Finney: Department heads will be here if you have questions for them.

Councilmember Petsas: So for each for every department head, every department will be here for this budget process.

Chairwoman Finney: If there are questions for that person. Prepare your questions ahead of time so they can be prepared. Not going to set up here and shoot from the hip.

Councilmember Petsas: So department heads won't have to defend their budget request of this council, unless there's a question.

Chairwoman Finney: Well, if there's not a question, what's to defend? I'm just asking the question.

Councilmember Salem: I have a question. Can you clarify why the public hearing was canceled for tonight?

Chairwoman Finney: Yes, I can. As I said, we are looking at the using the zoning code to regulate the activities of different retail stores throughout the city. And that requires some uniformity of definitions. As I said in my e-mail to uniform definitions of what's a convenience store, what's not, some of the definitions in the proposed legislation, in my opinion, are just not workable.

Councilmember Salem: So just a point of clarity. So the proposed text amendment...

Chairwoman Finney: It's not a text amendment. It's a zoning code amendment. Let's not trivialize it.

Councilmember Salem: It's a text amendment to the zoning code. It's a text amendment to the zoning code for the R for a zone, which is an urban commercial density residential zone. And so within that, the reason that we were making this amendment, which initially did not contain convenience stores. However, through the process of communication with my colleagues, we added convenience stores to that amendment.

Chairwoman Finney: Convenience that sells produce.

Councilmember Salem: Not just that that actually was added to the definition within the zoning of the text. And that's not a zoning code change. It's a text amendment. And it was a text amendment to help encourage smart growth. I went through this strategic zoning that is not spot zoning because spot zoning implies that we're zoning one specific parcel. This is a neighborhood. This is a dense commercial residential neighborhood that can stand to see this kind of text amendment.

The reason we're doing it in this way are we were trying to amend it in this way is because we can't undertake a comprehensive rezoning at this at this point of time and that these kinds of changes helped to restore districts like the unitary historic district, the R4A to the historic character. And knowing that we had this public hearing scheduled tonight and I got an email this morning without any prior notice, any prior notice after was what was just pointed out. We had publicized this meeting for weeks on our Web site on Facebook. I publicized it to my networks. I know a number of other council members publicized it. There were people coming to make comment for and against and they should and they should have had the ability to do so tonight. There was absolutely no reason for that public hearing to be taken off the agenda. And I want clarity as to why, because...

Chairwoman Finney: I had my reasons and you didn't agree with my reasons. That doesn't mean there aren't any. I gave you my reasons.

Councilmember McNamara: When is the hearing happening?

Chairwoman Finney: When we have the blanket legislation or if you three wants three people want to walk it on. But I am telling you, it's more complicated.

There's no problem with the legislation.

There is no information Mr. McNamara.

Councilmember Petsas: I don't think we should have a problem with a public hearing that allows the public to speak on the legislation. And so to take at 11:00 this morning take a public hearing off that we've been publicizing to the public to come here and speak. What are the pros and cons, whether you agree with it, whether you disagree with it. To take the

public's time and to say, you know what? The public's not going to have the time to speak on this because I as a charity side, I don't like it or I don't agree with it is ridiculous.

I've been on this council for six years. We've never canceled a public hearing until you became chair. And you know what? A public hearing is allowing the public to come and speak on the context of what we're trying to do in the City of Poughkeepsie, and the fact that we don't associate with Salem, who represents the 2nd ward, that you just decide on your own that we're just going to cancel a public hearing that's all about the 2nd ward. Mrs. Finney, I'm not sure if you know where the ward lines are, but the 2nd ward is where she represents. So I want to just say that I'm very annoyed because I, too, have been telling people to come to the public hearing and now you cancel it for reasons that nobody really knows. I mean, you go here, you go there. Why do you cancel it? Why would you cancel a public hearing for the public to come to this council to speak on an issue? Why?

Chairwoman Finney: Because the legislation that has been proposed is going to be changed for the reasons I just explained. So they would come in.

