COMMON COUNCIL MEETING

Common Council Chambers
Monday, May 18, 2020
6:30 p.m.

6:00 pm. Public Hearing regarding proposed Local Law LL-20-01 amending, Section 14.08 of the Administrative Code "Entitled Taxes-Penalties, Interest on Unpaid Taxes".

I. ROLL CALL:

II. REVIEW OF MINUTES:

Common Council Meeting of May 4, 2020

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

IV. PUBLIC PARTICIPATION:

V. MAYOR'S COMMENTS:

VI. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

VII. REPORTS OF COMMITTEES AND BOARDS:

A report from the Finance Committee.

VIII. MOTIONS AND RESOLUTIONS:

1. Resolution R20-43, approving a Collective Bargaining Agreement with United Federation of Police Officers (UFPO), the union of employees who staff the Joint Water Plant.

2. Resolution R20-44, approving a parking amnesty program.

3. Resolution R20-45, approving a settlement of contract dispute between the City of Poughkeepsie and the City of Poughkeepsie Industrial Development Agency (IDA) for a UDAG loan.

4. Resolution R20-46, amending the 2020 adopted budget due to projected shortfalls resulting from the COVID-19 pandemic crisis.

5. SEQRA Resolution R20-47, and Sale Resolution R20-48, for the sale of city owned property located at 21 Holmes Street.

IX. ORDINANCES AND LOCAL LAWS:

1. Local Law LL-20-01, approving amendments to Section 14.08 of the Administrative Code entitled, "Taxes-Penalties, Interest on Unpaid Taxes".

2. Ordinance O-20-04, repealing Chapter 2, Article VII of the Code of Ordinances entitled "Mall Commission".

X. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM CITY ADMINISTRATOR NELSON,** a communication regarding the proposed sale of city owned property located at 25 Whinfield Street.

2. **FROM CORPORATION COUNSEL ACKERMANN AND COUNCILMEMBER CHERRY,** a communication regarding the proposed PILOT Agreement with Ken Kearney for the Catherine Square Project.

XI. UNFINISHED BUSINESS:

XII. NEW BUSINESS:

XIII. ADJOURNMENT:

Memorandum

To: Common Council Members

From: Marc Nelson, City Administrator

CC: Hon. Rob Rolison, Mayor; Paul Ackermann, Corporation Counsel, Regina Pittman, Human Resources Director.

Date: May 6th, 2020

RE: Communication Regarding a Successor Collective Bargaining Agreement with the United Federation of Police Officers ("UFPO").

The Collective Bargaining Agreement ("CBA") between the City of Poughkeepsie, the Town of Poughkeepsie, and the United Federation of Police Officers, the union of employees who staff the Joint Water Project of the Town and City, expired at the end of 2018. Attached is a proposed successor agreement which, once adopted, will operate retroactively from Jan. 1st of 2019, and extend through December 31, 2022.

The agreement was negotiated by a team representing both the City and the Town. For the City the team included Human Resources Director, Regina Pittman, City Administrator Marc Nelson, and Corporation Counsel Paul Ackermann. Plant Manager Randy Alstadt served as an advisor to the Committee.

The agreement is straightforward, provides for certain increases to compensation, clarifies the treatment of time during snow emergencies, and provides a one-time stipend of $1,000 for water plant employees. The CBA eliminates the MVP health-insurance option, reducing expenses as well as the administrative burden of providing both NYSHIP and MVP as options.

The Joint Water Board approved the CBA at its regular meeting of May 5th, 2020.

The Administration recommends approval by the Common Council at your earliest convenience.

Thank you.

RESOLUTION
(R20-43)

INTRODUCED BY CHAIR SALEM

WHEREAS, the representatives of the City (on behalf of the Poughkeepsie Joint Water Plant) and the Federation of Police (successors to the CSEA) have negotiated on and settled upon certain financial terms and conditions that form a Collective Bargaining Agreement ("CBA") between the City and the Town of Poughkeepsie as authorized by the Joint Water Plant Agreement, as amended, the proposed CBA being annexed hereto and made a part hereof; and

WHEREAS, the union membership has ratified the terms of the CBA; and

WHEREAS, the Joint Water Board has approved the terms of the CBA; and

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

WHEREAS, the 2020 City Budget does not require amendment, as the impact of the settlement will be absorbed in the existing budget; and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council does hereby authorize and approve the financial aspects of the proposed CBA, in substantially the same form and substance as annexed hereto; and be it further

RESOLVED, that the Common Council does hereby authorize the Mayor to enter into the CBA with the Federation of Police, containing financial terms of substantially the same form and substance as in the proposed CBA annexed hereto, and be it further

RESOLVED, that this resolution take effect immediately.

SECONDED BY COUNCIL MEMBER _____.

R20-44

RESOLUTION CREATING A FINE AMNESTY PROGRAM IN THE CITY OF POUGHKEEPSIE

INTRODUCED BY: COUNCIL MEMBERS BRANNEN, CHERRY, MENIST, PETSAS, AND CHAIR SALEM

WHEREAS, the City of Poughkeepsie is projecting a more than $5 million deficit in 2020, requiring additional revenues and a reduction in expenses to achieve a balanced budget; and

WHEREAS, the COVID-19 pandemic has caused widespread unemployment, a large reduction in sales tax revenue, and a financial hardship on the city and its residents; and

WHEREAS, the City of Poughkeepsie is owed more than $2 million in outstanding parking fines, plus $2 million in accrued late fees; and

WHEREAS, the City of Poughkeepsie had successful fine amnesty programs in 2009 and 2014; and

WHEREAS, the Common Council desires to create a fine amnesty program in 2020 to reduce outstanding parking fines, mitigate the financial burden of fines owed by community members, and increase the city's revenue; and

NOW, THEREFORE

BE IT RESOLVED, that the Common Council hereby creates a fine amnesty program for a 90-day period during the months of July through October in 2020; and

BE IT RESOLVED, that all overdue penalties shall be waived on any outstanding fines paid during the fine amnesty period; and

BE IT RESOLVED, that the city shall advertise this program publicly and accept payments by mail and online.

SECONDED BY COUNCILMEMBER: _____

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF POUGHKEEPSIE, NEW YORK APPROVING AND AUTHORIZING THE SETTLEMENT OF A CONTRACT DISPUTE WITH THE CITY OF POUGHKEEPSIE INDUSTRIAL DEVELOPMENT AGENCY

(R20-45)

INTRODUCED BY COUNCILMEMBER RANDALL JOHNSON

WHEREAS, the City of Poughkeepsie (the "City") engaged the City of Poughkeepsie Industrial Development Agency (the "Agency") to undertake certain projects within the City to be developed by the Agency, and to pay for project obligations, such as the Municipal Environmental Restoration Projects (collectively, the "Work"); and

WHEREAS, by Resolutions R-03-169, R-04-90 and R-05-134, the City authorized the making of certain loans to the Agency of certain Urban Development Action Grants in the aggregate original principal amount of $1,090,000 (the "Loan"); and

WHEREAS, the Loan was evidenced by a certain Note, dated January 4, 2006, of the Agency to the order of the City, in the original principal amount of $1,090.000.00 (the "Note") and was advanced to the Agency pursuant to a certain Loan Agreement, entered into as of January 4, 2006, by and between the Agency and the City (the "Loan Agreement"); and

WHEREAS, there was outstanding on the Loan the principal amount of $443,000 (the "Original Outstanding Balance"), payment of which the City demanded from the Agency; and

WHEREAS, the Agency and the City disputed whether, or to what extent, the Agency remained liable to the City for the payment of the Original Outstanding Balance; and

WHEREAS, the Agency and the City have each been advised by legal counsel as to its potential legal obligations, liabilities and defenses in connection with such dispute; and

WHEREAS, the Agency and the City have each determined that it is in the best interests of both entities and the residents and taxpayers of the City to resolve the dispute regarding the payment of the Original Outstanding Balance without the cost and expense of potentially protracted litigation; and

WHEREAS, pursuant to the authorization of the Agency, the Agency has previously made a payment to the City in the amount of $150,000 toward the reduction of the Original Outstanding Balance; and

WHEREAS, the City and Agency have determined that it was in the best interests of both the Agency and the City and the residents and taxpayers of the City, for the purposes of effectuating a settlement of this dispute, to reduce the amount claimed by the City to be owed by the Agency by an amount equal to $100,000 (the "Settlement Reduction") and to make provision for the payment of the then remaining balance of $193,000 (the "Original Remaining Outstanding Balance"); and

WHEREAS, the Agency and City have agreed to the settlement of the dispute as follows (the "Dispute Settlement"):

The Agency shall remit to the City, until the Original Remaining Outstanding Balance is paid in full, an amount equal to twenty percent (20%) of administrative fees (excluding annual administrative fees)

actually collected by the Agency in connection with any bond financing or straight-lease transaction or otherwise in connection with the provision of financial assistance to or in connection with any project. The Agency may, at its sole option and upon the approval by vote of a majority of the members of the Agency, also prepay, in whole or in part, the Original Remaining Outstanding Balance from funds then available to the Agency; and

WHEREAS, pursuant to a resolution of the Agency duly adopted at its regularly scheduled meeting of February 13, 2019, the Agency executed and delivered that certain letter agreement, dated April 4, 2019, by and between the Agency and the City, setting forth the Dispute Settlement, a copy of which is attached hereto (the "Settlement Agreement"); and

WHEREAS, pursuant to the Settlement Agreement, the Agency paid to the City the sum of $7,830.60 (the "CNN Spruce Payment"), such amount being equal to twenty percent (20%) of the amount of the administrative fee collected by the Agency upon the closing of the straight lease transaction with CNN Spruce LLC; and

WHEREAS, after giving effect to the CNN Spruce Payment, the remaining outstanding balance due and owing to the City pursuant to the Settlement Agreement is $185,169.40 (the "Existing Outstanding Balance"); and

WHEREAS, the City has determined that it will be in the best interests of both the Agency and the City and of the residents and taxpayers of the City, for the purposes of effectuating a settlement of this dispute, to approve the terms and conditions of the Dispute Settlement, enter into and ratify the Settlement Agreement and accept receipt of all payments heretofore made by the Agency in connection with the payment and reduction of the Original Outstanding Balance.

NOW, THEREFORE,

BE IT RESOLVED by the Common Council determines as follows:

Section 1. The City hereby acknowledges and agrees that, after giving effect to (i) the payment by the Agency of $150,000 as hereinbefore set forth, (ii) the Settlement Reduction, and (iii) the CNN Spruce Payment, the Existing Outstanding Balance as of the date hereof is $185,169.40.

Section 2. In settlement of the dispute with the Agency, the City hereby approves and consents to the terms and conditions of the Dispute Settlement and the Settlement Agreement.

Section 3. The Mayor, the City Administrator and the Corporation Counsel are each hereby authorized to take such actions and to execute and deliver, or cause to be executed and delivered, any and all agreements, documents, consents, stipulations and waivers in connection with the Dispute Settlement, including, but not limited to, the Settlement Agreement, all on such terms and conditions as the Mayor, the City Administrator and/or the Corporation Counsel deem necessary or appropriate, provided the same are consistent with and in furtherance of the Dispute Settlement as hereinbefore set forth in these resolutions.

Section 4. The performance by or on behalf of the City of the actions, matters, transactions, covenants, agreements, obligations and undertakings on the part of the City to be performed under and pursuant to the Dispute Settlement, including, without limitation, the execution and delivery of the Settlement Agreement by the City Administrator, is hereby authorized and approved

Section 5. Any acts of the Mayor, the City Administrator, the Commissioner of Finance, the Corporation Counsel and/or any person or persons designated and authorized to act by any of them, on the City's behalf which acts would have been authorized by the foregoing resolutions except that such acts were taken prior to the adoption of those resolutions, including, but not limited to, the execution and delivery of the Settlement Agreement by the City Administrator, are hereby severally ratified, confirmed, approved and adopted as acts in the name of and on behalf of the City.

Section 6. This resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER: _____.

R-E-S-O-L-U-T-I-O-N
(R20-46)

AMENDING THE 2020 ADOPTED BUDGET DUE TO PROJECTED SHORTFALLS RESULTING FROM THE COVID-19 PANDEMIC CRISIS (PHASE 1)

INTRODUCED BY COUNCILMEMBER PETSAS:

WHEREAS, the Commissioner of Finance, at the request of the Mayor, has performed a review of the adopted 2020 budget in light of the COVID-19 pandemic crisis; and

WHEREAS, the Commissioner of Finance has reported that the anticipated impact to the adopted 2020 budget is approximately $5.5 million; and

WHEREAS, budget amendments are necessary in order to bring down budgeted revenues so as to accurately reflect revenues reasonably expected to be received by the City during the current crisis, and in order to cut equivalent expenses in order to maintain a balanced budget.

