COMMON COUNCIL MEETING

Common Council Chambers
Monday, January 6, 2020
6:30 p.m.

I. ROLL CALL:

II. REVIEW OF MINUTES:

Common Council Meeting of December 16, 2019
Organizational Meeting of January 2, 2020

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. MAYOR'S COMMENTS:

VI. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

VII. REPORTS OF COMMITTEES AND BOARDS:

VIII. MOTIONS AND RESOLUTIONS:

1. Resolution R20-11, calling on the NY Board on Electric Generation Siting and the Environment to reject the Danskammer application and related permits.

IX. ORDINANCES AND LOCAL LAWS:

X. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM COUNCILMEMBER BRANNEN,** an update regarding the proposed Land Bank.

2. **FROM GREG GATTO,** a notice of property damage sustained on December 12, 2019

3. **FROM HUDSON POINTE POUGHKEEPSIE HOA, INC.,** a notice of claim from October 7, 2019.

XI. UNFINISHED BUSINESS:

XII. NEW BUSINESS:

XIII. ADJOURNMENT:

NYS LOCALITY RESOLUTION EXPRESSING OPPOSITION TO THE DANSKAMMER POWER PLANT BUILD-OUT PROPOSAL

Resolution of the City of Poughkeepsie Common Council calling on the NY Board on Electric Generation Siting and the Environment to reject the Danskammer application and related permits.

(R20-11)

RESOLUTION SPONSORED BY CHAIR SALEM

WHEREAS, The State of New York's current State Energy Plan calls for 50 percent of electricity generation to come from renewable energy sources by 2030 including a 40 percent reduction in greenhouse gas emissions from 1990 levels by 2030, and Governor Cuomo's new climate goal is to transition the state to 70 percent clean, renewable energy by 2030, and 100 percent by 2040; and

WHEREAS, According to Food and Water Watch, "The Danskammer would be a massive 550 MW fracked gas plant posing huge risks to the air and water of the local community -- and worsening our climate crisis by burning dirty fossil fuels around the clock"; and

WHEREAS, the Danskammer plant will release a significant increase in air pollutants locally and regionally, negatively impacting the health of Poughkeepsie residents; and natural gas-fired power plants can also release radon, a naturally occurring radioactive material that is the second leading cause of lung cancer in the United States; and

WHEREAS, the Danskammer plant will increase carbon gas emissions, including methane emissions which are the most damaging of greenhouse gasses, and the significant increases in the impacts of climate change globally mean there is great urgency to stop the sources of large-scale greenhouse gas emissions like fossil fuel power plants; and

WHEREAS, Danskammer cannot show that its proposal is in the public interest if it cannot demonstrate a need for a new gas plant, even given the closing of the nearby nuclear Indian Point Energy Center, Danskammer must prove to the public whether increased generation capacity is needed and if so, how much; and this will be very unlikely to be proved, since recent unbiased studies including the 2017 "Synapse" study "Clean Energy for New York: Replacement Energy and Capacity Resources for the Indian Point Energy Center Under New York Clean Energy Standard (CES)" from February 2017, http://www.synapse-energy.com/sites/default/files/Clean-Energy-for-New-York-16-121.pdf show that new energy efficiencies and existing renewable energy producers will within two years provide as much output as Indian Point Energy Center would have produced; and

WHEREAS, Building this plant could discourage renewable power generation infrastructure development, which is where our community should be investing our time and money for our future energy needs. Should our region need additional power generation, any such need should not be met with new fossil fuel generation—as Danskammer proposes—but rather through

renewable non-combustion alternatives (i.e., wind, solar) in line with the state's energy policies; and

WHEREAS, The Danskammer build-out proposal is incompatible with our state energy plan, is wrong for the global needs of climate change, and will negatively impact the quality of our air, water, health, economy, and our environment;

NOW, THEREFORE

BE IT RESOLVED, that the **City of Poughkeepsie Common Council** call upon the NY Board on Electric Generation Siting and the Environment to reject the Danskammer application and related permits; and,

BE IT FURTHER RESOLVED, that the City Chamberline is directed to submit this statement to the NY Board on Electric Generation Siting and the Environment and to send a copy of this resolution to:

- U.S. Senator Kirsten Gillibrand
- U.S. Senator Charles Schumer
- N.Y. Governor Andrew Cuomo
- N.Y. State Senator Sue Serino
- N.Y. State Assemblyman Jonathan Jacobson
- Dutchess County Executive Marcus Molinaro
- Dutchess County Legislative Chair A. Gregg Pulver

RESOLUTION SECONDED BY COUNCILMEMBER:_____

THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, December 16, 2019 6:30 p.m. **City Hall**

I. PLEDGE OF ALLEGIANCE:

ROLL CALL- All Present (Councilmember L. Johnson arrived after roll call)

II. REVIEW OF MINUTES:

CCM 12-9-19						
			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
☑ Accepted	Councilmember McNamara	Voter	☑	☐	☐	☐
☐ Defeated	Councilmember Flowers	Voter	☑	☐	☐	☐
☐ Tabled	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.

ADD:

II. REVIEW OF MINUTES:

Common Council Meeting of December 9, 2019

VI. MOTIONS AND RESOLUTIONS:

1. Resolution R19-85, approving budget amendments to the 2020 budget.

2. Resolution R19-86, approving budget amendments to the 2020 budget.

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

Shelia Drew-99 Washington Street
Warren Jones-North Clover Street
Ken Stickle-118 Catherine Street
Jenna Liguori-40 Cannon Street
Laurie Sandow-South Grand Avenue

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Finney- Now, the chairwoman's comments, as Miss Drew has indicated, this is my last meeting as a member of the common council.

However, I very much look forward to continue to participate in civic events from that side of the dais, and I will be seeing you all from there moving forward.

VI. MAYOR'S COMMENTS:

Mayor Rolison- Mr. Mayor. Madam Chair, thank you, and if, in fact, tonight is the last time I have the opportunity to thank you publicly for the last two years of your service to the city council and the city of Poughkeepsie, I want to do that now and also to my colleagues on the council, wish all the best of a holiday season and look forward to 2020 with all of you.

VII. MOTIONS AND RESOLUTIONS:

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

RESOLUTION
(R19-84)

INTRODUCED BY CHAIRWOMAN FINNEY

WHEREAS, pursuant to the Administrative Code of the City of Poughkeepsie, estimates of budget requirements for the year 2020 have been certified to the Mayor, City Administrator and the Commissioner of Finance by the various departments, officers, agencies and boards of the City of Poughkeepsie, and

WHEREAS, the Mayor with the help of the City Administrator and the Commissioner of Finance did review the aforementioned estimates with the various departments, officers, agencies and boards, and

WHEREAS, the Mayor did prepare a proposed budget for the year 2020 based on these aforementioned reviews, which proposed budget with the Mayor's budget message was submitted to the Common Council on October 15, 2019; and

WHEREAS, subsequent to a notice of public hearing being published in the official newspaper in compliance with provisions of the City Administrative Code, a public hearing was duly held on December 9, 2019; and

NOW, THEREFORE, BE IT

RESOLVED, that the 2020 preliminary budget amended by the changes set forth on the annexed Schedule A be and hereby is adopted and declared to be the budget of the City of Poughkeepsie for the year 2020, and be it further

RESOLVED, that the amounts of said budget appropriations, estimated revenues, and contributions from fund balances, be and are hereby appropriated as therein specified in accordance with the provision of the Charter and Administrative Code of the City of Poughkeepsie and General and Special laws of the State of New York applicable to said City, and be it further

RESOLVED, that the aforementioned general ad valorem taxes required to be raised for such budget purposes would need a homestead tax rate of $13.24 per one thousand dollars and a non-homestead tax rate of $17.16 of assessed valuation upon all taxable property of the City of Poughkeepsie according to the valuation of the assessment roll for the current year, and be it further

RESOLVED, that the required water rate for taxable and nontaxable properties is established at $4.30 per 100 cubic feet, and be it further

RESOLVED, that the required sewer rate for taxable and nontaxable properties is established at $3.60 per 100 cubic feet, and be it further

RESOLVED, that pursuant to Local Law 3 of 2012 the required sanitation rate for eligible taxable and nontaxable parcels is established as follows:

Single family residence: $96.00 a quarter
Two family residence: $190 a quarter
Three family residence: $300 a quarter

4 yard dumpster $537.50 a quarter
6 yard dumpster $745 a quarter
8 yard dumpster $987.50 a quarter

Mixed-use property: 187.50 a quarter

RESOLVED, in accordance with the Charter and Administrative Code of the City of Poughkeepsie and on or before the date therein specified, a warrant shall be issued to the Commissioner of Finance as City Treasurer, to collect such taxes in accordance with the

provisions of the Charter and Administrative Code of the City of Poughkeepsie applicable thereto, with penalties and interest therein provided.

SECONDED BY COUNCILMEMBER RANDALL JOHNSON

SCHEDULE "A"

2020 Budget Amendments

GENERAL FUND

GL Account	Description	Mayor's Preliminary	Common Council Amendment	Increase	Decrease	Comment
01-21-9000-7808	Employee Benefits- Insurance	$8,101,000	$7,826,000		$275,000	
01-01-1010-7469	Contract Ser-Other	$40,950	$115,950	$75,000		Consulting -lead agency
01-02-1210-7101.e	Mayor Salary	$72,000	$90,000	$18,000		Per Council Resolution
01-02-1210-7803	Social Security Tax	$4,426	$5,580	$1,116		Per Council Resolution
01-02-1210-7803.M	Medicare Tax	$1,044	$1,305	$261		Per Council Resolution
01-01-1010-7202	Contract Ser-Other	$0	$20,000	$20,000		Ward Monies
01-01-1010-7202	Computer Equipment	$0	$4,500	$4,500		Council Tecnology
01-06-1410-7102	Salaries Management	$58,077	$65,000	$6,923		Chamberlain Salary
01-06-1410-7803	Social Security Tax	$3,601	$4,030	$429		Chamberlain Salary
01-06-1410-7803.M	Medicare Tax	$1,044	$1,305	$261		Chamberlain Salary
01-08-5112-7252	Street Maintence- Perm	$614,750	$624,750	$10,000		Streetscape
01-20-1900-7489	contingency	$300,000	$438,510	$138,510		
01-20-1930-7460	Contracted legal services-other	$100,000	$100,000			Segregate $50,000
EXPENDITURE GRAND TOTAL				$275,000		
REVENUE GRAND TOTAL					$275,000	