Councilmember Petsas: How would you know if the legislation could be changed unless we vote for it? You know what the votes are?

Chairwoman Finney: No the proposed legislation. I'm going to be proposing amendments based upon...

Councilmember L. Johnson: I think we need to move on.

VI. MAYOR'S COMMENTS:

Mayor Rolison- Just wanted to let the council know that the 2018 audit has been finalized. It's our expectation it will be released tomorrow. I want to thank the Councilmembers that supported the deficit reduction plan, I think was in December of last year, was approved. And because of those actions that you allowed the finance to make certain adjustments in the General Fund deficit that the General Fund deficit will be reduced, and will go from it was 13.2 Million at the end of 2015 to approximately 7.1 Million, which is good news. We've got a long way to go yet, but that is a significant drop. It will also certify that there was a surplus of approximately 100,000, maybe a little bit more for 2018.

Those are my comments.

VII. MOTIONS AND RESOLUTIONS:

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

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) RESOLUTION REGARDING A SALE OF CERTAIN CITY OWNED PROPERTIES (R-19-75)

INTRODUCED BY COUNCILMEMBER RANDALL JOHNSON

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of certain properties now owned by the City of Poughkeepsie, known as 13 Harrison Street ; and

WHEREAS, the Common Council considers the proposed sale to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, Title 6 NYCRR, Section 617.6 specified that an agency will be the lead agency when it proposes to undertake or receives an application for funding or approval of a Type I Action that does not involve another agency; and

WHEREAS, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of properties; and

WHEREAS, the Common Council has reviewed the proposed sale of properties in accordance with Title 6 NYCRR, Section 617.11; and

WHEREAS, the Common Council has considered the hereto attached long Environmental Assessment Form (EAF)

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and
4. In accordance with Section 617.5(a) (4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and

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5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and
6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R 19-75						
☒ 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 Petsas and seconded by Councilmember Lorraine Johnson to receive and print.**

R E S O L U T I O N
(R-19-76)

INTRODUCED BY COUNCILMEMBER RANDALL JOHNSON

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as 13 Harrison Street (Tax Map No: 6162-79-339068), in the City of Poughkeepsie by reason of unpaid real property taxes; and

WHEREAS, the above mentioned properties have been offered for sale by the City in accordance with the policy for the sale of City owned property; and

WHEREAS, an offer has been received from Habitat for Humanity of Dutchess County to purchase these properties for the sum of \$10.00; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, one of which is to increase homeownership, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Habitat for Humanity of Dutchess County, Inc is in the best interests of the City of Poughkeepsie, will result in an increase in homeownership and return the premises to the tax rolls; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from Habitat for Humanity of Dutchess County, Inc., to purchase premises known as 13 Harrison Street (6162-79-339068), in the City of Poughkeepsie for the sum of \$10.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

RESOLVED, that this sale is approved subject to the following conditions:

- A. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.**
- B. Purchaser shall obtain a building permit for the construction of a single or two-family residential property within one (1) year of the closing of title;**
- C. Purchaser shall obtain a valid Certificate of Occupancy for the property within one (1) year after the issuance of a building permit;**
- D. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**
- E. Purchaser's obligation to purchase such property shall be contingent upon Seller obtaining and insurable interest in the property pursuant to Article 15 of the Real Property Action and Proceedings Law or other applicable law;**
- F. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and**
- G. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and**

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a contract of sale for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation

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Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R 19-76						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	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 TERRY GASS**, a notice of personal injury sustained on July 10, 2019.
2. **FROM VERIZON**, a notice of property damage sustained on August 8, 2019.
3. **FROM CORPORATION COUNSEL ACKERMANN**, a proposed amendment to the zoning code with regard to convenient stores in residential neighborhoods.

X. NEW BUSINESS:

XI. OLD BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Johnson and Councilmember Petsas to adjourn the meeting at 7:47 p.m.

Dated: November 14, 2019

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 21, 2019

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**