WHEREAS, the first phase of cuts has been identified by the Finance Commissioner and the City Administrator, in consultation with all Department Heads, and total $1,411,567 as set forth in detail on Schedules "A", "B" and "C" attached hereto; 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 Budget for the City of Poughkeepsie is hereby amended as set forth in Schedule A (Revenue Reductions); Schedule B (Non-Personnel Expenditures) and Schedule C (Personnel Expenditures).

SECONDED BY COUNCILMEMBER _____.

Schedule A - Personnel Reductions (2020 Financial Recovery Phase I)

GL Account	Department	Description	Decrease
01-02-1210-7102	Mayor/City Administrator	Salaries - Management	$ 29,031
01-02-1210-7803		Social Security Tax	$ 1,800
01-02-1210-7803M		Medicare Tax	$ 421
		Mayor/City Administrator Total Reduction	$ 31,252
01-04-1310-7102	Finance	Salaries Management	$ 38,868
01-04-1310-7803		Medicare Tax	$ 564
01-04-1310-7803M		Social Security Tax	$ 2,410
01-04-1680-7108		Permanent Part Time	$ 6,033
01-04-1680-7803		Social Security Tax	$ 374
01-04-1680-7803M		Medicare Tax	$ 87
		Finance Total Reductions	$ 48,336
01-08-1440-7108	DPW	Permanent Part Time	$ 4,940
01-08-1440-7803		Social Security Tax	$ 306
01-08-1440-7803M		Medicare Tax	$ 72
01-08-1490-7103		Salaries - CSEA	$ 40,502
01-08-1490-7803		Social Security Tax	$ 2,511
01-08-1490-7803M		Medicare Tax	$ 587
01-08-1620 -7103		Salaries - CSEA	$ 58,821
01-08-1620-7803		Social Security Tax	$ 3,647
01-08-1620-7803M		Medicare Tax	$ 853
01-08-1640-7103		Salaries - CSEA	$ 58,820
01-08-1640-7803		Social Security Tax	$ 3,647
01-08-1640-7803M		Medicare Tax	$ 853
01-08-5110-7103		Salaries - CSEA	$ 160,927
01-08-5110-7106		Salaries - Temporary	$ 7,500
01-08-5110-7113		Overtime - CSEA	13000
01-08-5110-7803		Social Security Tax	$ 10,442
01-08-5110-7803M		Medicare Tax	$ 2,442
01-08-5650-7103		Salaries - CSEA	$ 129,389
01-08-5650-7113		Overtime - CSEA	$ 25,000
01-08-5650-7803		Social Security Tax	$ 9,572
01-08-5650-7803M		Medicare Tax	$ 2,239
01-08-7110-7106		Salaries - Temporary	$ 75,061
01-08-7110-7113		Overtime - CSEA	$ 10,765
01-08-7110-7803		Social Security Tax	$ 5,321
01-08-7110-7803M		Medicare Tax	$ 1,244
01-08-8160-7103		Salaries - CSEA	$ 61,622
01-08-8160-7803		Social Security Tax	$ 3,821
01-08-8160-7803M		Medicare Tax	$ 894
01-08-8560-7113		Overtime - CSEA	$ 15,000
01-08-8560-7803		Social Security Tax	$ 930
01-08-8560-7803M		Medicare Tax	$ 218

Schedule A - Personnel Reductions (2020 Financial Recovery Phase I)

GL Account	Department	Description	Decrease
		DPW Total Reductions	$ 710,946
01-09-3120-7103	Police	Salaries - CSEA	$ 57,567
01-09-3120-7803		Social Security Tax	$ 3,569
01-09-3120-7803M		Medicare Tax	$ 835
		Police Total Reductions	$ 61,960
01-10-3410-7102	Fire	Salaries - Management	$ 74,562
01-10-3410-7803		Social Security Tax	$ 4,623
01-10-3410-7803M		Medicare Tax	$ 1,081
		Fire Total Reductions	$ 80,265
		Grand Total Personnel Reductions	**$ 932,759**

Schedule B Non-Personnel (Euipment/Capital Contractual) 2020 Financial Recovery - Phase I

GL Account	Department	Description	Decrease
01-02-1210-7410	Mayor/ City Administrat	Employees-Travel	$ 2,003
01-03-1989-7469		Contract Ser - Other	$ 8,000
01-03-6989-7469		Contract Ser - Other	$ 17,000
		Mayor / City Administrator Total Reduct	$ 27,003
01-04-1320-7411	Finance	Office - Training Development	$ 400
01-04-1330-7469		Contract Ser - Other	$ 5,000
01-04-1345-7410		Employees - Travel	$ 1,590
01-04-1345-7411		Employee Training Development	$ 125
		Finance Total Reductions	$ 7,115
01-05-1355-7401	Assessor/Clerk	Office - General	$ 300
01-05-1355-7407		Office - Fees/ Permits	$ 200
01-05-1355-7410		Employees - Travel	$ 200
01-05-1355-7411		Office - Training Development	$ 250
01-05-1355-7469		Contract Ser - Other	$ 3,000
01-06-1410-7469		Contract Services Other	$ 400
01-06-4020-7405		Office - Printing	$ 200
		Assessor/Clerk Total Reductions	$ 4,550
01-07-1420-7401	Law	Office -General	$ 500
01-07-1420-7407		Office- Fees/Permits	$ 1,500
01-07-1420-7410		Employees - Travel	$ 500
01-07-1420-7460		Contracted Services- Legal	$ 25,500
		Law Total Reductions	$ 28,000
01-08-1440-7469	DPW	Contract Ser - Other	$ 10,000
01-08-1620-7420		Mat & Supplies - Buildings	$ 15,600
01-08-1620-7440		Repair/Maint - Buildings	$ 16,500
01-08-1620-7445		Repair-Maint - Lighting	$ 3,000
01-08-1640-7443		Repair/Maint - Equipment	$ 6,000
01-08-1640-7469		Contract Ser - Other	$ 10,000
01-08-5110-7209		Maintenance Equipment	$ 30,500
01-08-5110-7252		Streets	$ 20,000
01-08-5110-7433		Rent/Lease-Construction Equipment	$ 10,000
01-08-5112-7252		Streets	$ 10,000
01-08-5142-7429		Mat & Supplies - Snow Remov	$ 5,000

Schedule B Non-Personnel (Equipment/Capital Contractual) 2020 Financial Recovery - Phase I

GL Account	Department	Description	Decrease
01-08-5142-7469		Contract Ser - Other	$ 20,000
01-08-5182-7445		Repair/Maint - Lighting	$ 10,000
01-08-5630-7469		Contract Ser - Other	$ 10,000
01-08-5650-7465		Contract Ser - TPA's	$ 70,000
01-08-5650-7469		Contract Ser - Other	$ 6,700
01-08-7110-7209		Maintenance Equipment	$ 5,000
01-08-7110-7425		Mat & Supplies - Recreation	$ 16,000
01-08-7110-7469		Contract Ser - Other	$ 10,000
01-08-7550-7469		Contract Ser - Other	$ 11,000
01-08-8560-7469		Contract Ser - Other	$ 20,000
		DPW Total Reductions	$ 315,300
01-11-3620-7407	**Development Services**	Office- Fees/Permits	$ 570
01-11-3620-7411		Employees-Training/Develop.	$ 3,160
01-11-8020-7410		Employees - Travel	$ 1,750
01-11-8020-7411		Employees-Training/Develop.	$ 1,500
01-11-8020-7469		Contract Ser-Other	$ 85,000
		Development Services Total Reductions	$ 91,980
01-14-1430-7201	**Human Resources**	Office Equipment	$ 2,000
01-14-1430-7401		Office -General	$ 200
01-14-1430-7413		Employees- Recruitment	$ 2,000
01-14-1430-7462		Contract Ser-Medical	$ 660
		Human Resources Total Reductions	$ 4,860
		Grand Total Non-Personnel	**$ 478,808**
		Pers	**$ 932,759**
		Total Pers and Non-Pers Expense Reduct	**$ 1,411,567**

Schedule C - Revenue Reductions (2020 Fiscal Recovery Phase I)

GL Account	Department	Description	Decrease
02-00-2140	**Water Fund**	Water Revenues	$ 150,000
02-22-9901-7901	**Water Fund**	Interfund Transfer to General Fund	$ 150,000
		Water Fund Total Reduction	$ 150,000
03-00-2120	**Sewer Fund**	Sewer Fund Revenues	$ 100,000
03-22-9901-7901	**Sewer Fund**	Interfund Transfer to General Fund	$ 100,000
		Sewer Fund Total Reduction	$ 100,000
01-00-5002	**General Fund Revenues**	Interfund Transfer fm Water Fund to Gen Fund	$ 150,000
01-00-5003		Interfund Transfer fm Sewer Fund to Gen Fund	$ 100,000
01-00-1001		Real Property Taxes	$ 392,246
		General Fund Revenues Total Reduction	$ 642,246
01-03-1709	**Mayor/City Administrat**	Blight Violations	$ 7,000
		Mayor/City Administrator Total Reduction	$ 7,000
01-06-1603	**Assessor/ Clerk**	Vital Statistics Fees	$ 18,000
01-06-2510		After Hours Permit	$ 7,500
01-06-2540		Bingo License	$ 1,050
01-06-1606		Dog License	$ 1,750
01-06-2545		Marriage License	$ 1,700
		Assessor/Clerk Total Reduction	$ 30,000
01-07-2615	**Law**	Fines and Violations	$ 32,500
		Law Total Reduction	$ 32,500
01-08-1710	**DPW**	Street Resurfacing	$ 106,500
01-08-1713		Sanitation Violations	$ 9,345
01-08-1721		Parking Lot Revenues	$ 8,600
01-08-1722		Parking Lot Revenues	$ 4,000
01-08-1723		Parking Lot Revenues	$ 1,300
01-08-1726		Parking Lot Revenues	$ 30,000
01-08-1727		Parking Lot Revenues	$ 17,000
01-08-1729		Parking Lot Revenues	$ 4,600
01-08-1732		Parking Lot Revenues	$ 12,300
01-08-1735		Civic Center Events	$ 45,500
01-08-1741.CW		City Wide Meters	$ 24,000
01-08-2001		Parks and Recreation	$ 15,000
01-08-2609		Fines - Parking	$ 151,163
		DPW Total Reduction	$ 429,308

Schedule C - Revenue Reductions (2020 Fiscal Recovery Phase I)

GL Account	Department	Description	Decrease
01-09-2500	Police	Fines - Parking	$ 36,000
		Police Total Reduction	$ 36,000
01-10-1573	Fire	Housing Inspection Fees	$ 6,400
		Fire Total Reduction	$ 6,400
01-11-1561	Development Services	Cert of Occupancy Inquiries	$ 21,000
01-11-1572		Property Inspection Fees	$ 13,000
01-11-2110		Planning Site Plans	$ 20,000
01-11-2555		Building and Alteration	$ 174,113
		Development Services Total Reduction	$ 228,113
		Revenue reductions	$ 1,411,567

The City of Poughkeepsie
New York

John Taylor
Assessor
jtaylor@cityofpoughkeepsie.com

62 Civic Center Plaza
Poughkeepsie, N. Y.12601
845-451-4039

May 8, 2020

Re: Holmes Street
6161-37-091746

Mr Marc Nelson
City Administrator

Mr Nelson,

At your request I have been asked to determine any change in assessment due to the transfer of the parcel captioned above to the adjacent property located at 19 Holmes Street (6161-37-086746), City Poughkeepsie.

Currently, the parcel at Homes Street, is a vacant parcel consisting of 0.07 acres of unimproved residential vacant land located within a Medium Density Residence District (R-3) and as such, is a non-conforming lot. The owner is City of Poughkeepsie.

Should the city transfer the parcel, I would recommend conditioning the transfer on the merging of the properties and would reassess 19 Holmes Street an additional $5,000.

Should you have any additional questions or concerns, please do not hesitate to contact me.

Respectfully,

John Taylor
Assessor
City of Poughkeepsie

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) RESOLUTION REGARDING A SALE OF CERTAIN CITY OWNED PROPERTIES (R20-47)

INTRODUCED BY COUNCILMEMBER BRANNEN

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at no number Holmes Street and identified as Tax Map No.: 6161-37-091746; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and

2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and

3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

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

5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and

6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and

7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and

8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER _____.