R19-84						
			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
☑ Accepted	Councilmember McNamara	Voter	☑	☐	☐	☐
☐ Defeated	Councilmember Flowers	Voter	☑	☐	☐	☐
☐ Tabled	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- 85)

INTRODUCED BY COUNCILMEMBER SALEM:

WHEREAS, the Common Council by resolution R-19-84 adopted a budget for the fiscal year 2020 (the "2020 Budget"); and

WHEREAS, the Common Council wishes to make changes to the adopted budget by means of a budget amendment to ensure the availability of funds necessary to match any CFA or other grants funding a comprehensive plan update and that the determining agency will require review of the RFP, maintain oversight in the selection of the consultant, and throughout the entirety of the process; and

WHEREAS, approval of this resolution will not result in a funding increase to the 2020 Budget for the City of Poughkeepsie, but it is necessary to transfer the funds to the appropriate budget lines; and

WHEREAS, the Common Council of the City of Poughkeepsie 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; and

Now, Therefore,

BE IT FURTHER RESOLVED that the 2020 Budget adopted by the Common Council as Resolution R-19-84 is amended as follows:

GENERAL FUND			
	Budget Line	Description	Amount
Increase:	01.11.1010.7469	Contracted services- Other	$90,000.00
Decrease:	01.20.1900.7498	Contingency	$90,000.00

SECONDED BY COUNCILMEMBER RANDALL JOHNSON

R19-85						
☑ 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	☑	☐	☐	☐

3. **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- 86)

INTRODUCED BY COUNCILMEMBER SALEM:

WHEREAS, the Common Council by resolution R-19-84 adopted a budget for the fiscal year 2020; and

WHEREAS, the Common Council wishes to make changes to the adopted budget by means of a budget amendment for the purpose of funding professional consultants necessary to carry out its duties as lead agency in order to successfully realize projects and initiatives that come before them; and

WHEREAS, approval of this resolution will not result in a funding increase to the 2020 Budget for the City of Poughkeepsie, but it is necessary to transfer the funds to the appropriate budget lines; and

WHEREAS, the Common Council of the City of Poughkeepsie 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; and

Now, Therefore,

BE IT FURTHER RESOLVED that the 2020 Budget adopted by the Common Council as Resolution R-19-84 is amended as follows:

GENERAL FUND			
	Budget Line	Description	Amount
Increase:	01.01.1010.7469	Contracted services- Other	$25,000.00
Decrease:	01.20.1900.7498	Contingency	$25,000.00

SECONDED BY COUNCILMEMBER RANDALL JOHNSON

R196-86						
			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
☑ Accepted	Councilmember McNamara	Voter	☑	☐	☐	☐
☐ Defeated	Councilmember Flowers	Voter	☐	☑	☐	☐
☐ Tabled	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 CORPORATION COUNSEL ACKERMANN AND COUNCILMEMBER PETSAS,** a communication regarding amendments to the private tow ordinance.

2. **FROM BENTLEY DAVIS,** a notice of property damage sustained on December 3, 2019. **Referred to Corporation Counsel**

3. **FROM CITY ADMINISTRATOR NELSON AND COMMISSIONER OF FINANCE BRADY,** a communication regarding off budget grants.

Grant Administrator	Amounts - (2019-2024 unless otherwise indicated	Purpose
Community Development Block Grant (CDBG)	$ 827,288	Infrastructure (e.g., sidewalks), public services (e.g., non-profits), administration and planning
DEC EFC grant	$ 75,000	Wayfinding and signage College Hill & Morgan Lake
National Endowment for the Arts	$ 140,000	College Hill Cistern preliminary design
Pedestrian Safety Action Plan (PSAP)	$ 2,430,000	high volume intersections
NY State Dept of Health	$ 248,000	Lead Service Line Replacement
NY State Consolidated Local Street & Highway Improvement Program (CHIP) & PAVE NY - 2019	$ 546,000	rehabilitation of local highways and roads
Green Innovation Grant Program	$ 1,200,000	Liberty Parking Lot
NY State Energy Research and Development (NYSERDA) - Clean Fleets NY	$ 32,000	EV parking stations
NY State Energy Research and Development (NYSERDA) - Clean Fleets NY	$ 8,000	EVs - cars
Drinking Water State Revolving Fund (DWSRF)	$ 1,150,000	water distribution
Clean Water State Revolving Fund (CWSRF)	$ 4,900,000	water pollution control plant, pump stations, combined sewer overflows (CSOs)
NYS Dept of Transporation (DOT)	$ 9,947,200	Bridges: Garden St, Washington St, Mansion St
State Transportation Improvement Program (STIP	$ 1,865,100	Bridges: Garden St, Washington St, Mansion St
Various state and federal sources - 2018-2019	$ 1,914,569	law enforcement training, public safety equipment (e.g., vests)
Dyson Foundation	$ 50,000	City Comprehensive Plan
NY State Local Initiatives Support Corporation (LISC)	$ 190,000	Zomble/Anti Blight Grant (Phase II)
Dutchess County 2018-2019	$ 225,031	Shared Services (e.g., child advocacy, drug task force)
	$ 25,748,188	

X. NEW BUSINESS:

XI. OLD BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember and Councilmember to adjourn the meeting at 8:31 p.m.

Dated: December 24, 2019

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, December 16, 2019

Respectfully submitted,

Deanne L. Flynn
City Chamberlain

ORGANIZATION MEETING OF THE COMMON COUNCIL

Common Council Chambers
6:30 p.m.
Wednesday, January 2, 2020

I. PLEDGE OF ALLEGIANCE:

II. ROLL CALL-All Present

III. NOMINATIONS AND ELECTIONS:

1. Vice Chair- Councilmember Petsas made a motion to appoint Sarah Brannen as Vice Chair, Councilmember Lorraine Johnson seconded the motion. 9-0

IV. APPOINTMENTS:

1. Majority Leader-Councilmember Lorraine Johnson
2. Minority Leader-Councilmember Yvonne Flowers

V. RESOLUTIONS:

1. **A motion was made by Councilmember Brannen and seconded by Councilmember Cherry to receive and print.**

R E S O L U T I O N
(R20-01)

INTRODUCED BY CHAIR SALEM

WHEREAS, the office of city chamberlain is appointed by the mayor pursuant to the City Charter §3.02(b); and

WHEREAS, the appointment of a City Chamberlain by the Mayor is subject to confirmation by the Common Council; and

WHEREAS, the Mayor has appointed Deanne L. Flynn to the office of City Chamberlain and has submitted such appointment to the Council for confirmation; and

WHEREAS, the Common Council finds that it is in the best interest of the City of Poughkeepsie for the Mayor's appointment to be confirmed; and

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor's appointment of Deanne L. Flynn to the office of city chamberlain be, and the same hereby is confirmed.

SECONDED BY COUNCILMEMBER CHERRY

R20-01						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

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

RESOLUTION
(R20-02)

INTRODUCED BY COUNCILMEMBER BRANNEN

WHEREAS, the office of corporation counsel is appointed by the mayor pursuant to the City Charter §3.02(b); and

WHEREAS, the appointment of a corporation counsel by the Mayor is subject to confirmation by the Common Council; and

WHEREAS, the Mayor has determined to appoint Paul Ackermann to the office of corporation counsel and has submitted such appointment to the Council for confirmation; and

WHEREAS, the Common Council finds that it is in the best interest of the City of Poughkeepsie for the Mayor's appointment to be confirmed; and

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor's appointment of Paul Ackermann to the office of corporation counsel be, and the same hereby is confirmed.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R20-02						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

3. A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to receive and print.

RESOLUTION
(R20-03)

INTRODUCED BY COUNCILMEMBER BRANNEN

BE IT RESOLVED, that the Common Council adopts for use during the year 2020 the Rules of Conduct and Procedure of the Common Council of the City of Poughkeepsie, a copy of which is attached hereto and made a part of this Resolution.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

RULES OF CONDUCT AND PROCEDURE: BY-LAWS OF THE COMMON COUNCIL OF THE CITY OF POUGHKEEPSIE FOR THE YEAR 2020

RULE I. Regular meetings of the Common Council shall be held on the first and third Mondays of each month at six thirty in the evening at the City Hall, or at such other place as the Chairperson shall appoint. The first regular meeting of January shall be held on January 2, 2020 at six thirty o'clock in the evening at City Hall. In case of a holiday on any such day, the regular meeting shall be held on the Tuesday following at six thirty in the evening. The Common Council may adjourn when convened, to any other day or place, every such stated or adjourned meeting of the Council. In addition, there shall be informational meetings and special meetings held as provided in the Charter.

RULE II. The Councilmember elected At-Large shall be designated as Council Chair, the presiding officer, and the Common Council shall elect its Vice Chairperson in the manner provided for in the Charter. In the event of a vacancy in the office of the Vice Chairperson, the Council shall, by majority vote, elect a Vice Chairperson, at its next regular meeting and within thirty (30) days of vacancy of the office.

RULE III. There shall be a standing sub-committee of the Common Council known as the Finance Committee. The members of the Finance Committee shall be appointed pursuant to the City Charter. The Chairperson may create additional such subcommittees

or special committees as they deem necessary and appropriate.

RULE IV. The City Chamberlain shall record the attendance at meetings. The order of business at regular meetings shall be as follows:

1. Pledge of allegiance and Roll Call.
2. Review of the minutes of the previous meeting.
3. Reading by City Chamberlain of any resolution or other items not listed on the printed agenda.
4. Public Participation-limited to 45 minutes.
5. Mayor's comments.
6. Chairperson's comments and presentations.
7. Reports of Committees and Boards.
8. Motions and resolutions.
9. Ordinances and local laws.
10. Presentation of petitions and communications.
11. Unfinished Business.
12. New Business.
13. Adjournment.

RULE V. The presiding officer shall set the agenda at all meetings of the Common Council. A councilmember may add items to New Business with the support of three (3) councilmembers. The order of business may be departed from with a motion, second, and by a majority vote of the members present. Any item added to an agenda must clearly identify a Councilmember as its sponsor.

RULE VI. The presiding officer shall designate the seating arrangement for Councilmembers and staff at Council meetings and the order of voting of Councilmembers on all matters coming before the Council for a vote. The presiding officer may, if they so desire, present motions and resolutions to the Common Council, and they may debate on any question which is being considered by it. The presiding officer, if they deem it appropriate, may allow Councilmembers or the Mayor to respond to or comment upon public comments made at each regular meeting during public participation (Item 4 of the Agenda set forth in Rule IV above), prior to the adjournment of the meeting.