RESOLUTION
(R20-48)

INTRODUCED BY COUNCILMEMBER BRANNEN

WHEREAS, the City of Poughkeepsie is the owner of no number Holmes Street and more particularly known as Tax Map No.: 6161-37-091746 (the, "Property"); and

WHEREAS, the Property is a vacant residential lot, approximately 73' x 50', located on the between 19 Holmes Street and 23 Holmes Street; and

WHEREAS, the Property was in common ownership of Paulette Duhaney-Parcell with 19 Holmes Street since 2004; and

WHEREAS, due to a title error, the legal description filed with the recorded deed did not incorporate the Property and as such, the taxes were not paid and the Property reverted back to the City of Poughkeepsie; and

WHEREAS, the city is desirous of deeding the Property back to Paulette Duhaney-Parcell to merge with her adjoining property; and

WHEREAS, the Property Acquisition and Disposition Committee ("PAD") has recommended the deed; and

WHEREAS, the Common Council hereby finds that the transfer of the Property is in the best interests of the City of Poughkeepsie to approve such offer so that the premises may be returned to the tax rolls; and

NOW, THEREFORE,

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

RESOLVED, that the transfer by deed of the Property identified as Tax Map No.: 6161-37-091746 in the City of Poughkeepsie to Paulette Duhaney-Parcell is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

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

A. **the conveyance of title and the payment of the purchase price shall take place within thirty days of the date of this resolution, unless the**

Corporation Counsel shall grant such extension as he/she deems appropriate;

B. **The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**

C. **Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record;**

D. **Purchasers agree that they shall not use the purchase price agreed to as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and**

E. **Purchaser must merge the Property with her adjoining property located at 19 Holmes Street.**

BE IT RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER_____:

ORDINANCE REPEALING CHAPTER 2, ARTICLE VII OF THE CODE OF ORDINANCES ENTITLED MALL COMMISSION

(O20-04)

INTRODUCED BY CHAIR SALEM

SECTION 1. BE IT ENACTED, by the Common Council of the City of Poughkeepsie, an ordinance repealing Chapter 2, Article VII of the Code of Ordinances of the City of Poughkeepsie entitled "Mall Commission" to provide as follows:

~~**City of Poughkeepsie, NY** / Part III: Code of Ordinances / Administration~~

~~Article VII **Mall Commission**~~

~~Section 2-80 **Statement of policy.**~~
~~Section 2-81 **City of Poughkeepsie Mall Commission.**~~
~~Section 2-82 **Operation of mall.**~~
~~Section 2-83 **Boundaries of mall.**~~
~~Section 2-84 **Vehicular traffic prohibited.**~~
~~Section 2-85 **Responsibilities of abutting owners, tenants and prohibited materials.**~~
~~Section 2-86 **Use of mall for nonvehicular purposes.**~~
~~Section 2-87 **Task force.**~~
~~Section 2-88 **Penalties for offenses.**~~
~~Section 2-89 **Remedies deemed cumulative, not exclusive.**~~
~~Section 2-90 **Applicability.**~~
~~Section 2-91 **Promotion.**~~
~~Section 2-92 **Exterior building and street alterations.**~~
~~Section 2-93**through Section 2-100. (Reserved)**~~

~~Section 2-80 **Statement of policy.**~~

~~[Ord. of 8-20-1973, § 1; Ord. of 11-3-1980, § 1, 2]~~

~~**(a)** The Common Council of the City of Poughkeepsie recognizes the need to maintain, preserve and enhance a strong, attractive and economically viable central business district; that this central business district, as embodied by the Main Mall, should serve as a dynamic focus for social, economic and cultural activities for the City of Poughkeepsie, Dutchess County, and the surrounding Mid-Hudson region; and that the Main Mall, notwithstanding the existing facilities, recent improvements and continuing emphasis upon improving its maintenance and security, should be developed and utilized to its fullest potential.~~

~~**(b)** It is hereby declared as a matter of public policy that the creation of the City of Poughkeepsie Mall Commission is a public necessity and is required in the interest of the health, prosperity, safety and welfare of the people. The purpose of this Article is to:~~

~~**(1)** Effect and accomplish the creation of such a Mall Commission.~~
~~**(2)** Safeguard the physical improvements and facilities of the central business district.~~
~~**(3)** Combat existing and threatened deterioration and physical and economic blight.~~
~~**(4)** Encourage the healthy growth of the city.~~
~~**(5)** Stabilize and improve property values, the tax structure, the business climate and the economy of the city.~~
~~**(6)** Protect and enhance the attractiveness of the community.~~
~~**(7)** Foster civic pride.~~
~~**(8)** Promote the use of the Mall for the education, pleasure and welfare of the people of the city.~~

~~Section 2-81 **City of Poughkeepsie Mall Commission.**~~
~~[Ord. of 8-20-1973, § 1; Ord. of 6-6-1974, § 1; Ord. of 11-3-1980, § 3 through 5]~~

~~**(a)** In order to execute and effectuate the purposes declared in this Article, there is hereby created a commission to be known as the "City of Poughkeepsie Mall Commission."~~

~~**(b)** The Commission shall consist of seven members, all of whom shall be residents of the City of Poughkeepsie. The members shall be appointed by the Mayor with the concurrence of the Common Council for terms of five years, provided that two of the seven members shall be owners or tenants within the boundaries of Section **2-83** and two of the seven members shall be members of the Downtown Council and three of the seven members shall be citizens who are neither owners nor tenants nor members of the Downtown Council, and provided that of those members first taking office, two shall be appointed for five years, two shall be appointed for four years, one shall be appointed for three years, one shall be appointed for two years and one shall be appointed for one year. Each member shall serve until the appointment and qualification of his successor. The terms of the members first taking office shall commence on the date of their appointment. The terms of the members presently serving shall be terminated upon adoption of this section.~~

~~**(c)** The members shall serve without compensation.~~

~~**(d)** In the event of a vacancy occurring during the term of a member, the Mayor shall make an interim appointment, with concurrence of the Common Council, to fill out the unexpired term of such member.~~

~~(e) The Mayor shall designate one of the members of the Commission to be the initial Chairman. Such initial Chairman shall serve until a successor is elected by the members.~~

~~(f) The Commission shall have such powers and duties as may be prescribed from time to time by the Common Council.~~

~~(g) The Commission shall propose to the Common Council applicable new or revised ordinances and shall also refer to the Common Council for approval proposed rules and regulations concerning the internal administration of the Mall, including but not limited to quorum requirements, regularly scheduled meetings, utilization of consultants, procedures for the implementation of Commission powers and other matters within the jurisdiction of the Commission.~~

~~(h) The Mall Commission shall be convened monthly to consider regular business and may be convened more frequently at the Chairman's request to consider urgent business.~~

~~Section 2-82 **Operation of mall.**~~
~~[Ord. of 8-20-1973, § 1; Ord. of 6-6-1974, § 1; Ord. of 11-3-1980, § 6 through 9]~~

~~(a) The Commission shall consider and from time to time propose new or revised ordinances for the consideration of the Common Council of the City of Poughkeepsie regarding the operation and maintenance of the Mall. No such proposed or revised ordinances shall take effect unless and until they are adopted and approved by the Common Council of the City of Poughkeepsie.~~
~~(b) Such proposed new or revised ordinances may include but shall not be limited to:~~

~~(1) (Reserved)~~
~~(2)(Reserved)~~
~~(3)(Reserved)~~
~~(4)Provisions for use of the Mall for sales, concerts, public gatherings, promotions, advertising and other such uses.~~
~~(5) Provisions for creation of an advisory association of merchants on the Mall in order to assist in implementation of mall activities.~~
~~(6) Provisions for establishment of fee schedules for use of mall.~~
~~(7) Reviewing operation and maintenance of the Mall and making recommendations to the City Administrator.~~
~~(8) Procedures for recommendations to the City Administrator regarding replacement, changes, additions and deletions to the Mall.~~
~~(9)(Reserved)~~

~~(c) Prior to the adoption of any new or revised ordinances, the Commission shall conduct a public hearing not less than five days after publication of a notice of public hearing in the official newspaper of the City of Poughkeepsie. The notice of public hearing shall include a statement as to the time and place where copies of the proposed new or revised ordinance may be reviewed by the public as well as the time and place of the public hearing.~~

~~(d) Upon the adoption of the proposed or revised ordinance by the Common Council, the Commission shall make provision for distributing copies of such new or revised ordinance to the public.~~

~~Section 2-83 **Boundaries of mall.**~~
~~[Ord. of 8-20-1973, § 1; Ord. of 11-3-1980; § 10, 11; Ord. of 12-15-1981; Ord. of 6-17-1991, § 1]~~

~~Beginning at the point of intersection of the easterly line of New Market Street with the northerly line of Main Street, said point being the northwesterly corner of the herein-described parcel; thence along the northerly line of Main Street in an easterly direction 458 feet, more or less, to the point of intersection of the northerly line of Main Street with the westerly line of Garden Street; thence along the westerly line of Garden Street in a northerly direction 217.8 feet, more or less; thence crossing Garden Street in an easterly direction 34 feet, more or less, to a point in the easterly line of Garden Street; thence along the easterly line of Garden Street in a southerly direction 217.8 feet, more or less, to the point of intersection of the easterly line of Garden Street with the northerly line of Main Street; thence along the northerly line of Main Street in an easterly direction 496.8 feet, more or less, to the point of intersection of the northerly line of Main Street with the westerly line of Catharine Street; thence beginning again at the northerly line of Main Street at the point of intersection of the easterly line of North Hamilton Street with the northerly line of Main Street; thence still along the northerly line of Main Street in an easterly direction 506.8 feet, more or less, to the point of intersection of the northerly line of Main Street with the westerly line of Little Smith Street; thence crossing Little Smith Street still along the northerly line of Main Street in an easterly direction 30 feet, more or less, to the point of intersection of the easterly line of Little Smith Street with the northerly line of Main Street; thence still along the northerly line of Main Street in an easterly direction 87.4 feet, more or less, to the point of intersection of the westerly line of North Clinton Street with the northerly line of Main Street; thence crossing Main Street along the westerly line of North Clinton Street in a southerly direction 60 feet, more or less, to the point of intersection of the southerly line of Main Street and the westerly line of South Clinton Street; thence along the southerly line of Main Street in a westerly direction 707.9 feet, more or less, to the point of intersection of the easterly line of South Hamilton Street with the southerly line of Main Street; thence beginning again at the point of intersection of the westerly line of Academy Street with the southerly line of Main Street; thence still along the southerly line of Main Street in a westerly direction 459 feet, more or less, to the point of intersection of the easterly line of Liberty Street with the southerly line of Main Street; thence along the easterly line of Liberty Street in a southerly direction 187.7 feet, more or less; thence crossing Liberty Street in a westerly direction 25 feet, more or less, to a point in the westerly line of Liberty Street; thence along the westerly line of~~

Liberty Street in a northerly direction 213.8 feet, more or less, to the point of intersection of the westerly line of Liberty Street with the southerly line of Main Street; thence along the southerly line of Main Street in a westerly direction 106.1 feet, more or less, to the point of intersection of the easterly line of Wood Lane with the southerly line of Main Street; thence along the easterly line of Wood Lane in a southerly direction 213.8 feet, more or less; thence crossing Wood Lane in a westerly direction 15.8 feet, more or less, to a point in the westerly line of Wood Lane; thence along the westerly line of Wood Lane in a northerly direction 213.8 feet, more or less, to the point of intersection of the westerly line of Wood Lane with the southerly line of Main Street; thence along the southerly line of Main Street in a westerly direction 349 feet, more or less, to the point of intersection of the easterly line of Market Street with the southerly line of Main Street; thence crossing Main Street in a northerly direction 66 feet, more or less, to the point of origin.

(a) The physical boundaries within which the Commission may exercise its powers and duties are as follows:

(b) All areas identified as streets on the Official Map of the City of Poughkeepsie and intended for use as vehicular thoroughfares which are included within the areas described are to be excluded from the regulations of Sections **2-80** through **2-92**.

(c) For the purpose of review of exterior building alterations (Section **2-92**), the boundaries of the Mall shall include all buildings abutting or adjacent to the Mall.

Section 2-84 **Vehicular traffic prohibited.**
[Ord. of 6-17-1974, § 1; Ord. of 12-16-1974, § 1; Ord. of 1-20-1975, § 1; Ord. of 8-15-1977; Ord. of 11-3-1980, § 12 through 20; Ord. of 5-16-1988, § 1 through 3]

All vehicular traffic upon the Mall is banned and prohibited with the exception of the following:
(a) *Emergency vehicles.* Emergency vehicles as herein defined shall include and be limited to police, fire, ambulance and utility company vehicles, said utility company vehicles being included only when making emergency repairs. However, such vehicles, except for police and fire vehicles, shall be operated in accordance with the provisions of Subsection **(d)**.

(b) *Official city vehicles.* Official city vehicles shall be permitted on the Mall at all times so long as they are being operated in accordance with official city business, including but not limited to maintenance equipment, so long as said vehicles are operated in accordance with the provisions of Subsection **(d)**.

(c) *Delivery vehicles.* Delivery vehicles shall be permitted on the Mall only between the hours of 6:00 a.m. and 10:00 a.m. daily, unless the City Administrator shall have given prior written

approval for delivery vehicles to be on the Mall at other hours. Such approval to vary the hours that delivery vehicles may be permitted on the Mall shall be given only in exceptional hardship instances. All delivery vehicles on the Mall must be operated in accordance with the provisions of Subsection **(d)**.

(d) *Operation of vehicles.* The operation of vehicles permitted on the Mall must comply with all of the following:

(1) Metal wheels, metal tires, metal snow chains and snow tires with studs are prohibited at all times.

(2) Vehicles leaking lubricants or energy fuels are prohibited at all times.

(3) Vehicles needed for repair, construction or service on the Mall shall be regulated by permit from the City Administrator. A written request by the owner of the property to be repaired must be submitted to the City Administrator which must include the estimated timing of the project, the schedule of expected vehicles to be utilized and the number and type of vehicles. The City Administrator shall review the request and, if permission is granted, shall designate where the vehicle(s) shall be parked. Only one such vehicle will be allowed on site during restricted hours.

(4) The owner and operator of any vehicle spilling any matter upon the surface of the Mall or in any way marring the surface of the Mall shall be responsible to correct such spillage and damage immediately.

(5) No vehicle while operating on the Mall, except for emergency vehicles, shall travel at a speed greater than five miles per hour.

(e) *Bicycles.* It shall be unlawful for any person to ride a bicycle, roller skates, skateboard or other recreational devices upon the Mall at all times without the permission of the City Administrator and main Mall Commission under Class B, Category (d), uses. All bicycles must be parked in designated bicycle racks.

(f) Penalties.

(1) Failure to keep the granite guide on strip clear shall be punishable by such penalties as provided in Section **1-8** of the Code of Ordinances of the City of Poughkeepsie. Additionally, anyone operating a motor vehicle on the Mall and not removing said vehicle off said guide on strip when parked or standing shall be deemed to have consented to the removal of said vehicle by the City of Poughkeepsie, its agents, servants or employees for the purpose of towing away and impounding said vehicle. The City of Poughkeepsie is hereby authorized to tow away and impound said vehicles.

(2) All other violations shall constitute petit offenses, punishable by a fine of $20.

(g) It shall be unlawful for any person to play a radio, tape deck, television, musical instrument or other device capable of emitting amplified sound upon the Mall at all times without the permission of the City Administrator and main Mall Commission under Class (B), Category (d) uses.

Section 2-85 **Responsibilities of abutting owners, tenants and prohibited materials.**
[Ord. of 6-17-1974, § 1]

(a) *Abutting owners and tenants.* It shall be the responsibility of abutting owners and tenants to utilize their respective properties in such a manner as to facilitate the maintenance of the Mall. Recessed store entrances, foyers or other areas within the building lines shall at all times remain the responsibility of the tenants or owners who shall maintain all such recessed store entrances, foyers or other areas within the building lines in accordance with this Article, as well as in accordance with Chapter XV of the Code of Ordinances, as may be amended from time to time.

(b) *Sweeping and dumping prohibited.* The sweeping of refuse or other litter onto the Mall, dumping refuse or otherwise littering on the Mall or in any way impeding the maintenance of the Mall in a clean and orderly fashion is prohibited.

(c) *Rock salt and chemical agents prohibited.* The use of rock salt or other chemical agents upon the Mall is prohibited at all times. Notwithstanding the foregoing, such materials may be utilized if prior written approval has been obtained from the Superintendent of Public Works or his duly authorized agent.

Section 2-86 **Use of mall for nonvehicular purposes.**
[Ord. of 6-17-1974, § 1; Ord. of 11-3-1980, § 21 through 27]

(a) *Written approval required.* A use permit will be required for all events, activities, displays, exhibits, commercial sales and other uses within the boundaries of Section **2-83**. Such use permits will be issued in accordance with the provisions of this section. There will be five general classes of permits.

(1) *Class A: Permits for service activities.* Requests for Class A permits are to be referred to and approved directly by the City Administrator with or without conditions. Activities and uses included in this area are:

a. Vehicles needed for repair, construction or service on the Mall.

b. Delivery vehicles needed on the Mall in accordance with Section **2-84(c)**.

c. Temporary storage of construction equipment or materials.

(2) *Class B: Permits for parades, assemblages and educational recruiting.* Requests for Class B permits are to be issued after review, approval with or without conditions and scheduling by the main Mall Commission and City Administrator. Activities and uses included in this class are:

a. Parades.

b. Assemblages.

c. Educational recruiting by colleges or universities accredited by New York State.

d.Similar activities and uses not covered by another class of permit.

(3)*Class C: Permits for nonpecuniary community-oriented activities.* Class C permits are to be issued after review, approval with or without conditions and scheduling by the main Mall Commission and City Administrator. Activities and uses will not have a money-making motive. Activities and uses included in this class are:

a. Educational (except as covered by Class B permits).

b. Entertainment (except as covered by Class B permits).

c. Cultural (except as covered by Class B permits).

d. Civic (except as covered by Class B permits).

e. Social (except as covered by Class B permits).

f. Religious (except as covered by Class B permits).

(4) *Class D: Permits for commercial exhibits, promotions and displays.* Class D permits relate to activities and uses which will not involve the direct sale of merchandise, products or goods within the boundaries of Section **2-83**. Class D permits are to be issued after review, approval with or without conditions and scheduling by the main Mall Commission and the City Administrator. A use fee may be charged for Class D, category (a) or (b) uses if conducted by a profit-making organization in accordance with Section **2-86**. Activities and uses included in this class are:

a. Displays and exhibits (except as covered by Class C permit).

b. Advertising and promotion of commercial events, products, services and goods.

c. Decorations of public space in conjunction with special seasons or events.

(5) *Class E: Permits for vending, soliciting and fundraising.* Class E permits will relate to activities and uses which involve the direct sales of merchandise, products or goods, fundraising and any city-authorized solicitation for funds. Permits will be issued after review, approval with or without conditions by the main Mall Commission and City

Administrator. A use fee may be charged if conducted by a profit-making organization in accordance with Section **2-86**. Activities and uses included in this class are:

a. Vending, sales or city-authorized solicitation for profit on a daily basis or for specific time period. These activities shall not include hawking or peddling.
b. Vending, sales or other fundraising activity or city-authorized solicitation by a nonprofit organization. These activities shall not include hawking or peddling.
c. Outdoor dining and catering.

All Class B through E permits approved and activities scheduled will be made at the regular meeting of the main Mall Commission unless chairman of that Commission considers the matter of such importance to call a special meeting. All applications shall be in writing and shall incl the intended use, the specific portions of the Mall to be utilized and the reason for such a request. Scheduling of Class B through E uses, if a when given by the main Mall Commission, shall be referred promptly to the City Administrator. The approval of the City Administrator in Class uses, City Administrator and the main Mall Commission in Class B through E uses, in writing, is necessary prior to the use of the Mall and is addition to and not in substitution for any other applicable permits and permission required by law.

(b) *Terms and conditions for use.* Permission by the City Administrator in Class A uses and the Main Mall commission and City Administrator in Class B through E uses for the use of the area described in Section **2-83** shall be granted upon such terms and conditions that may include, among other things, the locations of the use, the manner of the implementation of the use, requirements for cleaning of the Mall after such event and regulation of the design, sound emitted, degree of supplemental lighting, movie and slide projectors and other types of electrical equipment or display utilized and other reasonable terms and conditions. If, in the opinion of the permit issuer, these terms are being violated during an event, the permittee will be advised of such violation. If this violation is not immediately corrected, the permit will be revoked and the event suspended.

(c) Fees for promotions within the boundaries of Section **2-83**. The fee shall be as follows:

(1) Nonprofit organizations shall pay no fee.

(2) Profit-making organizations shall pay:

a. Fifty dollars per day or $70 per event, per unit of space approximately four feet by eight feet in size allocated to organized groups of casual vendors of small items, such as but not limited to hand-crafted articles, bake goods and plants.
b. Fifty dollars per day or $70 per event per unit of space approximately eight feet by twenty feet in size allocated to organized groups of casual vendors of large items, such as but not limited to automobiles, campers, boats and lawn equipment.
c. A fee of $50 per day or $70 per event for the bandstand and other pavilions within the boundaries of Section **2-83**. Use of the bandstand and other pavilions will be deemed suitable for individual or groups displaying and/or selling items

such as but not limited to garden or lawn furniture or equipment, camping and sporting equipment and building products.

d. At the option of the City Administrator, a fee of $50 per day or $70 per event shall be charged for use of the entire mall or portion thereof, as part of a mall event or promotion, scheduled and supervised by the Downtown Council or other organization representative of mall tenants and property owners as determined by the main Mall Commission and City Administrator.

e. The City Administrator shall also be empowered to negotiate a use fee for all Class D, category (a) and (b), and Class E, category (a), (b) or (c), uses which are scheduled by the main Mall Commission for more than 10 calendar days. In each case, the negotiated use fee shall be equal to the average per square foot annual rental and taxes of the adjoining properties. No permit may exceed 30 days in length. All permits may be renewed at the option of the City Administrator.

(3) The following conditions shall apply to the use within the boundaries of Section **2-83** by profit making groups:

a. If rain should force cancellation of a scheduled event, fees for the canceled event will be returned.

b. All fees must be paid in full one week before the scheduled event.

c. Air space above a unit of space will be limited to eight feet in height without special authorization from the main Mall Commission.

d. All fees collected shall be deposited immediately with the office of the Commissioner of Finance of the City of Poughkeepsie.

e. It is expected that an annual budget will be submitted by the main Mall Commissioner, and that fees collected for use of the area described in Section **2-83** will be used to defray, in part, the expenses of said main Mall Commission.

f. In the event that an application is rejected, the amount tendered with the application shall be promptly refunded.

(4) The City Administrator will review all Class A through E uses to determine if an excess cleanup cost will be incurred by the City of Poughkeepsie. A performance bond may be requested by the City Administrator equal to the amount of money anticipated for excess cleanup activities. After such use has concluded, if in the opinion of the City Administrator no excess cleanup costs or an amount of excess cleanup costs less than the cumulative amount of the performance bond posted has been incurred, the difference between the excess cleanup costs and the amount of the performance bond will be promptly refunded to the permittee.

Section 2-87 **Task force.**
[Ord. of 6-17-1974, § 1; Ord. of 11-3-1980, § 28, 29]

The Mall Commission may appoint a task force for specific purposes as the need arises. The purpose of this task force shall be to assist the Commission in the implementation of mall activities and, when necessary, to make appropriate recommendations to others, including the Common Council of the City of Poughkeepsie. Said task force shall meet from time to time to advise the Mall Commission regarding mall activities.

Section 2-88 **Penalties for offenses.**
[Ord. of 6-17-1974, § 1]

Except in those cases where a specific penalty is herein set forth, the violation of any provision or provisions of this Article shall be punishable by such penalties as are set forth in Section **1-8** of the Code of Ordinances of the City of Poughkeepsie.

Section 2-89 **Remedies deemed cumulative, not exclusive.**
[Ord. of 6-17-1974, § 1]

The remedies provided for herein shall be cumulative and not exclusive and shall be in addition to any other remedies provided by law; any and all remedies may be pursued concurrently or consecutively, and the pursuit of any remedy should not be construed as an election or waiver of the right to pursue any and all other remedies.

Section 2-90 **Applicability.**
[Ord. of 6-17-1974, § 1]

This Article shall apply to everyone, including but not limited to owner, lessee, operator, occupant, mortgagee, vendee in possession, assignee of rents, receiver, executor, trustee, agent, firm, sole proprietorship, partnership, national association and corporation.

Section 2-91 **Promotion.**
[Ord. of 11-3-1980, § 30]

The Commission, in furtherance of the policy stated in Section 2-80(b)(7) and (8), shall be directed to promote, solicit, sponsor and otherwise encourage the use of the Mall for educational, cultural, civic, commercial and other events.