RULE VII. The presiding officer shall have, to the fullest extent provided by New York State law, the sole authority to regulate public comment at any meeting as they, in their sole discretion, shall see fit, including, but not limited to, the authority to set priority for topics of comment and to declare any person to be out of order for failure to follow their directives in this regard. In governing the meeting and regulating public comment the presiding officer shall consider, but shall not be strictly bound by the following guidelines:

A. The public shall be allowed to speak during the period of the meeting designated as "Public Participation" or as such other time as a majority of the Council shall

suspend these rules, or at a duly called public hearing, or any other time required by state law or the City Charter. Speakers must sign-in and provide their name, address, and organization they represent, if applicable. Speakers must be recognized by the presiding officer. During the segment of the meeting designated "Public Participation", speakers shall limit their remarks to three minutes and will be advised by the presiding officer when three minutes have expired. Speakers are requested to conclude their remarks at that time. "Public Participation" is intended to afford persons an opportunity to express opinions on items on the Common Councils agenda. No Speaker shall be declared out of order, prevented from speaking or barred from attendance at any meeting because of any disagreement with the Speaker's position or view on any matter, because of the Speaker's identity or because of any disagreement with the content of relevant testimony.

B. All remarks shall be addressed to the Council as a body and not to any member thereof. Speakers shall observe the rules of decorum set forth in Subsection C below. Interested parties or their representatives may address the Council by written communications. Written communications shall be delivered to the City Chamberlain.

C. Rules of decorum

1. Purposes of rules of decorum.
    a. To ensure that meetings of the Common Council are conducted in a way that allows the business of the City to be effectively undertaken.
    b. To ensure that members of the public who attend meetings of the Common Council can be heard in a fair, impartial manner.
    c. To ensure that meetings of the Common Council are conducted in a way that is open to all viewpoints and which is protective of the content of each speaker's speech and expression yet is free from hateful, abusive, obstructive or intimidating behavior.
    d. To ensure that these rules of decorum are understood by persons attending Common Council meetings.
    e. To ban egregious, inappropriate, and obstructive behavior at meetings of the Common Council.

2. Sergeant At Arms. The Chief of Police or such member or members of the Police Department as they may designate shall be Sergeant-at-Arms of the Common Council and shall carry out all orders given by the presiding officer for purposes of maintaining order and decorum at the Council meeting. Any member of the Common Council may move to require the presiding officer to enforce the rules upon an affirmative vote of a majority of the Common Council.

3. Rules for the Speaker.
    a. The speaker shall conduct themselves in a professional and respectful manner.

b. All remarks shall be directed to the Common Council, as a body, and not a City staff or any member of the public in attendance.
c. The speaker shall not defame, intimidate, make personal affronts, make threats of violence, or use profanity.

4. Rules for the public. Members of the public in the audience shall not engage in any of the following activities during a Common Council meeting:
    a. Shouting, clapping, unruly behavior, or speaking out when not recognized by the presiding officer.
    b. Defamation, intimidation, personal affronts, threats of violence, or profanity.
    c. Behavior that disrupts the orderly conduct of the meeting.

5. Rules for Councilmembers. While the Common Council is in session, the members must preserve order and decorum. Each Councilmember shall conduct themself with decorum and shall neither, by conversation or otherwise, delay nor interrupt the proceedings or the peace of the Common Council, nor disturb any member while speaking or refuse to obey the orders of the presiding officer.
    a. Speaker to be recognized by the presiding officer. No Councilmember wishing to speak shall proceed until they shall have been recognized by the presiding officer. After such recognition, the member shall confine discussion to the item at hand and to its merits and shall not be interrupted except by a point of order or privilege raised by another member. Speakers should address their remarks to the presiding officer, maintain a courteous tone and shall avoid interjecting a personal note into the debate.
    b. Discussion of Resolutions, Motions, Ordinances, Laws. Any Councilmember, when recognized by the presiding officer, may speak on any Resolution, Motion, Ordinance, Law on the printed Agenda during the period of discussion following the introduction of the aforementioned items. The Councilmember(s) named as the sponsor(s) of a Resolution, Ordinance, Law or Motion have the privilege of speaking first. No member shall speak more than once on the same question unless every member desiring to speak to that question shall have had the opportunity to do so.

6. Persons Authorized to be within Rail. No person except members of the Common Council and City Staff shall be permitted within the rail without the consent of the presiding officer.

7. Enforcement of rules of decorum.
    a. Upon a violation of these rules of decorum, the presiding officer shall request the person or persons violating a rule or rules to cease the violation.
    b. If a violation continues, the presiding officer warns the person(s) that they may be required to leave the Common Council Chambers if the violation continues.
    c. If the person or persons does not cease the violation(s) the presiding officer shall declare the person out of order at which time the Sergeant at Arms shall take steps to remove such person from the meeting room. Said person shall be subject to all civil and criminal penalties that may apply to their conduct.

RULE VIII. When a question is under debate, no new motion shall be received, unless for the previous question, to amend it, to lay on the table, to commit it, to postpone it, or to adjourn.

RULE IX. A motion to lay a question on the table shall be decided without amendment or debate, and a motion to postpone shall be decided without debate.

RULE X. A motion to adjourn shall always be in order; and shall be decided without debate.

RULE XI. Every member who shall be present when a question is put, shall vote for or against the same, or abstain with reasons for the abstention stated upon the record.

RULE XII. No question or motion, once put or lost, shall again be put unless reconsidered; and a motion for reconsidering must be made not later than the next regular meeting after that on which the decision proposed to be reconsidered took place, and shall be made by a member who voted with the prevailing side. All motions for reconsidering must be passed by the affirmative vote of a majority of the voting power of the Common Council.

RULE XIII. On the demand of any member, a roll call vote on any question shall be taken by ayes and nays; and it shall be the duty of the City Chamberlain to enter on the minutes the names of the members voting for or against the question, and also the name of the member demanding the roll call vote.

RULE XIV. All appointments of officers and fixing of salaries shall be by ayes and nays.

RULE XV. The legislation described below shall be read and laid over until the next meeting of the Common Council. This rule shall apply to:

(a) The adoption of the budget
(b) Ordinances
(c) Local Laws
(d) Resolutions amending the Rules and By-Laws of the Council
(e) Resolutions appropriating money, amending the budget, or approving the execution of contracts, unless consent for its immediate adoption is approved by the Finance Committee or by majority vote of the Common Council.

RULE XVI. In order to hear persons other than members of the Common Council, the Mayor, and members of City staff, it shall be necessary to pass a motion suspending the 5 rules of order. A motion to suspend the rules may be made at any time during the meeting and shall be decided without debate. Any such person speaking shall confine themself to the subject and not longer than three (3) minutes, unless the time is extended by the Chairperson. This rule shall not apply to public hearings.

RULE XVII. All meetings of the Common Council shall be recorded by means of an audio and/or video recording device. The archived results of the meetings shall be kept in the Office of the City Chamberlain, and shall be under their jurisdiction and control. A record of the proceedings shall be printed as soon as possible after each meeting and presented to the Common Council at its next meeting for its approval or correction. Twenty copies shall be bound annually in a volume to be preserved in the Office of the City Chamberlain. The minutes shall be available for public review in the Office of the City Chamberlain, and the City Chamberlain shall give a copy of the minutes to persons requesting the same to the extent that they are available. When a request is made for an annual record of the minutes, a fee shall be charged to cover the expenses of the handling and recording and mailing if the record is on paper. A Ten ($10.00) Dollar fee shall be paid if the record is digital.

RULE XVIII. An executive session is that portion of the meeting not open to the public because of the consideration of matters authorized for executive session pursuant to the New York State Open Meetings Law. Proposals, discussions, statements, and transactions in executive sessions are intended to be and shall be held and maintained in confidence and shall not be disclosed.

RULE XIX. The Mayor may be invited to comment to and address the Council and the public on any issues of public concern raised by Councilmembers at the Council's regular meetings each month, prior to motions and resolutions being heard and at any time thereafter at the discretion of the Council chairperson.

RULE XX. All legislation, including local laws, motions, resolutions, and ordinances presented to the Common Council, except for procedural motions, such as motions to amend and motions to refer, shall be numbered to simplify the tracking of such

legislation, with the number clearly marked below the title of each piece of legislation and on Common Council agendas, as follows:

Local Laws:	LL-Year- Sequential Number (LL01-1; LL01-2; etc.)
Motions:	M-Year-Sequential Number (M01-1; etc.)
Resolutions:	R-Year- Sequential Number (R01-1; etc.)
Ordinances:	O-Year- Sequential Number (O01-1; etc.)

Additionally, any such item listed on the agenda must clearly identify a Councilmember as its sponsor.

RULE XXI. The Chairperson of the Common Council shall give an address in response to the Mayor's annual state of the City address presented pursuant to section 3.02(h) of the City Charter at the next regular meeting of the Common Council following the Mayor's address.

RULE XXII. The Chairperson, or Vice Chairperson in the Chairperson's absence, is authorized to excuse a Councilmember from attending up to three (3) consecutive regular meetings of the Common Council because of a medical injury or illness which physically prevents the Councilmember from attending the meeting(s), if the medical injury or illness and physical inability to attend the meeting(s) is documented by a physician's note. Absences beyond three (3) consecutive regular meetings, for no more than an additional three (3) consecutive regular meetings, may be excused by a majority vote of the entire Council, based upon a written physician's note documenting the medical injury or illness which physically prevents the Councilmember from attending the meeting(s).

RULE XXIII. The following rules shall apply to a legally required public hearing held before the Common Council:

(a) Speakers shall register in writing prior to the beginning of the hearing by providing their name, address, and organization if any. Individuals arriving after the commencement of the hearing shall be permitted to register upon arrival as long as the Chairperson has not closed the hearing.

(b) The Chairperson shall recognize each speaker, in the order registered, when the hearing is commenced. Speakers shall identify themselves, their address and organization, if any, prior to the remarks.

(c) Speakers must limit their remarks to five (5) minutes. Remarks shall be addressed only to the hearing issues. Speakers may not yield any remaining time they may have to another speaker.

(d) Speakers at a public hearing shall follow the Rules of Decorum as set forth in Rule VII (b) & (c).

(e) The Chamberlain shall include in the minutes of the hearing the name, address, and organization, if any, of each speaker, a summary of the remarks, and written statements submitted to the Council.

Adopted by the Common Council; January 2, 2020

Resolution R20-03

R20-03						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

4. A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to receive and print.

RESOLUTION
(R20-04)

INTRODUCED BY COUNCILMEMBER BRANNEN

BE IT RESOLVED, that Robert's Rules of Order be and the same hereby are adopted as the Parliamentary Rules of the Common Council for the year 2020.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R20-04						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

5. A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to receive and print.

RESOLUTION
(R20-05)

INTRODUCED BY COUNCILMEMBER BRANNEN

BE IT RESOLVED, that the amount of the faithful performance duty bond, to be executed by the Commissioner of Finance as City Treasurer, and filed in the Dutchess County Clerk's Office, pursuant to Section 2.12 of the Administrative Code of the City of Poughkeepsie, be and the same hereby is fixed at the sum of Five Thousand ($5,000) Dollars; and be it further

RESOLVED, that the amount of the faithful performance duty bond, to be executed by the City Chamberlain and filed in the Dutchess County Clerk's Office, pursuant to Section 2.12 of the Administrative Code of the City of Poughkeepsie be and the same hereby is fixed at the sum of Five Thousand ($5,000) Dollars; and it is further

RESOLVED, that the amount of the faithful performance duty bond to be executed by the Clerk of the City Court and filed in the Dutchess County Clerk's Office pursuant to Section 5 of the Act Creating a City Court in and for the City of Poughkeepsie, New York, be and the same hereby is fixed at the sum of Five Thousand ($5,000) Dollars; and be it further

RESOLVED, that the Commissioner of Finance be and s/he hereby is empowered and directed to procure a public employee's faithful performance blanket position bond in the sum of Five Thousand ($5,000) Dollars covering every officer and employee of the City, with excess coverage in the amount set opposite the following office and position:

Collection in Department of Finance,
Treasury Division..... $20,000;

and it is further

RESOLVED, that all the premiums which may become due on said bonds during the year 2020 shall be paid by the City as a proper City expense.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R20-05						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

6. A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to receive and print.

RESOLUTION
(R20-06)

INTRODUCED BY COUNCILMEMBER BRANNEN

BE IT RESOLVED, that the Commissioner of Finance be and s/he hereby is authorized and directed to draw warrants in favor of Chase Bank, Key Bank of New York, M & T Bank, Riverside Bank, Bank of America, TD Bank, Chase Manhattan Bank and

Depository Trust Co., Rhinebeck Bank and Ulster Savings Bank for principal and interest on the public debt as it becomes due from time to time during the year 2020, and be it further

RESOLVED, the Commissioner of Finance, upon presentation to her or him of properly approved payrolls, be and s/he hereby is authorized and directed to pay the monthly and bi-weekly salaries and wages to the officers and employee of the City who shall be entitled to receive the same during the year 2020.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R20-06						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

7. A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to receive and print.

RESOLUTION
(R20-07)

INTRODUCED BY COUNCILMEMBER BRANNEN

RESOLVED, that Chase Bank, Bank of America, Key Bank of New York, Riverside Bank, a division Salisbury Bank, TD Bank, Rhinebeck Bank and M & T Bank, all of which are located in the City of Poughkeepsie, be and they hereby are designated as the banks in which the Commissioner of Finance is empowered and directed to deposit all monies of the City of Poughkeepsie; subject to such rules and regulations as the Common Council may from time to time prescribe and subject to such laws and regulations as may be prescribed by the State and Federal Governments from time to time hereafter in relation hereto; and be it further

RESOLVED, that the Commissioner of Finance be authorized to invest idle cash balances in her or his custody with any bank or trust company authorized to do business in New York State and to otherwise make investments pursuant to the investment policy, as adopted and amended from time to time by the Common Council and subject to such laws and regulations in relation thereto as may from time to time be prescribed by the State and Federal governments; and be it further

RESOLVED, that the City Chamberlain be and hereby is directed to mail a copy of this resolution to each such depositories.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R20-07						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

8. A motion was made by Councilmember and seconded by Councilmember to receive and print.

RESOLUTION
(R20-8)

INTRODUCED BY COUNCILMEMBER BRANNEN

BE IT RESOLVED, that the "Poughkeepsie Journal" a newspaper published in the City of Poughkeepsie, be and is hereby designated as the official newspaper of the City of Poughkeepsie for the year 2020.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R20-08						
			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☐	☑	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☐	☑	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

9. A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to receive and print.

RESOLUTION
(R20-09)

INTRODUCED BY COUNCILMEMBER BRANNEN

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints the City Chamberlain and the Deputy City Chamberlain as Marriage Officers in

accordance with and subject to the provisions of Domestic Relations Law §11-c; and be it further

RESOLVED, that the Marriage Officers are hereby appointed for a term of one year, subject to the pleasure of the Common Council.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R20-09						
☑ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

10. A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to receive and print.

RESOLUTION
(R20-10)

INTRODUCED BY COUNCILMEMBER BRANNEN

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby adopts the purchasing policy of which a copy is attached hereto and made a part of this resolution.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

CITY of POUGHKEEPSIE

PROCUREMENT POLICY

Effective January 2, 2020

Hon. Robert G. Rolison Mayor	Marc S. Nelson City Administrator	William Brady Commissioner of Finance

This document is intended to outline the framework for procuring goods and services for the City of Poughkeepsie (City) in a timely manner and, at the same time, assuring the prudent and efficient use of public monies.

INTRODUCTION

In general, the provisions of the City's Procurement Policy are based on the requirements on General Municipal Law, Sections 103 and 104-b.

In part, GML, Section 103 reads "Except as otherwise expressly provided by an act of the legislature of the municipality, by a local law adopted prior to September 1, 1953, all contracts for public work involving an expenditure of more than Thirty Five Thousand Dollars ($35,000.00) and all purchase contracts involving an expenditure of more than Twenty Thousand Dollars ($20,000.00) , shall be awarded by the appropriate officer, board or agency of a political subdivision or of any district therein but not limited to a soil conservation district, to the lowest possible bidder furnishing the required security after advertisement for sealed bids in the manner provided by this section."

GML, Section 104-b, states "Goods and services which are not required by law to be procured by political subdivisions or any districts therein pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies in the best interests of the taxpayers of the political subdivision or district, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost, under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption....."

BIDDING PROCEDURES

Competitive bidding will be utilized whenever required by law or when determined to be in the best interest of the City in accordance with GML, Section 104-b.
General Municipal Law Sections 103 and 104-b require that annual purchase contracts exceeding $20,000 and public works contracts exceeding $35,000 be awarded to the lowest responsive bidder meeting the intent of the specifications after public advertising of the request for submission of sealed bids.
In determining the necessity of competitive bidding the aggregate cost of like items or commodities estimated to be purchased citywide in a 12-month period must be considered.

The requesting department, in conjunction with the Purchasing Department, shall be responsible to prepare bidding specifications. All bids received shall include a non-collusion certification, an indemnification agreement, and any and all other required documents as per General Municipal Law. All Requests for Bids or Requests for Proposals are to be advertised for a minimum of five days between the first publication date and the date specified for the bid opening, and shall, at a minimum, contain a description of the goods and/or services being solicited, a statement of the time and place where all bids will be publicly opened and read, the time and place of any pre-bid meetings, and a description of where and how bid documents may be obtained. All bid openings will be conducted at a public meeting, unless otherwise specified, and all interested parties may attend. Bid openings will generally take place at scheduled Board of Contract and Supply meetings unless as otherwise noted.

BID PROCESS

For projects or purchases exceeding the bidding threshold, the requesting department shall submit a completed *Request for Bid* form to the Purchasing Agent.
The requesting department(s) shall, in conjunction with the Purchasing Agent, prepare bidding specifications. Specifications should be clearly written. They should provide prospective bidders a common standard by which to be measured, and provide assurance that bidders will be competing on a fair and equal basis. The specifications should indicate the basis by which bids and offers will be evaluated. Specifications should provide prospective bidders with sufficient information for them to formulate bids.
All bids shall include a Non-Collusion Certificate, an Iran Divestment Certification, Indemnification Agreement and all other documents required by General Municipal Law.
A Bid Bond, generally 5% of the bid, may be required on certain projects including service contracts. This bond is intended to protect the City in the event that a bidder refuses to enter into a contract after the contract is awarded or the bidder withdraws his bid before the award.

Performance Bonds in the amount of 100% of the bid are required for all construction projects. This bond offers the City protection in the event of the contractor's failure to perform in accordance with the awarded contract terms.
Prevailing wage rates apply to all projects subject to Articles 8 and 9 of the NYS Department of Labor.

All bids shall be advertised on the Empire State Purchasing Group website, www.bidnetdirect.com/newyork, and on the City website, www.cityofpoughkeepsie.com. Bids for projects or purchases that are federally or state funded may be advertised on the New York State Contract Reporter website, www.nyscr.ny.gov.

On March 10, 2016, The Common Council of the City of Poughkeepsie adopted

Resolution *R-16-27, Amending the Purchasing Policy to Encourage Local Employment.* The resolution directs "the Purchasing Agent to consider as a weighted factor the

percentage of City of Poughkeepsie residents employed by a business when considering an award of a contract not subject to competitive bidding if such bidder is otherwise deemed responsive and responsible." If a bidder wishes to request this consideration, he/she must make this request specifically in his/her bid response and provide verifiable documentation of the percentage of his/her employees who are City residents.
Any contractor or subcontractor who bids on a construction project having an anticipated value in excess of $100,000 must have apprenticeship agreements appropriate for the type and scope of work to be performed. The apprenticeship program must have been registered with the New York State Commissioner of Labor in accordance with Article 23 of the Labor Law.

BID OPENING and AWARD

The Board of Contract and Supply will have the option to reject all bids and re-advertise at its discretion.
All bid openings will be opened publicly and read at the time and place specified in the advertisement for bids unless otherwise specified. Bid openings can be attended by any and all interested parties.

Bids received after the specified bid opening time will not be accepted, and will be returned unopened to the prospective bidder.

Bid openings will generally be scheduled to occur at a meeting of the Board of Contract and Supply (BOCS). The BOCS shall be comprised of the Mayor, Commissioner of Finance, Commissioner of Public Works, the Corporation Counsel, and the City Engineer. The BOCS shall appoint a recording secretary. The Purchasing Agent will generally be in attendance at bid openings but will have no voting rights and cannot be included in the Quorum.

The following rules will govern:

1. The BOCS will designate any person to open and read the bids aloud.
2. The bids will be recorded in the manner provided by the BOCS and will be reported and reported at the next regular or special meeting
3. Copies of original bids will be provided to the Department Head of the originating department to determine that the bids opened meet the bid specifications
4. A tabulation sheet shall be prepared recording all pricing submitted by responding bidders. The Purchasing Agent will evaluate the bid responses and prepare a bid evaluation. If a Best Value award is to be made, the submittal will be reviewed in accordance with the criteria established and previously designated.