Section 2-92 **Exterior building and street alterations.**
[Ord. of 11-3-1980, § 31, 32]

(a) The Commission shall be empowered to review and advise upon all proposals, both public and private, for all temporary and permanent exterior building alterations, including but not

~~limited to signs and building facades in accordance with Section **19-4.9**, Signs, of the Code of Ordinances.~~

~~**(b)** The Commission shall be empowered to review and advise upon all proposals, both public and private, for all temporary and permanent exterior street alterations, including but not limited to landscaping, street furniture and other modifications which directly affect or otherwise influence the visual, aesthetic and physical character of the Mall.~~
~~Section 2-93~~**~~through Section 2-100. (Reserved)~~**

SECTION 2. This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____ :

~~STRIKETHROUGH~~ INDICATES DELETION

ITALICS INDICATES ADDED LANGUAGE

LOCAL LAW AMENDING SECTION 14.08 OF THE ADMINISTRATIVE CODE ENTITLED TAXES – PENALTIES, INTEREST ON UNPAID TAXES

(LL20-01)

INTRODUCED BY COUNCILMEMBER CHERRY, FLOWERS, BRANNEN AND MENIST

SECTION 1. BE IT ENACTED, by the Common Council of the City of Poughkeepsie, a local law amending Section 14.08 of the Administrative Code of the City of Poughkeepsie entitled "Taxes – penalties, interest on unpaid taxes", to provide as follows:

Section 14.08 Taxes – penalties, interest on unpaid taxes.

(a) Payment without interest or penalty. There shall be no interest or penalty charged on taxes paid in full on or before February 15.

(b) Late penalty. There shall be a two-percent penalty levied on the *outstanding unpaid tax balance commencing on* ~~taxes paid in full on or after~~ February 16.

(c) Installment payments. When not paid in full by February 15, partial payments in any amount will be accepted by the Commissioner of Finance until the balance is paid in full. When paid in installments, the payments shall be applied in the following order:

1) Outstanding Fees
2) Interest
3) Oldest tax due

~~Installment fee. There shall be a two-percent fee charged on total taxes when paid on a quarterly installment basis. Such fee shall be payable with the first installment. Installments paid on or before the due dates, namely February 15, May 15, August 15 and October 15 shall not be charged additional interest or penalty.~~

~~(d)~~ Interest charges. *Payments made March 1 or after shall, in addition to the late fee set forth in (b) above, be subject to interest charges at 1% per month on the outstanding remaining balance. The payments shall be applied in the same manner as set forth in section (c) above.* ~~in full after February 15, and installment payments made after the due dates stated above, shall be subject to interest charges set forth as follows:~~

~~**Interest Date of Payment**~~

~~2% February 16 – February 28/29~~

~~3% March 1 – March 31~~

~~4% April 1 – April 30~~

~~5% May 1 – May 31~~

~~6% June 1 – June 30~~

~~7% July 1 – July 31~~

~~8% August 1 – August 31~~

~~9% September 1 – September 30~~

~~10% October 1 – October 31~~

~~11% November 1 – November 30~~

~~12% December 1 – Announced date of tax sale~~

SECTION 2. This Ordinance shall take effect immediately upon filing with the New York State Secretary of State.

SECONDED BY COUNCILMEMBER _____ :

~~STRIKETHROUGH~~ INDICATES DELETION

ITALICS INDICATES ADDED LANGUAGE

Memorandum

To: Common Council Members

From: Marc Nelson, City Administrator

CC: Paul Ackermann, Corporation Counsel; Property Acquisition & Disposition Committee Members

Date: May 6th, 2020

RE: Communication Regarding the Sale of a City-owned Property Located at 25 Whinfield Street in the First Ward.

The Property Acquisition & Disposition Committee has reviewed the attached offer to purchase a certain city-owned property located at 25 Whinfield Street. The usual documentation is attached for your review. This property will remain a single family home and will also be owner-occupied. The elimination of a vacant property is also an important benefit of this transaction, as is the elimination of city-risk and expense associated with its ownership.

The purchase price agreed is $40,500 which is $3,500 less than the current estimate value assigned by the City Assessor, however the PAD believes that the proposed usage and rehabilitation plan proposed by the purchaser warrants this minimal discount, particularly given the current economic climate.

The proposal has the support of First Ward Councilman, and the Administration also is supportive.

Thank you.

The City of Poughkeepsie

New York

Property Acquisition & Disposition Committee
Marc S. Nelson
Eric Philipp
John Taylor
Erian Buckley-Falcon
Nancy L. B. Griffin

62 Civic Center Plaza
Poughkeepsie, NY 12601
PHONE: (845) 451-4065
FACSIMILE: (845) 451-4070

ANY OFFERS OR COUNTEROFFERS ACCEPTED BY PAD ARE SUBJECT TO THE APPROVAL OF THE CITY OF POUGHKEEPSIE COMMON COUNCIL.

April 22, 2020

Robert Banach-Page and Regina Horan
VIA EMAIL TO: realestaterobpage@gmail.com
3220 BayviewDrive #301
Ft. Lauderdale, FL 33306

Re: Offer to Purchase City-Owned Property

Dear Mr. Banach-Page and Ms. Horan:

The Property Acquisition and Disposition Committee ("PAD") has reviewed your offer to purchase property located at 25 Whinfield Street.

As previously explained, the PAD was created to review any offer to purchase City-owned property in order to insure that the City's goals are met based on certain criteria. After discussion of these factors, the PAD believes your offer of $40,500.00 is acceptable.

We are now prepared to refer your offer to the Common Council for discussion. In the event the Common Council agrees with the PAD, the offer would then go back to the Common Council for a resolution. If they do not agree, we will let you know as soon as possible whether they have a counteroffer.

If the above meets with your approval, please contact the undersigned at your earliest convenience, as we cannot refer until we receive your approval. Thank you.

Very truly yours,

CITY OF POUGHKEEPSIE
PROPERTY ACQUISITION &
DISPOSITION COMMITTEE

By: _____
Nancy L. B. Griffin, Member

cc: PAD Members

866458
866456
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860453
859249
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574238
WHINFIELD ST
150'
100'
50'
25'
75'
53'

Google Maps 26 Whinfield St

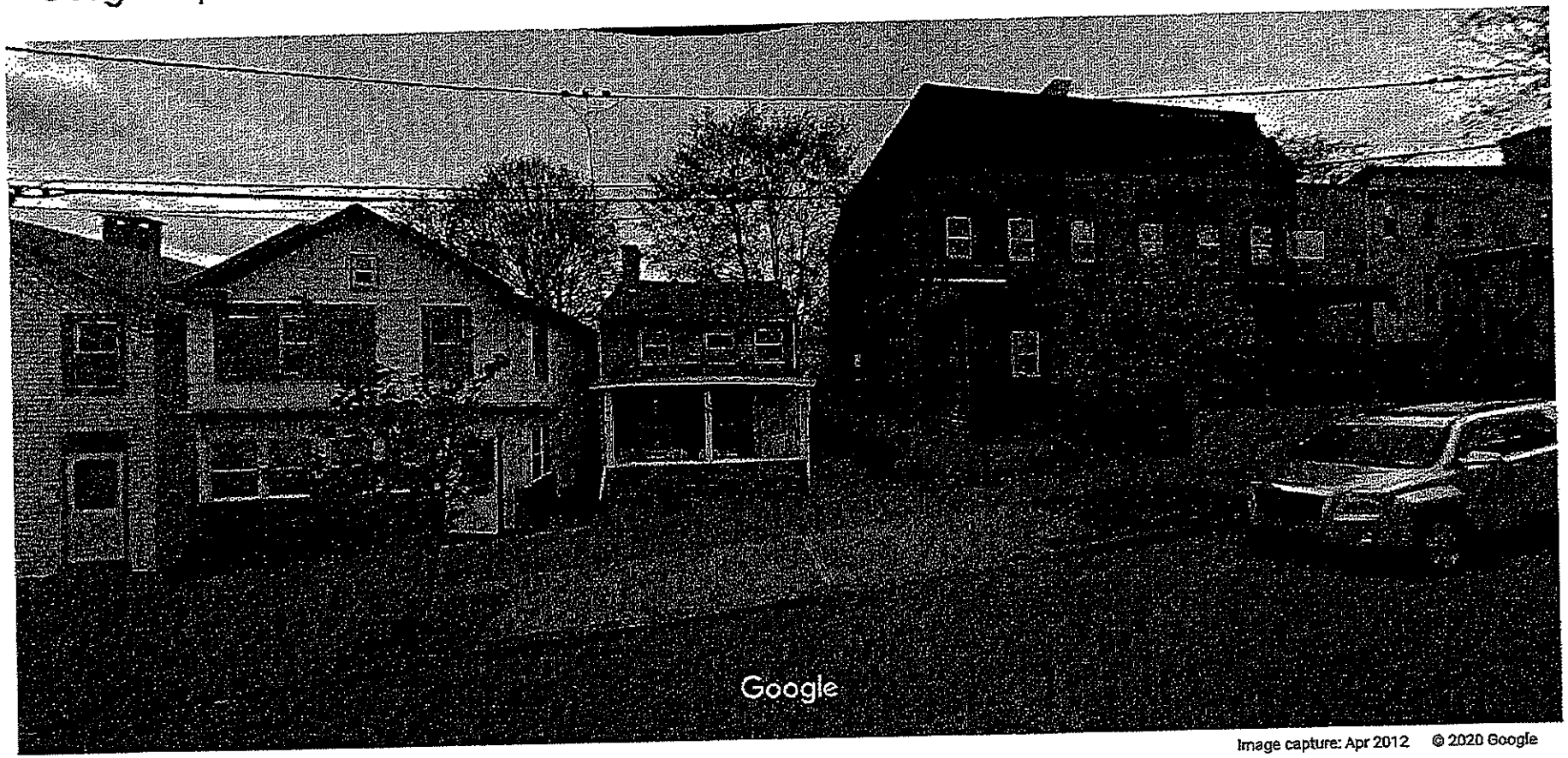


Image capture: Apr 2012 © 2020 Google

Poughkeepsie, New York

Google

Street View

RESIDENTIAL- ONE & TWO FAMILY HOMES

Thank you for your interest in the City of Poughkeepsie. The Office of Corporation Counsel wants to help you find the property that best matches your needs as a **homeowner-occupant**. *To help us – please complete the following:*

Name: Robert Banach-Page and Regina Horan

Address: 3220 Bayview Drive #301, Fort Lauderdale, FL 33306

Home Phone: 954-805-7151 Work Phone: _____ Fax: _____

Employer: _____

Employer Address: _____

If Self Employed: Self Employed Real Estate Broker

Property Needs:
Single-Family: X Two-Family: ___ New Construction: ____ Other: _____
If other, please explain: _____

Number of Bedrooms: two ____ three ____ four ____ No preference X

Will this purchase require financing: yes ____ no X

Have you spoken/met with a lender: yes ____ no X

If yes, the name, address and phone of lender: _____

Have you ever attended a "Home Buyer Information Class"? yes ____ no X
If yes, where? _____

Do you now or have you ever owned property in the City of Poughkeepsie: yes X no __
If yes, where? 95 Albany Street (Mailing address 20 Whinfield Street)

Do you own other property: yes X no ____
If yes, please provide the complete address:
3220 Bayview Drive #301, Fort Lauderdale, FL 33306

What properties on the *"Properties For Sale List"* interest you?
25 Whinfield Street

PURCHASE OFFER ON CITY OWNED PROPERTY

Date: 2/14/2020

Address of City-owned Property to be purchased: 25 Whinfield Street

Purchaser Information:

Name(s) of Purchaser: Robert Banach-Page
Regina Horan

Address of Purchaser: 3220 Bayview Drive #301
Fort Lauderdale, FL 33306

Phone number(s): _____

Name, address and phone number of Business (if purchase is to be in the business' name):

_____

_____

_____

Name, address and phone number of Attorney:
Craig Wallace
85 Civic Center Plaza, Suite LL3, Poughkeepsie, NY 12601
845-473-0900

Dollar amount of purchase offer: $40,500

Conditions on the offer:
NONE

Financial Information:

Financial information for acquisition (to buy) of the property:

Owner Financing: ____ Private Financing: X Need to obtain a mortgage: ____

Name, address, phone number and a contact person of Bank, Mortgage Company or Private Financing:
Cash offer - buyer's personal funds

Financial information for the rehabilitation (when applicable) of the property:

Owner Financing: ____ Private Financing: X Need to obtain a mortgage: ____

Name, address, phone number and a contact person of Bank, Mortgage Company or Private Financing:
Will use our own funds to rehab

Other Property owned:

Do you, or any member of your immediate family own other real property located in the City of Poughkeepsie in any of the following capacities:

Individually ____ Shareholder ____ Officer or director of a corporation ____
Partner in a partnership ____ Member of a Limited Liability Company ____
Member of a Joint Venture ____ Other Capacity ____

Please Identify: ____

If yes, the addresses of any other property, located in the City of Poughkeepsie:

Please be advised that the principals must be current on all other indebtedness to the City of Poughkeepsie.