5. The Commissioner of Finance shall determine that sufficient appropriations are contained within the originating department's budget or that other means are available to fund the project or purchase.
6. The BOCS may reject any and all bids that do not meet the bid specification.
7. The originating Department Head will recommend the award and certify in writing that the prospective awardee has submitted a bid or proposal that meets the intent of the bid specifications.
8. The BOCS shall determine the responsibility and responsiveness of the prospective awardee. The originating department will notify any low bidder of a rejection based on a determination that the bidder is not responsible or responsive.
9. A majority of the BOCS must then concur with the award.
10. If federal funds are to be expended for the project or purchase, The Purchasing Agent shall be responsible to determine that the proposed awardee is eligible by all Federal standards.
11. In the event that two or more responsive/responsible bidders submit identical low bids, the BOCS will determine which is awarded the contract.
12. The Purchasing Agent shall draft and submit a proposed contract to the Corporation Counsel for approval. Once approved, the Purchasing Agent will forward three (3) copies of the contract along with a Notice of Award to the awardee for signature and required documents. After execution by the awarded, contract will be forwarded to the Mayor for signature. On receipt of all executed contracts, the Purchasing Agent will issue a Notice to Proceed.
13. The Purchasing Agent will issue the Non-Award Notice(s) and return all bid bonds to the bidder(s) who were not selected.
14. The BOCS may also request that a notice of Intent to Award be issued in the event that additional time is needed before making an actual award.

BID ERRORS

In the event that a submitted bid or proposal contains a unilateral error in calculation, the responder may withdraw the bid or proposal within three days of the bid opening or before the awarding of the contract, whichever is shorter if:

1. The error is of such magnitude that enforcement would be unconscionable, or against the public interest.
2. The bid or proposal was submitted in good faith, and the responder submits credible evidence that the mistake was merely a clerical error.
3. The error in the bid or proposal is due to an unintentional and substantial arithmetic error or an unintentional omission of a substantial quantity of work,

labor, material, or services made directly in the compilation of the bid or proposal, which error can be clearly shown and;

4. It is possible to maintain the status quo ante, the bid or proposal may be deemed withdrawn and any security returned. Neither the City, it agents or employees, nor members of the Board of Contracts may agree to amend the bid or proposal in order to rectify the error.

BID PROTEST PROCEDURES

There are three basic types of protests based on the time in the procurement cycle when they occur

1. A pre-bid or solicitation phase protest is received prior to the bid opening or proposal due date.
2. A pre-award protest is a protest against making an award and is received after receipt of proposals or bids, but before the award of the contract.
3. A post-award protest is a protest received after award of a contract

Each protest must be in writing and delivered to the Purchasing Agent within ten (10) calendar days of the City's notice of the intent to award, after receipt of the bid/proposal prior to bid opening and shall be addressed as follows:

Bid Protest
Purchasing Agent
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

Specific contents of a protest shall include the name of the protestor, the solicitation/contract number or description, and a statement of grounds for protest. The Purchasing Agent shall contact the department responsible for the bid and inform him/her of the bid protest. The department shall gather the relevant information about the solicitation, evaluation and award of the bid and provide it to the Purchasing Agent within ten (10) calendar days of the Bid Protest.

The Purchasing Agent and the BOCS shall review the information relevant to the bid and shall render a decision on the protest, with the advice of the Corporation Counsel, in a prompt manner, but not longer than thirty (30) days after the bid protest was received. The decision shall contain the action taken and the reason(s) for such action, and shall be mailed by certified mail, return receipt requested, to the protestor at the address set forth in the bid protest. A copy of the decision shall be distributed to the Department, the BOCS, and the Office of the Corporation Counsel. All documentation concerning the bid protest and decision shall be retained by the Purchasing Agent.
An appeal of the decision may be made either by the department or the protestor as applicable. An appeal may be commenced by delivering seven (7) copies of the following within seven (7) calendar days of the release of the decision.

1. A Notice of Appeal to the Purchasing Agent
2. A statement of the nature and the reason(s) for the appeal, including claimed errors
3. A complete set of the documents submitted to the Purchasing Agent.

The Purchasing Agent shall promptly deliver the copies to the BOCS which shall set a hearing date for the appeal to commence, which date shall not be later that forty-five (45) days from the Notice of Appeal. The appellant and respondent will be presented with an opportunity to address the BOCS and may be accompanied by counsel if desired. Upon the conclusion of the appeal, the BOCS shall issue a decision within thirty (30) days of the conclusion of the appeal. The decision of the BOCS shall be final and conclusive.

The City of Poughkeepsie alone will be responsible in accordance with good administrative practice and sound business judgment for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the City of any contractual responsibility under its contracts.

BEST VALUE

The Common Council of the City of Poughkeepsie has adopted Local Law No. 14-2 allowing the City's Finance Department the "authority to accept Best Value" in awarding purchasing contracts subject to the requirements of GML, Section 103. The Local Law excludes any purchase contracts necessary for the completion of a public works contract pursuant to Labor Law Article 8.

> A "Best Value" award is defined as a basis for awarding contracts "to the offeror which optimizes quality, cost and efficiency among responsive and responsible offerors."

A determination must be made in writing by the Commissioner of Finance in detailing why a "Best Value" award will be made before the solicitation of bids can occur. When it has been determined that a "Best Value" award is to be made, the criteria by which the "Best Value" will be evaluated and the process by which the evaluation and selection will be made must also be documented and included in the bid package. The criteria used to determine Best Value shall be made in advance of the initial receipt of offers, and shall be made on an objective and quantifiable analysis of such criteria. The criteria may include, but is not limited to, any or all of the following:

1. Cost of Maintenance
2. Proximity to the end user if distance and response time is a significant term
3. Durability
4. Availability of replacement parts or maintenance contractors
5. Longer product life

6. Product performance criteria
7. Quality of craftsmanship
8. Price
9. Local preference

REQUEST FOR PROPOSAL

Professional Services, not subject to competitive bidding requirements, may be competitively solicited through the Request for Proposal (RFP) process and awarded subject to a pre-determined set of weighted criteria. RFP's may be advertised similarly to bid advertisements, or they may be selectively directed and solicited from others.
The pre-determined criteria may include, but not be limited to the following:

1. Cost
2. Responsiveness
3. Qualifications
4. Experience
5. Local Preference

Where appropriate, the solicitation shall identify the relative importance and/or weight of each criterion identified.
A criteria evaluation team should be identified before solicitation.
The basis for award should be documented in the procurement file in advance of the initial receipt of offers.

WICKS GML, Section 101

Separate specifications for all contracts for the erection, construction, reconstruction, or alteration of buildings when the entire cost exceeds $500,000.00 be prepared so as to permit separate bidding for:

1. Plumbing and gas fitting
2. Steam heating, hot water heating, ventilation and air conditioning apparatus; and
3. Electric wiring and standard illumination fixtures.

GENERAL PROCUREMENT PROCESS

General Municipal Law, Section 104(b), requires that procedures be implemented to insure that municipal governments make the most prudent use of public monies.
The Common Counsel has enacted the following regarding the purchase of goods and services that do not have to be competitively bid, but that are intended to ensure that goal.

PURCHASE CONTRACT	
ESTIMATED COST	**REQUIREMENT**
$ 0.00 - $1,999.99	No Request for Authorization – No Requirement to get quotes – No Purchase Order Required

$2,000.00 - $4,999.99	No Request for Authorization – No Requirement to get quotes - Purchase Order Required
$5,000.00 - $9,999.99	Request for Authorization and 2 Written or Electronic Quotes – Purchase Order Required
$10.000.00 - $19,999.99	Request for Authorization – 3 Written or Electronic Quotes – Purchase Order Required
$20,000.00 and above	Formal Advertised Bid

PUBLIC WORKS CONTRACT	
ESTIMATED COST	**REQUIREMENT**
$ 0.00 - $1,999.99	No Request for Authorization – No Requirement to get quotes – No Purchase Order Required
$2,000.00 - $4,999.99	No Request for Authorization – No Requirement to get Quotes - Purchase Order Required
$5,000.00 - $9,999.99	Request for Authorization - 2 Written or Electronic Quotes – Purchase Order Required
$10,000.00 - $34,999.99	Request for Authorization – 3 Written or Electronic Quotes – Purchase Order Required
$35,000.00 and above	Formal Advertised Bid

Department Heads have the responsibility, first and foremost, to manage to their respective budgets as adopted by the Common Council. Department Heads must first determine whether the item or service to be acquired is a Purchase or a Public Works contract. Then, based on the estimated cost of that product or service, determine from the chart above what documentation is required to make the purchase. Requests for Authorization, Quotes, and Purchase Orders need to be obtained and processed **BEFORE** the purchase is made. Any purchase made that does not conform to the following procedure is null and void and the employee responsible for the purchase may be subject to disciplinary action.

EXCEPTIONS to the COMPETITIVE BIDDING REQUIREMENT

1. Purchases through the NYS Office of General Services
2. Purchases under county or other municipal contract (Piggybacking). In the interest of increased efficiency, the purchase of goods and services through the

NYS Office of General Services contracts or the "Piggybacking" on contracts existing through the Dutchess County Office of Central Services or those of other political subdivisions is strongly encouraged. The use of the competitive bidding process for the purchase of commodities otherwise readily available through these contracts will not be utilized except under extraordinary circumstances. The extraordinary circumstances must be documented by the originating department and approved, in writing, by the City Administrator.

3. Professional Services which to not lend themselves to competitive bidding subject to the following guidelines:
    a. Service is subject to New York State Licensing or testing requirements
    b. Substantial formal education or training is a necessary prerequisite to the performance of the service
    c. Performance of the service would require a personal relationship between the entity and municipal officials

   Professional Services are not subject to competitive bidding, but subject to the guidelines of General Municipal Law, Section 104-b, should require the issuance of a Request for Proposal and evaluation of all proposals received before a contract is offered.
4. "Sole source supplier" shall mean a manufacturer, software developer, or service provider that sells direct and there are no other sources offering an "or equal". For consideration of sole source status, the entity must provide to the Purchasing Agent a letter, on official letterhead, detailing their sole source status.
5. Single source supplier is defined as a distributor/wholesaler/retailer that has a contractual agreement to provide services within a specific geographic territory to the exclusion of all others. For consideration of single source status, the entity must provide to the Purchasing Agent a letter, on official letterhead, detailing their single source status.
6. Emergencies defined as arising out of an accident or other unforeseen occurrence of condition whereby circumstances affecting public buildings, public property, or the life, health, safety of property of the inhabitants of the City of Poughkeepsie require immediate action which cannot await the competitive bidding process. An Emergency Declaration, signed by the Mayor of the City of Poughkeepsie, is required to be forwarded to the Purchasing Agent. Lack of anticipation or planning cannot be deemed as cause for the Emergency Declaration.
7. Purchases through agencies for the blind and/or severely handicapped.
8. Goods made by correctional facilities (Corecraft)
9. Second-hand goods or surplus from Federal, State or other political subdivision.
10. Products offered by the Federal Government, Government Services Administration (GSA) Schedules 70 & 84, 1122 Public Safety Purchasing Program, NJPA, and other cooperative agreements.
11. Leases defined as true leases, not installment purchases

12. Work performed by municipal employees under municipal cooperation agreements.

STANDARDIZATION – GENERAL MUNICIPAL LAW, Section 103(5)

Bidding for a particular brand or model requires that the Common Council adopt a resolution explaining the reason for standardization by a 3/5 vote.
Guidelines:

1. A substantial amount of equipment of the same make is presently being used by the municipality and uniformity of the make is essential to economy of efficiency
2. Service facilities are peculiarly adapted to the handling of a particular make of equipment and cannot be converted economically
3. The municipality has on hand a substantial supply of spare parts for a particular make of equipment and they cannot be disposed of except at a substantial loss.
4. The design, plan or method of construction of an installation is particularly suited to a particular make of equipment and cannot be altered economically.
5. Local geographic or atmospheric conditions require the use of a particular make of equipment to the exclusion of all others.
6. Employees are trained to operate one make of equipment and cannot be trained economically to operate other makes

The adoption of such a resolution does not eliminate the necessity for conformance to the competitive bidding requirements. Standardization restricts the purchase to a specific model or type of equipment, but does not limit the vendors it can be purchased from. Standardization should be used very sparingly and only after careful consideration of of the ramifications to future purchases and maintenance costs as this tends to reduce or, in some way, eliminate completely competition thus causing the City more than it may save by standardizing.

PROCUREMENT CARDS

The intent of the Procurement Card (P-Card) Program is to provide a streamlined process for the procurement of goods and services costing less than $999.00. Department Heads are responsible for designating which employees are given P-Cards, distributing a Procurement Card Program Policy to each designated employee, enforcing the Procurement Card Program Policy, and insuring that all purchases made by the card are accounted for on an expense report.

All employees should refer to the separate Procurement Card Program Policy and are responsible for compliance.

STANDARDS OF CONDUCT

Any City employee who has, will have, or acquires an interest in, any actual or proposed contract with the City of Poughkeepsie of which he/she is an officer or employee, shall publicly disclose the nature of such interest in writing to the Board of Contract Supply as soon as he/she has knowledge of and actual or prospective interest. This written disclosure will be made part of the official minutes of the Board of Contract Supply. If an officer or employee of the City of Poughkeepsie has a reason to believe that he/she may have a conflict of interest, the office of the Corporation Counsel should be contacted immediately.

Employees shall not engage in outside employment which is inconsistent with their City responsibilities. For example, furnishing advice or services to a firm bidding on or planning to bid on a contract with the City of Poughkeepsie, or which is presently doing business with the City.

No employee, officer, agent, immediate family member, or Board member of the City of Poughkeepsie shall participate in the selection, award, or administration of a contract with the City if a conflict of interest real or apparent, would be involved.
City of Poughkeepsie employees, officers, agents, or Board members will neither solicit nor accept gifts, gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements with the City.
Employees occupying position which are directly involved in the City of Poughkeepsie procurement process are required to disclose any interest in businesses which engage in bid activities with the City.

Failure to abide by these Standards of Conduct will result in disciplinary action, up to and including termination. If said employee is a member or a union and is bound by a collective bargaining agreement with the City of Poughkeepsie, the sanctions undertaken will be addressed within the agreement.

PURCHASING RESPONSIBILITY

General Municipal Law, Section 104-b requires the identification of the individual or individuals responsible for purchasing and their respective titles. As such, the following identifications are made with the areas of responsibility:

William Brady – Commissioner of Finance
Karen Sorrell – Deputy Commissioner of Finance
Shirley Davison – Purchasing Agent

R20-10						
☑ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
	Councilmember R. Johnson	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Petsas	Voter	☑	☐	☐	☐
	Councilmember L. Johnson	Voter	☑	☐	☐	☐
	Councilmember Brannen	Voter	☑	☐	☐	☐
	Chair Salem	Voter	☑	☐	☐	☐

VI. ADJOURNMENT:

A motion was made by Councilmember Cherry and Councilmember Lorraine Johnson moved to adjourn meeting at 6:44 p.m.

Dated: January 3, 2020

I hereby certify that this true and correct copy of the Minutes of the Organizational Meeting held on Monday, January 2, 2019 at 6:30 p.m.

Respectfully submitted,
Deanne L. Flynn
City Chamberlain

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 12/19/2019

NAME AND ADDRESS OF EACH CLAIMANT:
Poughkeepsie Nissan.
1445 Rt 9 Wappingers Falls NY 12590

TELEPHONE NUMBER: 845 297 0077

NAME AND ADDRESS OF ATTORNEY (IF ANY):

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2019 DEC 19 PM 12:55

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):
On 12/13/19 a city of Poughkeepsie Sanitation truck had accident with one of our inventory vehicles that was parked on 845 Randolph ave During a test drive. Amount of claim. attached

ITEMS DAMAGED OR INJURIES SUSTAINED:
2019 Nissan Sentra. VIN: 3N1AB7AP4KY270721

Signature of Claimant

Signature of Claimant

STATE OF NEW YORK, COUNTY OF Dutchess s.s.:

Greg Gattco being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

Signature of Claimant

Signature of Claimant

Sworn to before me this
19 day of December, 2019

LINDA A. MASCOLINO
NOTARY PUBLIC, State of New York
Registration No. 4[illegible]8886
Commission Expires 7/31, 2021

Notary Public

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

AUTO ELEGANCE COLLISION

AUTO BODY WITH A TOUCH OF ELEGANCE
3 MARLORVILLE RD, WAPPINGERS FALLS, NY 12590
Phone: (845) 297-9799
FAX: (845) 297-9937

Workfile ID: e6002b6a
PartsShare: 5GJ4xm
Federal ID: 02-0538371
License Number: 7092290

Preliminary Estimate

Customer: POUGHKEEPSIE NISSAN **Job Number:**

Written By: MICHELLE CURRY

Insured: POUGHKEEPSIE NISSAN
Type of Loss:
Point of Impact:

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:
POUGHKEEPSIE NISSAN

Inspection Location:
AUTO ELEGANCE COLLISION
3 MARLORVILLE RD
WAPPINGERS FALLS, NY 12590
Repair Facility
(845) 297-9799 Business

Insurance Company:

VEHICLE

2019 NISS Sentra SV w/Continuously Variable Transmission 4D SED 4-1.8L Gasoline Sequential MPI

VIN: 3N1AB7AP4KY270721
License:
State:

Interior Color:
Exterior Color:
Production Date:

Mileage In:
Mileage Out:
Condition:

Vehicle Out:
Job #:

TRANSMISSION
Automatic Transmission

POWER
Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors

DECOR
Dual Mirrors
Tinted Glass
Console/Storage
Overhead Console

CONVENIENCE
Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Rear Defogger
Keyless Entry
Alarm
Steering Wheel Touch Controls
Telescopic Wheel
Climate Control
Backup Camera

RADIO
AM Radio
FM Radio
Stereo
Search/Seek
Auxiliary Audio Connection
Satellite Radio

SAFETY
Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
Front Side Impact Air Bags
Head/Curtain Air Bags
Hands Free Device

SEATS
Cloth Seats
Bucket Seats

WHEELS
Aluminum/Alloy Wheels

PAINT
Clear Coat Paint

OTHER
Traction Control
Stability Control
Power Trunk/Gate Release

Customer: POUGHKEEPSIE NISSAN **Job Number:**

2019 NISS Sentra SV w/Continuously Variable Transmission 4D SED 4-1.8L Gasoline Sequential MPI

Line	Oper	Description	Part Number	Qty	Extended Price $		Labor	Paint
1	**FRONT BUMPER**							
2		O/H front bumper					2.0	
3	Repl	Bumper cover	620223YU1J	1	363.36		Incl.	2.6
4		Add for Clear Coat						1.0
5	R&I	License bracket					0.2	
6	**FENDER**							
7	Repl	LT Fender S, SV, SL	F31013YUMA	1	288.13		1.2	1.8
8		Add for Clear Coat						0.7
9		Add for Edging						0.5
10	Blnd	RT Fender S, SV, SL						0.9
11	R&I	RT Upper cover					0.1	
12	R&I	LT Upper cover					Incl.	
13	R&I	RT Fender liner w/o SR Turbo, Nismo					0.4	
14	R&I	LT Fender liner w/o SR Turbo, Nismo					Incl.	
15	R&I	RT Corner molding					0.1	
16	R&I	LT Corner molding					Incl.	
17	**HOOD**							
18	Repl	Hood	F51003YUMA	1	582.51		1.2	2.8
19		Overlap Major Adj. Panel						-0.4
20		Add for Clear Coat						0.5
21		Add for Underside(Complete)						1.4
22	**WHEELS**							
23	Repl	Wheel, alloy w/o midnight edition	403004FU1B	1	460.38	m	0.3	
24	Repl	Wheel, alloy w/o midnight edition	403004FU1B	1	460.38	m	0.3	
25	#	mount and balance		2	40.00			
26	**FRONT SUSPENSION**							
27	Repl	Wheel alignment align four wheels		1		m	1.9	
28	**WINDSHIELD**							
29	Repl	Windshield Nissan	727003YU0B	1	707.15		3.5	
30	**ROOF**							
31	*	Rpr	Roof panel w/o satellite radio					3.5	2.8
32		Overlap Major Adj. Panel						-0.4
33		Add for Clear Coat						0.5
34	R&I	LT Roof molding					0.4	
35	**PILLARS, ROCKER & FLOOR**							
36	*	Rpr	LT Aperture panel w/rocker molding, w/o sunroof			s	5.0	4.2
37		Overlap Major Adj. Panel						-0.4
38		Add for Clear Coat						0.8
39	R&I	LT Drip molding					0.4	