Name, address and phone number of Real Estate Broker (if applicable):

Development Plan:

The intended use of the property (i.e.: single family, two family, retail business, etc):
Personal use as a single family residence

The development plan for the property (i.e.: change from residential to commercial, describe renovations to building, etc.):
Keep the property as is - residential

What construction work is necessary to prepare the property for this use:

Full renovation inside and out

Is site plan approval needed: yes _____ no X

Are any variances required: yes _____ no X

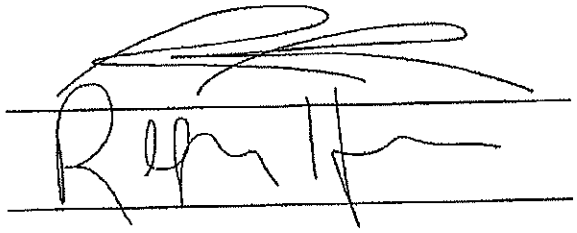
The schedule for such improvements to the property (Note- If applicable, you will be required to obtain a building permit in six months of the purchase and a Certificate of Occupancy within one year of that):

Would like to begin renovations as soon as possible.

Will you be making changes to the floor plan of the building (i.e.: changing the number, size or shape of the rooms):

No

Purchaser(s) Signatures:



Please return completed form to:

Corporation Counsel
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12601
Phone: (845) 451-4065
Fax: (845) 451-4070

The City of Poughkeepsie
New York

John Taylor
Assessor

62 Civic Center Plaza
Poughkeepsie, N. Y.12601

845-451-4039
Fax: 845-451-4181

April 24, 2020

Re: 25 Whinfield Street
6062-59-866450

Mr. Marc Nelson
City of Poughkeepsie Administrator

Mr. Nelson,

Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of marketing. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc Nelson, City Administrator and is intended for his specified use.

The property is located at 25 Whinfield Street, City of Poughkeepsie and consists of a residential improved parcel with a single family home. A physical field inspection has been made of the property and the property appears to be in poor condition. Additionally, it must be understood that no plans or survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

To establish an opinion of market value, a Sales Approach was utilized based on sales of similar properties, in similar condition, within the subject market area. In this approach, value is based on the transfer of properties considered to be similar in use and condition. Due to the lack of recent sales within the subject immediate neighborhood, it was necessary to expand the search into surrounding neighborhoods. Any and all data, reasoning and/or analysis used to develop the opinion of value has been retained and any depth of discussion is specific to the needs of the intended user and the intended use.

After careful consideration, I have concluded the estimated Market Value of the subject property, to be $45,000.

Should you have any additional questions, please do not hesitate to contact me.

Respectfully,

John Taylor
Assessor
City of Poughkeepsie

RESOLUTION
(R-20-XX)

INTRODUCED BY COUNCILMEMBER PETSAS:

WHEREAS, the City of Poughkeepsie has previously taken title to a single family house located at 25 Whinfield Street (Tax Map No: 6062-59-866450), in the City of Poughkeepsie by reason of unpaid real property taxes; and

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

WHEREAS, an offer has been received from Robert Banach-Page and Regina Horan in the amount of $40,500; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Robert Banach-Page and Regina Horan is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

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

RESOLVED, that the offer from Robert Banach-Page and Regina Horan to purchase premises known as 25 Whinfield Street (Tax Map No: 6062-59-866450), in the City of Poughkeepsie for the sum of $40,500.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

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

A. **That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.**
B. **The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning**

Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;

C. **Purchaser's obligation to purchase such property shall be contingent upon Seller obtaining an insurable interest in the property pursuant to Article 15 of the Real Property Action and Proceedings Law or other applicable law;**

D. **Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and**

E. **Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and**

F. **Purchaser shall abate all building code violations within sixty (60) days.**

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to sign the deed and any other documents required to effect the sale, provided such deed contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER _____.

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) RESOLUTION REGARDING A SALE OF CERTAIN CITY OWNED PROPERTIES (R18-XX)

BY COUNCILMEMBER _____ :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 25 Whinfield Street and identified as Tax Map No.6062-59-866450; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and

2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and

3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

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

5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and

6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and

7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and

8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER _____.

AGREEMENT FOR PAYMENT IN LIEU OF TAXES (PILOT) BY AND AMONG THE CITY OF POUGHKEEPSIE, CRANNELL SQUARE LIMITED PARTNERSHIP AND THE CRANNELL SQUARE HOUSING DEVELOPMENT FUND COMPANY, INC.

THIS AGREEMENT FOR PAYMENT IN LIEU OF TAXES ("Agreement"), dated as of _____, 2020, by and among the **CITY OF POUGHKEEPSIE, NEW YORK,** a New York incorporated municipality, having its principal office located at 62 Civic Center Plaza, Poughkeepsie, New York 12601 (the "City"), and **CRANNELL SQUARE HOUSING DEVELOPMENT FUND COMPANY, INC.,** a New York not-for-profit corporation and entity organized pursuant to Article XI of the Private Housing Finance law, having its principal place of business at c/o Hudson River Housing, Inc., 313 Mill Street, Poughkeepsie, New York 12601 (the "HDFC"), which HDFC will hold title to the Property (as hereinafter defined) for the benefit of **CRANNELL SQUARE LIMITED PARTNERSHIP**, a New York limited partnership, having its principal office located at c/o The Kearney Realty & Development Group Inc., 57 Route 6, Suite 207, Baldwin Place, New York 10505 (the "Partnership").

WHEREAS, the HDFC is the bare legal or record owner, and the Partnership is the beneficial and equitable owner, of certain real property located at 35 Catherine Street, City of Poughkeepsie, County of Dutchess, State of New York (tax parcel Section 6162, Block 78, Lot 157094), and more specifically described at Exhibit A attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the HDFC is a corporation established pursuant to Section 402 of the Not-For-Profit Corporation Law and Article XI of the Private Housing Finance Law ("PHFL"); and

WHEREAS, the HDFC is the co-general partner of the Partnership; and

WHEREAS, the HDFC and the Partnership have each been formed for the purpose of providing residential rental accommodations for persons of low-income; and

WHEREAS, the Partnership will develop, own, construct, maintain and operate a housing project for persons of low income at the Property (the "Project"); and

WHEREAS, the HDFC's and the Partnership's plan for the use of the Property constitutes a "housing project" as that term is defined in the PHFL; and

WHEREAS, the HDFC is a "housing development fund company" as the term is defined in Section 572 of the PHFL; and

WHEREAS, pursuant to Section 577 of the PHFL, the local legislative body of a municipality may exempt the real property of a housing project of a housing development fund company from local and municipal taxes, including school taxes, other than assessments for local improvements, to the extent of all or a part of the value of the property included in the completed project; and

WHEREAS, the Council Members of the City of Poughkeepsie, New York, by resolution adopted _____, 2020, approved and authorized the execution of this Agreement;

NOW, THEREFORE, it is agreed as follows:

1. Pursuant to Section 577 of the PHFL, the City hereby exempts from local and municipal taxes, other than assessments for local improvements, one hundred percent (100%) of the value of the Property located at 35 Catherine Street, City of Poughkeepsie, County of Dutchess, State of New York, including both land and improvements. "Local and Municipal Taxes" shall mean any and all real estate taxes levied by Dutchess County ("County"), the City and the School District ("School District") or other taxing jurisdiction (collectively the "Taxing Jurisdictions").

2. This tax exemption will operate for a period of forty (40) years from the HDFC's acquisition of the Property. This Agreement shall not limit or restrict the HDFC's or Partnership's right to apply for or obtain any other tax exemption to which it might be entitled upon the expiration of this Agreement. The parties understand that the exemption extended pursuant to Section 577 of the PHFL and this Agreement does not include exemption from special assessments and special ad valorem levies. During the period of this Agreement, the Partnership shall pay any service charges, special ad valorem levies, special assessments and improvement district charges or similar tax equivalents which are or would be levied upon or with respect to the Project by the Taxing Jurisdictions or any other taxing authority.

3. So long as the exemption hereunder continues, the Partnership shall make annual payments in lieu of taxes ("PILOT") in the amount set forth in this section commencing in the year the Project obtains a Certificate of Occupancy, which payment shall cover all Local and Municipal Taxes owed in connection with the Property and the Project, and which payment shall be shared by Taxing Jurisdictions on the same basis as property taxes would be shared if the Property and the Project were fully taxed. The PILOT shall be in the amount of $100,000 per year, increasing by two percent (2%) annually. So long as the tax exemption remains in effect, tenant rental charges shall not exceed the maximum established or allowed by law, rule or regulation, and the Property shall be operated in conformance with the provisions of Article XI of PHFL. Payment shall be due on February 15 of the calendar year following the taxable year to which this PILOT applies. Payments shall be mailed via First Class mail through the United States Postal Service or personally delivered to the City of Poughkeepsie, Attention Tax Collector, 62 Civic Center Plaza, Poughkeepsie, New York 12601, or such other address as the City may specify in writing.

4. The tax exemption provided by this Agreement will continue for the term described above provided that (a) the Property continues to be used as housing facilities for persons of low-income in accordance with the income and rent limitations attached hereto at Exhibit B, and (b) any of the following occur (i) the HDFC and the Partnership operate the Property in conformance with Article XI of the PHFL; or (ii) the HDFC assumes sole legal and beneficial ownership of the Property and operates the Property in conformance with Article XI of the PHFL; or (iii) in the event an action is brought to foreclose a mortgage upon the HDFC, and the legal and beneficial interest in the Project shall be acquired at the foreclosure sale or from the mortgagee, or by a conveyance in lieu of such sale, by a housing development fund corporation organized pursuant to Article XI of the PHFL, or by the Federal government or an instrumentality thereof, or by a corporation which is, or by agreement has become subject to the supervision of the superintendent of banks or the superintendent of insurance, such successor in interest, such successor in interest shall operate the property in conformance with Article XI of the PHFL.

5. The failure to make the required payment will be treated as failure to make payment of taxes and will be governed by the same provisions of law as apply to the failure to make payment of taxes, including but not limited to enforcement and collection of taxes to the extent permitted by law. In addition to failure to pay any amount when due, HDFC and the Partnership shall be in default of this Agreement in the event of material failure to observe and perform any other covenant, condition of agreement on its part to be observed and performed hereunder, and continuance of such failure for a period of thirty (30) days after written notice specifying the nature of such failure and requesting that it be remedied; or any warranty, representation or other statement by or on behalf of HDFC or the Partnership contained in this Agreement shall prove to have been false or untrue in any material respect on the date when made or on the effective date of this Agreement. Any payment not received by its due date shall accrue interest and penalties at the rates provided for late payment of taxes to the Taxing Jurisdictions.

Whenever any event of default under this Agreement shall have occurred and be continuing, the City shall have the following remedies. The City may terminate this Agreement and exercise all of the rights and remedies available for failure to pay property taxes as and when due had this Agreement not been in effect. The City may take whatever action at law or in equity as may appear necessary or desirable to collect the amount then in default or to enforce the performance and observance of the obligations, agreements and covenants of HDFC and the Partnership under this Agreement, and the Partnership shall further pay the reasonable fees and disbursements of such attorneys as the City shall engage for the enforcement of performance or observance of any obligation, covenant or agreement on the part of HDFC and the Partnership and all other expenses, costs and disbursements so incurred.

No remedy herein conferred reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity or by statute.

No delay or omission in exercising any remedy shall impair any such remedy or construed to be a waiver thereof. It shall not be necessary to give any notice other than as expressly required under this Agreement. In the event any provision contained in this Agreement should be breached and thereafter duly waived by the party or parties so empowered to act, such waiver shall be limited to the particular breach so waived and shall not be deemed to be a waiver of any other breach hereunder.

6. All notices and other communications hereunder shall be in writing and shall be sufficiently given when delivered to the applicable address stated above (or such other address as the party to whom notice is given shall have specified to the party giving notice) by registered or certified mail, return receipt requested or by such other means as shall provide the sender with documentary evidence of such delivery.