Customer: POUGHKEEPSIE NISSAN **Job Number:**

2019 NISS Sentra SV w/Continuously Variable Transmission 4D SED 4-1.8L Gasoline Sequential MPI

40		R&I	LT Rocker molding w/o Nismo				0.4	
41		R&I	LT Wndshld plr trim SV, SL, SR. SR Turbo				0.3	
42		R&I	LT Surround w'strip front door charcoal				0.3	
43		R&I	LT Surround w'strip rear door charcoal				Incl.	
44		R&I	LT Upr ctr plr trim w/o Nismo				0.2	
45		R&I	LT Lwr ctr plr trim charcoal				0.3	
46		R&I	LT Lock pillar trim charcoal				Incl.	
47		Blnd	RT Aperture panel w/o rocker molding, w/o sunroof			S		2.1
48	**FRONT DOOR**							
49		Repl	LT Door shell	H01014AFMB	1	934.78	4.8	3.0
50			Overlap Major Adj. Panel					-0.4
51	*		Add for Clear Coat					0.5
52		R&I	LT Door w'strip				Incl.	
53		R&I	LT Water shield				Incl.	
54		R&I	LT Lower seal				0.2	
55		Repl	LT Black out tape upper	808173SG1A	1	28.91	0.3	
56		Repl	LT Black out tape rear	808193SG1A	1	26.25	0.2	
57		R&I	LT Belt molding				Incl.	
58		Repl	LT Mirror assy w/o heated	963023YU1F	1	189.67	Incl.	
59	*	Rpr	LT Mirror cover w/heated				0.5	0.5
60			Overlap Minor Panel					-0.2
61	*		Add for Clear Coat					0.1
62		R&I	LT Handle, outside w/o Intelligent key				Incl.	
63		R&I	LT R&I trim panel				Incl.	
64		Repl	LT Upper hinge	824204P00A	1	61.65	0.3	0.3
65	*		Add for Clear Coat					0.1
66		Repl	LT Lower hinge	824214P00A	1	61.65	0.3	0.3
67	*		Add for Clear Coat					0.1
68	**REAR DOOR**							
69		Repl	LT Door shell	H21019AMMA	1	751.82	4.5	3.0
70			Overlap Major Adj. Panel					-0.4
71	*		Add for Clear Coat					0.5
72		R&I	LT Water deflector				Incl.	
73		R&I	LT Door w'strip				Incl.	
74		R&I	LT Belt molding				Incl.	
75		Repl	LT Black out tape front	828173SG1A	1	26.33	0.2	
76		Repl	LT Black out tape upper	828193SG1A	1	16.53	0.3	
77		Repl	LT Black out tape rear	828133SG1A	1	13.58	0.2	
78		R&I	LT Handle, outside w/o Nismo				Incl.	
79	*	R&I	LT Handle base w/o Nismo				Incl.	
80		R&I	LT R&I trim panel				Incl.	

Customer: POUGHKEEPSIE NISSAN **Job Number:**

2019 NISS Sentra SV w/Continuously Variable Transmission 4D SED 4-1.8L Gasoline Sequential MPI

81		Repl	LT Upper hinge	824019AM0A	1	19.45	0.3	0.3
82	*		Add for Clear Coat					0.1
83		Repl	LT Lower hinge	80401JN00A	1	62.51	0.3	0.3
84	*		Add for Clear Coat					0.1
85	**SEATS & TRACKS**							
86		R&I	R&I rear seat as an assy				Incl.	
87	**QUARTER PANEL**							
88		Repl	LT Quarter panel w/o blind spot warn, w/16" wheels	G81013SGMA	1	934.62	16.0	3.2
89			Overlap Major Adj. Panel					-0.4
90	*		Add for Clear Coat					0.6
91		R&I	LT Lower molding				Incl.	
92		R&I	LT Air deflector all				0.1	
93		R&I	LT Quarter glass Nissan				Incl.	
94		R&I	LT Upper qtr trim w/o Nismo				Incl.	
95		Blnd	RT Quarter panel w/o blind spot warn, w/16" wheels					1.2
96		R&I	RT Upper qtr trim w/o Nismo				0.2	
97		R&I	RT Quarter glass Nissan				1.2	
98	**BACK GLASS**							
99		R&I	Back glass Nissan				Incl.	
100	**TRUNK LID**							
101		Repl	Trunk lid w/o spoiler	H43003SGBA	1	624.42	1.7	2.3
102			Overlap Major Adj. Panel					-0.4
103	*		Add for Clear Coat					0.4
104			Add for Underside(Complete)					1.2
105		R&I	Weatherstrip w/o spoiler				Incl.	
106		R&I	License molding SV, SL, SR, SR Turbo				Incl.	
107	*	R&I	Emblem				Incl.	
108		Repl	Nameplate w/o Midnight Edition	848903SH1A	1	80.15	0.2	
109		Repl	Nameplate "SV"	848953SH7A	1	40.67	0.2	
110		R&I	Trunk lid trim				Incl.	
111	**REAR LAMPS**							
112		R&I	RT Tail lamp assy				0.3	
113		Repl	LT Tail lamp assy	265553YU0A	1	268.53	Incl.	
114		R&I	RT Tail lamp assy				Incl.	
115		R&I	LT Tail lamp assy				Incl.	
116		R&I	RT License lamp				Incl.	
117	**REAR BUMPER**							
118			O/H rear bumper				1.5	
119		Repl	Bumper cover w/o exhaust finisher	850223YU0J	1	412.78	Incl.	3.0
120			Add for Clear Coat					1.2
121			Deduct for Rear Bumper R&I				-1.2	
122	#	Repl	HAZARDOUS WASTE REMOVAL		1	3.00		

Customer: POUGHKEEPSIE NISSAN **Job Number:**

2019 NISS Sentra SV w/Continuously Variable Transmission 4D SED 4-1.8L Gasoline Sequential MPI

123	#	Refn	COLOR TINT				0.5
124	#	Repl	CAR COVER primer	1	5.00	0.2	
125	#	Repl	CAR COVER paint	1	5.00	0.2	
126	#	Repl	MISC. CLIPS + HARDWARE	1	10.00		
127	#	Rpr	MASK JAMBS			0.5	
128	#	Repl	FLEX	1	12.00		
129	#	Repl	GLASS INSTALL KIT	6	150.00		
130	#	Rpr	SAND AND POLISH			2.7	
131	#	Repl	UNDERCOATING	1	8.00	0.1	
132	#	Repl	CORROSION PROTECTION	1	8.00	0.1	
133	#	Repl	RUSTPROOFING	1	8.00	0.1	
134	**	Repl	A/M 2 PART SEAM SEALER +25%	2	87.48	1.0	
135	**	Repl	A/M 2 PART PANEL BOND +25%	1	46.24		
136	#		TOWING PAID OUT +25%	1	368.75		
137	#		ADMIN FEES	1	150.00		
138	#		**** THIS VEHICLE IS A TOTAL LOSS	1			
139	#		REPAIR COSTS EXCEED THE VALUE OF THE VEHICLE***	1			
140	#		** AT THIS TIME STORAGE HAS BEEN ACCUMULATING SINCE 12/13	1			
141	#		@ A RATE OF $85.00 PER DAY ALONG WITH YARD FEES**	1			
142	#		*** IF YOU HAVE ANY QUESTIONS PLEASE CALL GLEN CASTELLI /	1			
143	#		OR MICHELLE CURRY @ AUTO ELEGANCE COLLISION 845-297-9799***	1			
			SUBTOTALS		**8,317.68**	**59.5**	**42.4**

ESTIMATE TOTALS

Category	Basis		Rate	Cost $
Parts				8,317.68
Body Labor	59.5 hrs	@	$ 60.00 /hr	3,570.00
Paint Labor	42.4 hrs	@	$ 60.00 /hr	2,544.00
Paint Supplies	42.4 hrs	@	$ 35.00 /hr	1,484.00
Subtotal				15,915.68
Sales Tax	$ 15,915.68	@	8.1250 %	1,293.15
Grand Total				**17,208.83**
Deductible				0.00
CUSTOMER PAY				**0.00**
INSURANCE PAY				**17,208.83**

19219 J

26080713

REGION: 26

UPON PAYMENT OF AMOUNT STATED BELOW FOR THE ACCOUNT OF NISSAN NORTH AMERICA, INC., ALL RIGHTS, TITLE & INTEREST TO MERCHANDISE DESCRIBED IN THIS INVOICE IS

ASSIGNED TO:

INVOICE NO. (01) 0838811578
DATE 12/16/18

CONTACT: (845)297-4314

POUGHKEEPSIE NISSAN INC
1445 ROUTE 9
WAPPINGERS F NY 12590

M&T BANK
250 PEHLE AVENUE STE 104
SADDLE BROOK NJ 07663

POUGHKEEPSIE NISSAN INC
1445 ROUTE 9
WAPPINGERS FALLS NY 12590

DEALER NO.	CUSTOMER ORDER NO.	TYPE	SHIP VIA	SHIP FROM	DRAFT NO.	TERMS	PAGE
07132	VC11378	C*		NEWPORT NEWS	498557	DRFT	1

ITEM	ORDERED / YEAR	SHIPPED / VEHICLE I.D. NUMBER	BACK ORD.	PART NUMBER / ENGINE NO.	DESCRIPTION	SUGGESTED LIST PRICE	DISC. CODE	NET PRICE / COLOR	AMOUNT
001	19	-270721		MRA8 556662	SENTRA SV CVT 12119	19090.00		SUPER BLAC KH3G	18144.00
FED VIN: 3N1AB7AP4KY270721									
					B92 SGD SPLASH GUARDS	200.00			157.00
					L92 FLO CARPETED FLOOR MA	205.00			171.00
					SUB TOTAL	19495.00			18472.00
					DESTINATION AND HANDLING CHARGE	895.00			895.00
					WARRANTY SUPPLEMENTAL EXPENSE CHARGE				75.00
					MARKETING ASSESSMENT.				184.00
					TOTAL MSRP	20390.00			
								THIS AMOUNT DUE	19626.00

50 STATE EMISSIONS EQUIPPED VEHICLE. MAY BE SOLD AND REGISTERED AS NEW VEHICLE IN ANY STATE OF THE U.S.

INVOICE PRICES ARE SUBJECT TO ANY ADJUSTMENT REQUIRED BY U.S. GOVERNMENT REGULATIONS.

INVOICE MAY NOT REFLECT DEALER'S ULTIMATE VEHICLE COST DUE TO ALLOWANCES, DISCOUNTS, COLLECTIONS, REBATES, HOLDBACK, INCENTIVES, ETC.

SEE INFORMATION AND DISCLOSURES ON ORIGINAL INVOICE

KEYCODE: 16084

COLLECTIONS:
HB: 176.00

DEALER ASSUMES DAMAGE AND LIABILITY RISK AND TRANSPORTATION EXPENSE ON DELIVERY TO COMMON CARRIER, DEALER OR DEALER'S AGENT AT DISTRIBUTOR WAREHOUSE OR DOCK. CARRIER SELECTED BY DISTRIBUTOR UNLESS SPECIAL ARRANGEMENTS MADE BY DEALER. SECURITY TITLE MAY BE RETAINED. THIS INVOICE DOES NOT REFLECT THE ACTUAL COST TO THE DEALER. IT INCLUDES HOLDBACK (HB), FINANCING ASSISTANCE (FA), AND MAY INCLUDE ADVERTISING/PROMOTION/MARKETING FUNDS (MA). IT DOES NOT REFLECT ALLOWANCES AND INCENTIVES WHICH MAY BE PAID OR COLLECTED ON A PER VEHICLE BASIS. SUCH FUNDS MAY BE RETURNED OR PAID TO THE DEALER IN SOME MANNER, IN WHOLE OR IN PART, DIRECTLY OR INDIRECTLY.

*REFERENCE YOUR TRANSPORTATION CLAIMS MANUAL OR BILL OF LADING FOR DAMAGE CODE DEFINITIONS.

Page 1 of 1 Pages

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes: 2019-46510 / Q3PD99B9RLTT

☐ AMENDED REPORT

Accident Date Month	Day	Year	Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene / Accident Reconstructed	Left Scene	Police Photos
12	13	2019	Friday	05:53	2	0	0	☐ / ☐	☐	☐ Yes ☑ No

VEHICLE 1

VEHICLE 1- Driver License ID Number: 435583265 — State of Lic.: NY

Driver Name - exactly as printed on license: ELLIS, FILBURT H

Address (Include Number and Street): 61 TAFT AVE APT 3 — Apt. No.:

City or Town: POUGHKEEPSIE — State: NY — Zip Code: 12603

Date of Birth Month	Day	Year	Sex	Unlicensed	No. of Occupants	Public Property Damaged
11	15	1973	M	☐	03	☐

Name - exactly as printed on registration: POUGHKEEPSIE CITY, — Sex: — Date of Birth Month/Day/Year:

Address (Include Number and Street): 62 CIVIC CENTER PLAZA — Apt. No.: — Haz. Mat. Code: — Released: ☐

City or Town: POUGHKEEPSIE — State: NY — Zip Code: 12601

Plate Number	State of Reg.	Vehicle Year & Make	Vehicle Type	Ins. Code
AG9603	NY	2010 INTE	DUMP	994

Ticket/Arrest Number(s):

Violation Section(s):

Check if involved vehicle is:
☐ more than 95 inches wide;
☐ more than 34 feet long;
☐ operated with an overweight permit;
☐ operated with an overdimension permit.

VEHICLE 1 DAMAGE CODES

	1	2
Box 1 - Point of Impact	5	
Box 2 - Most Damage		5

Enter up to three more damage codes	3	4	5
	5		

Vehicle By:
Towed To:

VEHICLE 2

☑ VEHICLE 2 ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN

VEHICLE 2- Driver License ID Number: — State of Lic.:

Driver Name - exactly as printed on license: PARKED,

Address (Include Number and Street): — Apt. No.:

City or Town: — State: — Zip Code:

Date of Birth Month	Day	Year	Sex	Unlicensed	No. of Occupants	Public Property Damaged
				☐	00	☐

Name - exactly as printed on registration: POUGHKEEPSIE NISSAN INC, — Sex: — Date of Birth Month/Day/Year:

Address (Include Number and Street): 1445 ROUTE 9 — Apt. No.: — Haz. Mat. Code: — Released: ☐

City or Town: WAPPINGERS FLS — State: NY — Zip Code: 12590

Plate Number	State of Reg.	Vehicle Year & Make	Vehicle Type	Ins. Code
8182986	NY	2019 NISS	4DSD	000

Ticket/Arrest Number(s):

Violation Section(s):

Check if involved vehicle is:
☐ more than 95 inches wide;
☐ more than 34 feet long;
☐ operated with an overweight permit;
☐ operated with an overdimension permit.

VEHICLE 2 DAMAGE CODES

	1	2
Box 1 - Point of Impact	12	
Box 2 - Most Damage		12

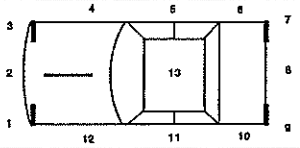
Enter up to three more damage codes	3	4	5
	10	8	

Vehicle By: DINGEES
Towed To: DINGEES

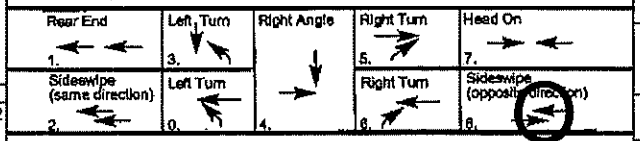
VEHICLE DAMAGE CODING:

1-13 SEE DIAGRAM ON RIGHT.

14. UNDERCARRIAGE 17. DEMOLISHED
15. TRAILER 18. NO DAMAGE
16. OVERTURNED 19. OTHER



Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.



ACCIDENT DIAGRAM

9.

Cost of repairs to any one vehicle will be more than $1000.
☐ Unknown/Unable to determine ☑ Yes ☐ No

Reference Marker	Coordinates (if available)
	Latitude/Northing:
	Longitude/Easting:

Place Where Accident Occurred:

County: DUTCHESS — ☑ City ☐ Village ☐ Town of: POUGHKEEPSIE

Road on which accident occurred: 85 SOUTH RANDOLPH AVENUE (Route Number or Street Name)

at 1) intersecting street: (Route Number or Street Name)

or 2) 5000 feet ____ miles ☐ N ☑ S ☐ E ☐ W of FERRIS LANE (Milepost, Nearest intersecting Route Number or Street Name)

Accident Description/Officer's notes

VEHICLE ONE A CITY OF POUGHKEEPSIE GARBAGE TRUCK 94 BACKING SOUTH ON SOUTH RANDOLPH STRUCK PARKED VEHICLE TWO WHICH WAS PARKED IN FRONT OF 85 SOUTH RANDOLPH AVENUE.

USE COVER SHEET: N

ALL INVOLVED

	8	9	10	11	12	13	14	15	16	17 BY	TO 18	Names of all involved	Date of Death Only
A	1	1	2	1	46	M	–	–	–			ELLIS, FILBURT H	
B	1	6	1	1	25	M	–	–	–			VALDEZ, JULIO C	
C	1	4	1	1	43	M	–	–	–			SARELS, JASON M	
D													
E													
F													

Officer's Rank and Signature	Badge/ID No.	NCIC No.	Precint/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
PATROLMAN [signature]	53	01302	27		EGAN, MICHAEL	12/16/2019 03:25
Print Name in Full: CORY V MARONE						

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2020 JAN -2 PM 2:03

CITY COURT: CITY OF POUGHKEEPSIE COURT
COUNTY OF DUTCHESS: STATE OF NEW YORK

----------X

HUDSON POINTE POUGHKEEPSIE HOA, INC.,

Claimant.

NOTICE OF CLAIM

- against -

CITY OF POUGHKEEPSIE,

Respondent.

----------X

TO: City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12601

The claimant, HUDSON POINTE POUGHKEEPSIE HOA, INC., having a business located at 112 Hudson Point Drive, Poughkeepsie, New York, County of Dutchess, State of New York, does hereby make the following claims for damages against the respondent named above and in accordance with the requirements of General Municipal Law Section 50(e), and state as follows:

1. The location of the claimant's organization is 112 Hudson Point Drive, Poughkeepsie, New York.

2. The attorney for the claimant herein are Anthony DeFazio Law, P.C, 355 Main Street, Beacon, New York 12508.

3. The place of the incident was located at City of Poughkeepsie, City Hall, which is located at 62 Civic Center Plaza, Poughkeepsie, New York.

4. The circumstances under which this claim arose are as follows: On October 7, 2019, City Councilwoman Ms. Natasha Cherry made multiple statements that can be found on the city's website and a video where she stated the following:

- "there is racism in the city in particular neighborhoods"

- "an African American family tried to buy property in a predominantly white affluent neighborhood ans was basically ran out of the neighborhood"

- "we still have these pockets of racism that are being unaddressed"

- "it happened"

- "unfortunately"

- "these people chose not to buy in the City of Poughkeepsie"

- "it definitely happened"

- "it's been bothering me and if I don't make it public then I am condoning racism"

5. She further made statements subsequent to that, that the place she was speaking about was HUDSON POINTE POUGHKEEPSIE HOA, INC., and that the family she was talking about were the Rossers. She also made a falsely stated that the Rosser's family's closing

was intentionally and improperly canceled on three occasions by HUDSON POINTE POUGHKEEPSIE HOA, INC.

6. The financial damages in this case are loss of property values, stigma and damage to reputation to it's members.

7. By reason of the foregoing, the claimant, HUDSON POINTE POUGHKEEPSIE HOA, INC., has been damaged in a sum of money that which a jury would find to be fair, adequate and just.

The undersigned claimant therefore presents this claim for adjustment and payment. You are hereby notified that unless this claim is adjusted and payable within the time provided by law from the date of presentation to you, the claimant intends to commence an action on this claim.

Dated: December 30, 2019
Beacon, New York

Anthony M. DeFazio
ANTHONY DEFAZIO LAW, PC
Attorney for Claimant
355 Main Street
Beacon, New York 12508
(845) 471-1821

VERIFICATION

STATE OF NEW YORK }
} ss.:
COUNTY OF DUTCHESS }

AL TENEGLIA O/B/O HUDSON POINTE POUGHKEEPSIE HOA, INC., being duly sworn, deposes and says:

That I am the Claimant in the within action; that I have read the annexed Notice of Claim and know the contents thereof; that the same is true to my own knowledge, except to those allegations which are stated upon information and belief, and as to those matters, I believe them to be true.

Alfred Tenaglia

AL TENEGLIA O/B/O HUDSON POINTE POUGHKEEPSIE HOA, INC.,

Sworn to before me this
31 day of December, 2019

Notary Public

[illegible] DEFAZIO
[illegible] STATE OF NEW YORK
[illegible] 01DE6063863
[illegible] QUEENS COUNTY
[illegible] EXPIRES OCT [illegible], 2021