7. This Agreement shall inure to the benefit of and shall be binding upon the City the Partnership and the HDFC and their respective successors and assigns, including the successors in interest of the Partnership and the HDFC. There shall be no assignment of this Agreement except with consent of the other party, which consent shall not be unreasonably withheld, provided that the assignee or its general partner shall be a housing development fund company subject to Article XI of the PHFL, the assignee shall have assumed the obligations of this Agreement in writing

reasonably satisfactory to the City, and the assignee shall have provided such financial and other information as shall be reasonably requested by the City in order to assure the proper completion and operation of the housing project and the compliance with the terms of this Agreement and all applicable laws, regulations and covenants.

8. If any provision of this Agreement or its application is held invalid or unenforceable to any extent, the remainder of this Agreement and the application of that provision to other persons or circumstances shall be enforced to the greatest extent permitted by law.

9. This Agreement may be executed in any number of counterparts with the same effect as if all the signing parties had signed the same document. All counterparts shall be construed together and shall constitute the same instrument.

10. This Agreement constitutes the entire agreement of the parties relating to payments in lieu of taxes with respect to the above-described property and supersedes all prior contracts, or agreements, whether oral or written, with respect thereto.

11. Each of the parties individually represents and warrants that the execution, delivery and performance of this Agreement, (i) has been duly authorized by proper action of its governing body and does not require any other consent or approval for the execution thereof by such municipality, (ii) does not violate any law, rule, regulation, order, writ, judgment or decree by which it is bound, and (iii) will not result in or constitute a default under any agreement or instrument to which it is a party. Each such party represents that this Agreement shall constitute the legal, valid and binding agreement of such party enforceable in accordance with its terms.

12. The Partnership and HDFC jointly and severally make the following representations, warranties and covenants:

(i) The HDFC is a "housing development fund company" under Article XI of the PHFL, and the Partnership is a limited partnership, the co-general partner of which is HDFC, each of which is organized, validly existing and in good standing under the laws of the State and is authorized under the laws of the State to do business in the State, has the power to enter into this Agreement and to perform the transactions contemplated hereby and its obligations hereunder and by proper action has duly authorized the execution and delivery of this Agreement and the performance of its obligations hereunder, and the execution, delivery and performance of this Agreement does not require any other consent or approval. This Agreement shall constitute the legal, valid and binding agreement of HDFC and the Partnership enforceable in accordance with its terms.

(ii) Neither the Partnership nor HDFC is in default under, or in violation of, any indenture, mortgage, declaration, lien, lease, contract, note, order, judgment, decree or other instrument of any kind to which any of its assets are subject, and the execution, delivery and compliance by the Partnership or HDFC with the terms and conditions of this Agreement do not and will not conflict with or constitute or result in a default by the Partnership or HDFC in any material respect under or violation of, (1) the entity's organizational documents, (2) any agreement or other instrument to which such entity is a party or by which, to such entity's knowledge, it is bound, or (3) any constitutional or statutory provision or order, rule, regulation, decree or ordinance of any court, government

or governmental authority having jurisdiction over the Partnership or HDFC or its property, and no event has occurred and is continuing which, with the lapse of time or the giving of notice, or both, would constitute or result in such a default or violation.

(iii) The Partnership has provided to the City true and complete financial information with respect to the Property, including without limitation project costs, financing sources, rents and income limitations.

(iv) The Partnership covenants and agrees to operate the Property in accordance with all applicable rules and regulations of Article XI of the PFHL, including without limitation applicable rent limits and income limits and in accordance with the plan attached hereto as Exhibit B.

(v) The Partnership covenants and agrees to provide to the City any information or documents reasonably requested in writing by the City in order to provide any federal, state or local entity with information or reports required under any applicable law, rule or regulation.

13. The City shall file a copy of the fully executed Agreement with the City Assessor. The Partnership shall be responsible for taking such actions as may be necessary to ensure that the Property shall be assessed as exempt upon the assessment rolls of the respective Taxing Jurisdictions, including without limitation ensuring that any required exemption form shall be filed with the appropriate officer or officers of each respective Taxing Jurisdiction. Such exemption shall be effective as of the first taxable status date of the applicable Taxing Jurisdiction following the date of this Agreement, provided that the Partnership shall timely file any requisite exemption forms.

14. This Agreement shall be governed by and construed in accordance with the laws of the State of New York.

Remainder of page intentionally left blank.

IN WITNESS WHEREOF, the City, the HDFC and the Partnership have caused this Agreement to be executed in their respective names by their duly authorized representatives and their respective seals to be hereunder affixed, all as of the date first above written.

DATED: _____, 2020

CITY OF POUGHKEEPSIE, NEW YORK

By:_____
Name: Robert G. Rolison
Title: Mayor

DATED: _____, 2020

CRANNELL SQUARE HOUSING DEVELOPMENT FUND COMPANY, INC.

By:_____
Name:
Title: Secretary

DATED: _____, 2020

CRANNELL SQUARE LIMITED PARTNERSHIP

By: Crannell Square Associates, LLC,
its managing general partner

By:_____
Name: Kenneth Kearney
Title: Manager

STATE OF NEW YORK)
) SS.:
COUNTY OF DUTCHESS)

On the ____ day of _____, in the year 2020, before me personally appeared Robert G. Rolison, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

_____
NOTARY PUBLIC

STATE OF NEW YORK)
) SS.:
COUNTY OF DUTCHESS)

On the _____ day of _____, in the year 2020, before me personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in her/his capacity, and that by her/his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

_____
NOTARY PUBLIC

STATE OF NEW YORK)
) SS.:
COUNTY OF DUTCHESS)

On the _____ day of _____, in the year 2020, before me personally appeared Kenneth Kearney, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

_____
NOTARY PUBLIC

EXHIBIT A

ALL that certain plot, piece or parcel of land situate, lying and being in the City of Poughkeepsie, County of Dutchess, State of New York, and bearing Tax Grid No.: 131300-6162-78-157094

EXHIBIT B

Project Plan: Crannell Square

Property: 35 Catherine Street

8 Units of residential rental low income housing, meeting the income limits in accordance with HCR regulations applicable for low income housing tax credit and housing trust fund projects, not exceeding 50% of applicable median income.

44 Units of residential rental low income housing, meeting the income limits in accordance with HCR regulations applicable for low income housing tax credit and housing trust fund projects, not exceeding 60% of applicable median income.

22 Units of residential rental low income housing, meeting the income limits in accordance with HCR regulations applicable for low income housing tax credit and housing trust fund projects, not exceeding 80% of applicable median income.

1 unit is a superintendent's unit.

Rents will be limited to 30% of the percentage of the applicable median income limit specified by HCR in accordance with federal Low Income Housing Tax Credit ("LIHTC") program requirements. Income and Rent limits will be applicable for the 40-year term of the PILOT Agreement in accordance with the LIHTC regulatory agreement.

(R20-____)

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF POUGHKEEPSIE AUTHORIZING THE EXECUTION OF A PAYMENT IN LIEU OF TAX ("PILOT") AGREEMENT BY AND AMONG THE CITY OF POUGHKEEPSIE, CRANNELL SQUARE LIMITED PARTNERSHIP AND THE CRANNELL SQUARE HOUSING DEVELOPMENT FUND COMPANY, INC.

WHEREAS, the City of Poughkeepsie (the "City") desires to encourage the development of affordable housing that is safe and sanitary; and

WHEREAS, Crannell Square Housing Development Fund Company, Inc., an Article XI New York private housing finance law corporation and a New York not-for-profit corporation (the "HDFC"), and Crannell Square Limited Partnership, a New York limited partnership (the "Partnership"), have identified property located at 35 Catherine Street, in the City of Poughkeepsie, County of Dutchess, State of New York, identified as tax parcel Section 6162, Block 78, Lot 157094 (the "Land"), for the purpose of contructing on the Land a housing project for persons of low income, said project to consist of: (i) the acquisition of the Land; (ii) the construction thereon of seventy-five (75) units of housing for persons of low income, including one superintendent's unit, to be known as Crannell Square (the "Improvements"); and (iii) the acquisition and installation therein and thereon of certain machinery, equipment, furniture, fixtures and other tangible personal property (the "Equipment", and collectively with the Land and the Improvements, the "Project"); and

WHEREAS, the HDFC has been formed for the purpose of providing residential rental accommodations for persons of low income; and

WHEREAS, the HDFC will acquire fee title to the Land, as nominee for the Partnership, and will convey its equitable and beneficial interests in the Land to the Partnership in furtherance of the development of the Project; and

WHEREAS, the HDFC's and the Partnership's plan for the use of the Land constitutes a "housing project" as that term is defined in the Private Housing Finance Law of the State of New York ("PHFL"); and

WHEREAS, the HDFC is a "housing development fund company" as the term is defined in Section 572 of the PHFL and Section 577 of the PHFL authorizes the Council Members to exempt the Project from real property taxes; and

WHEREAS, the HDFC is a co-general partner of the Partnership; and

WHEREAS, the Partnership and the HDFC will be willing to enter into a PILOT Agreement whereby they will make annual payments in lieu of taxes to the City as set forth in the PILOT Agreement presented to the Council Members for approval;

NOW THEREFORE, BE IT RESOLVED that the Council Members hereby exempt the Project from real property taxes to the extent authorized by Section 577 of the PHFL and approve the proposed PILOT Agreement by and among the City of Poughkeepsie, the Partnership and the HDFC, in substantially the form presented at this meeting, providing for annual payments as set forth in such agreement; and it is

FURTHER RESOLVED, that the Mayor of the City is hereby authorized to execute and deliver the foregoing PILOT Agreement on behalf of the City; and it is

FURTHER RESOLVED, that this resolution shall take effect immediately.

Duly adopted by the Council Members
on the ____ day of _____, 2020.

Approved: _____
Veto: _____
Not Endorsed: _____

CERTIFICATION

The undersigned, being the duly elected Clerk of the City of Poughkeepsie, hereby certifies that the attached is a true, correct and complete copy of certain resolutions unanimously adopted by the Council Members of the City of Poughkeepsie on _____, 2020, and such resolutions have not been modified, amended or repealed and are in full force and effect as of the date hereof.

_____

Name: _____
Title: Clerk

THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, May 4, 2020 6:30 p.m. **City Hall**

The Council Meeting was conducted using videoconferencing, as permitted by the NYS Open Meetings Law.

Welcome to the regularly scheduled meeting of the City of Poughkeepsie Common Council the date is Monday, April 20, 2020, and the time is 6:30 pm

Effective immediately and based upon notices and health advisories issued by Federal, State, and Local officials related to the Coronavirus, the City of Poughkeepsie Common Council will not hold in-person meetings. Until further notice, all future City Council meetings (including public hearings) will be held via videoconferencing, as permitted by the NYS Open Meetings Law.

Due to public health and safety concerns, the public will not be permitted to attend at the remote locations where the City Council members will be situated. The public, however, will be able to fully observe the video conference meeting by using the registration link that was posted with our meeting notice and the meeting will be available for viewing at a later date and available on our website.

I'd like to acknowledge that we are gathered, wherever we are, on the traditional territory of the Lenape people and this territory was a critical resting place along a popular trade route for people of the Lenape Nation and other cultures as is evidenced in the earliest derivation of the name 'Poughkeepsie' with an indigenous string of words, U-puku-ipi-sing, that, when translated, means 'reed-covered lodge by the little water place' or resting place.

Let's all recite the pledge of allegiance.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL-All Present. Councilmember Petsas joined after the "roll call" was taken.

II. REVIEW OF MINUTES:

CCM Minutes 4-20-2020						
☑ 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	☑	☐	☐	☐

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

NONE

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

For the third meeting in a row, Common Council chair Sarah Salem is breaching both Council rules and City Charter by deleting public participation from the agenda, and depriving the public of their right to comment at Council meetings. Complicity with this breach extends to every councilmember who sits silent, allowing these rules to be broken. Salem pretends these breaches are protected under the governor's Executive Orders, even while knowing that NY State's Committee on Open Government has declared otherwise. Similarly, open meetings law is being broken by restricting same-time access to these meetings only to those who've registered through Zoom.

Rather than seek methods and solutions for public participation and broad distribution—as other other public bodies nationwide have done—the City of Poughkeepsie Common Council has opted to use the coronavirus crisis as camouflage by which to interfere with and undermine public participation, including the setting of an arbitrary and capricious 5:00pm deadline for submitting written comments.

Council meeting agendas are posted at the very last minute, even later than ever, and amended even after that, entirely without notice or highlighting the amendment(s).

The April 20 Council meeting approved the sale of a parcel at 123 Smith St., across the street from historic Smith Metropolitan AME Zion Church. On tonight's Common Council agenda, there's another sale, for a parcel at 556 Main Street. That parcel is not now, and to my knowledge, never been listed for sale on the City's website. Which naturally leads one to ask: how did the buyer come to learn of its availability? And is the buyer acting in his own interest, or as proxy or conduit for one or more parties who had insider information?

Going back to 123 Smith Street, a few simple points about the Council's approval:
1—The purchaser has stated their intent to use the parcel for non-conforming purposes in a residential neighborhood. Once again, this Council plays a role in reshaping the City before a Comprehensive Plan is ever developed;
2—Evan Menist, the 2nd Ward councilmember, argued that the property should come back on the tax rolls, without ever mentioning that the building was already in tax arrears and already being used for non-conforming purposes, prior to transfer to the City. Councilmember Flowers has also been silent on both points;

3—Even after impassioned testimony by the community regarding Confederate Railroad, and lots of virtue-signaling by Councilmembers, the Council approved the sale to a party who publicly declared themselves tone-deaf to the community's opposition;
4—The parcel at 123 Smith St. has had a "For Sale" sign on it for at least five years. Though the property's neglected condition merited a Building Department violation long before transfer to the City, there is no evidence that any citations were ever issued;
5—The City, due to risk, saw fit to demolish 19 Academy St. at its own expense and wait years to work out a settlement with the developer-owner. Yet the City now suggests "risk" as their reason for hastening 123 Smith's sale to a contractor;
6—The sale is being made to a contractor the City has previously hired for services;
7—The approved purchaser is not a City resident, nor is his business currently headquartered in the City;
8—The 123 Smith St. parcel is uniquely located not only in proximity to Smith Metropolitan AME Zion Church, but also to a future rail trail spur. Where are the voices and input of the Northside Collaborative, Scenic Hudson, MASS Design, the Pastor's association of City of Poughkeepsie African-American churches, and the organization now known as Celebrating the African Spirit (formerly BHPC Memorial Project)?
9—When, if ever, will anchor institutions on the City's north side command the same respect, support and preservation as those elsewhere in the City?
10—Councilmembers who claim that it's "tradition" to support the resolutions of any given Ward leaders, are 1) surrendering the interests of their own constituents, as well as residents citywide, to unsupportable faux "traditions", and 2) using "tradition" as code that translates to "I'll scratch your back on this vote, and you'll scratch my back on one or more of my future resolution(s)".

We're sure to see "tradition" at work when the 556 Main St. parcel comes up on tonight's meeting agenda.

I will leave it at that, although there's a list as long as one's arm for why these sales, and the current conduct of the City of Poughkeepsie Common Council should be opposed. The complicit conduct of councilmembers under Sarah Salem's leadership is equally lawless and worthy of attention and opposition. The arbitrary and capricious deadline that Sarah Salem has set for submitting written comments for tonight's Council meeting is yet another issue to which NY State oversight bodies will be alerted.

V. MAYOR'S COMMENTS:

Mayor Rolison: There were 279 confirmed cases within the city. That number has not really spiked too much, it was been in the two hundreds for some time. And as we're starting to see increased testing in and around the city, that number will probably rise a bit, and that's what we're also seeing state wide as testing becomes more available. We are seeing the individuals who have been diagnosed with it, those numbers are actually spiking a little bit.

Staffing in all departments is still good. We have had some shortages in the Department of Public Works, due to some family members testing positive, and some secondary exposures, but everyone is well. Anyone who works for the city, or who has a family member that may have tested positive, everyone is doing well, and that's really good. And that's true for FD and PD, and city hall staff as well. The Department of Public Works, I know I have said this before, but I will say it again, we are concentrating on 3 areas: sanitation, streets and parking. The way that it has been working over the past two weeks; every morning, first priority is staffing sanitation, and after sanitation is staffed and the men go out onto the routes, the rest of the team that is present on DPW is then broken up into streets and parks. That's been working out pretty well. Also, as far as sanitation goes, we are now going to collect the yard

debris the 1st and 3rd Wednesday of every month. We are going to put a release out on that, we are going to do a special notification on the Buzz and put it on the website. We need to do that because of staffing levels and we also need to do that so that we can do other things on Wednesday, as it relates to cleaning areas of the City of Poughkeepsie that need particular attention.

There are two new initiatives that the city has started. The first one has started today. We are now a call center mode here at city hall. Upstairs in my office, on Mondays and Wednesday's between the hours of 10:00 and 2:00, individuals can call 451-4073. City residents who have transportation challenges, they can get transportation, through an arrangement with Dutchess County, and a private bus company that will pick individuals up to take them to MHR-Mid-Hudson Regional on Tuesdays and Thursdays, for testing. There is no charge for any of this. If you have transportation, and you call up, we will give you the number to call and make the appointment. But if you don't, we will make arrangements to pick you up on those two days, on Tuesday and Thursday between 9:00 and 4:00. Today was the 1st day that we had the intake. We received a lot of phone calls, many of the calls were people just checking in on the status of the program. Many were from outside the area. A couple were from outside the county. And we did make arrangements for one particular person who's going to need transport to MHR.

On Monday's and Friday's, we also have now repositioned Ingrid Sanchez, our Municipal ID Clerk, because with City Hall being closed and municipal ID's not being taken in city hall and issued in city hall, she will be manning a phone line in her office, on Monday's and Friday's between 8:30 and 4:30, for the Latino community, she is bilingual. So individuals who want information on COVID related matter, including not only just the COVID health crisis and all of the things that go with that, also on any of the other COVID related help that is out there. That phone number is 451-4203. We will be doing outreach starting tomorrow on that. And also, Ingrid can be reached online, and her email address is isanchez@cityofpoughkeepsie.com

We have established four working groups within city government. We are working in conjunction with Duchess County and the Mayors and Supervisors Association on four key areas that we are going to see accelerate over the next few weeks. And those things are: Government Operations, Economic Development and reopening, also Recreation and Parks and Events. So on the Government Operations side, the contact there is City Administrator Marc Nelson, Paul Calogerakis and his team are coordinating on Economic Development and Planning and Zoning and Recreation and Parks is Brian Laffin and Events is Liz Ruiz in the City Administrators Office. It would be helpful to have a liaison from the council to be assigned to each one of these working groups and that way we can give real time, quick information to those liaisons to distribute the council. My impression is in the last 24 hours is that there seems to be a lot of movement and a lot of information coming out of the state and the Governor's Office on regional reopening plans, not only for the communities themselves, but also for government and how government may be able to reopen, first on a limited bases and then as this thing moves further out, potentials being able to return to normal government operations. If we ever see that. We may be doing things differently from now on. We have looked at how we are going to open city hall, not only from a security standpoint but from a

health standpoint, and how we can do business with the public. We will be working on that, and if you have individuals that would like to help us with that, that would be helpful.

We have started a coordinated effort on traffic safety in the city. It started today. We increased our traffic safety unit to 6 officers. You are going to see increased presence and increase vigilance within the City of Poughkeepsie to combat driving that has gotten out of hand.

Will be doing a Facebook live town hall meeting with Doctor Eric Rosser this Thursday at 5:30 p.m. We will both get updates. And obviously Dr. Rosser has a lot to talk about within the school system. As you know, school has been cancelled until the end of the year, and he will be discussing some of the really great and innovative things that the school district is doing with distance learning and other types of activities. We had a conference call today himself, and Dr. Rosser and members of the Children's Cabinet and the Harvard team on things that the school district is thinking about. Not only for the remainder of the school year, but for the summer.

I will end on this quick note: The parks squad was out over the weekend, volunteers and city staff, looking at the various park activity. It was a great weekend. Everybody was out in all of the parks, but specifically the parks that we knew would see the most; Waryas and Kaal Rock Park and we had a great weekend here in the city. We did not have any problems or challenges and everyone was doing their own thing, social distancing. I am very proud of the residents of the city.

VI. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Chair Salem: 81 confirmed deaths in Dutchess County as of today and over 272 confirmed cases here in the City of Poughkeepsie.

This past weekend was gorgeous and the days ahead will likely follow suit, which can make it hard to remember that we are still in the midst of a pandemic and that we must continue to follow restraint, abide by Social Distancing guidelines, and wear a mask when you are in public places where keeping 6 feet apart is not plausible.

Social distancing measures can and will be enforced and they are the only defense we have right now to flatten this curve and to continue to keep our health systems functioning and our ability to abide by them is the only way we are going to get our community back up and functioning and keep it there. It is our personal and civic responsibility to follow these guides.

City Business that is on-going and that will be coming into focus in the very short term include:
Our Comprehensive Plan update; We are in the beginning stages of entering into the process of updating our comprehensive plan. The RFP for consultants went out last month and more than 9 groups submitted a response. A selection committee was formed to review each submitted reply to narrow down the field, and interviews were conducted this past week. I had the opportunity to participate in the majority of the interviews and they left me feeling very

excited and encouraged about our city's entrance into updating and refining our community's vision.

Community Services Available to City Residents;
Food: Dutchess Outreach, more than 20,000 since March 16 from our Pantry and Lunch Box Combined to over 2500 adults and 700 children, totaling more than 57,000 lbs of food, 9,000 lbs of which include produce, 844 lbs sourced from our friends at PFP.
Pantry Hours (FREE GROCERIES): M, T, Th, F 8:30 am - 11:30 am, delivery available.
Lunch Box Hours: Lunch M-F 11:15 am - 1 pm, Sunday 12 pm - 1 pm / Dinner M-F 5 pm - 6 pm

Frankie Flowers has a meal distribution set up in the Marshall and Sterling Parking lot at Main St. and South Clover 7 days a week starting at 5pm.

Changepoint Church, Community Matters 2, HOAM, and the Dakota Service Dogs have a breakfast and dinner meal delivery service setup. More information on Changepoint or Community Matters 2 Facebook pages.

Farming: Poughkeepsie Farm Project Poughkeepsie Food Power Program; The program will include meal kits and container gardening kits for 100 City of Poughkeepsie households and online video demonstrations to go with each. Although they will only have kits for 100 families, the videos will be available to all **on our website** and on our **YouTube channel**.

Interested in participating? Register here: farmproject.org/food-power-registration. For more info, text food power to 844-962-2569.

Please note, FREE supply kits are only available for up to 100 City of Poughkeepsie households.

This program is made possible with funding from NYS DEC and Dutchess County.

Housing: Hudson River Housing's COVID-19 Emergency Response Fund. This fund has been created in hopes of providing some financial relief to our neighbors that may not receive a federal stimulus check, or who are unlikely to be able to cover current and upcoming urgent housing related expenses even if they receive it.

WHAT IS IT FOR:
Households can apply for assistance with direct payments for housing related costs, such as rent and utilities. These expenses will be prioritized but applications for other unavoidable expenses like medical bills, automobile repair, etc. will also be considered.

HOW TO APPLY:
1. By submitting the paper application via mail or drop off in Poughkeepsie (details are included in the application packet attached below). The English and Spanish applications are attached below.

2. Through our Emergency Response Fund Online Application, linked here. Applications accepted until May 15th.

VII. REPORTS OF COMMITTEES AND BOARDS:

Finance Committee Chair, Councilmember Chris Petsas

VIII. MOTIONS AND RESOLUTIONS:

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

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) RESOLUTION REGARDING A SALE OF CERTAIN CITY OWNED PROPERTIES (R20-38)

INTRODUCED BY COUNCILMEMBER CHERRY:

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of certain properties now owned by the City of Poughkeepsie, known as 556 Main Street; and

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

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and

2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and

3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

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

5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and

6, The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and

7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and

8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER BRANNEN

R20-38						
			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 Brannen and seconded by Councilmember Randall Johnson to receive and print.**
Councilmember Cherry made a motion to amend the resolution to remove the 4th "whereas" paragraph, stating:

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

Councilmember Menist seconded the motion.

RESOLUTION
(R20-39)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as 556 Main Street (Tax Map No: 6161-24-392943), in the City of Poughkeepsie by reason of a stipulated court settlement; and

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

WHEREAS, an offer has been received from 558 Main Street, LLC to purchase these properties for the sum of $38,000; and

WHEREAS, the Common Council hereby finds that the offer from 558 Main Street, LLC is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

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

RESOLVED, that the offer from 556 Main Street, LLC, to purchase premises known as 556 Main Street (6161-24-392943), in the City of Poughkeepsie for the sum of $38,000.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

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

A. **That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.**
B. **Purchaser shall obtain a building permit for the construction of a three story mixed-use building within six (6) months of the closing of title;**
C. **Purchaser shall obtain a valid Certificate of Occupancy for the property within one (1) year after the issuance of a building permit;**
D. **The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**
E. **Purchaser's obligation to purchase such property shall be contingent upon Seller obtaining and insurable interest in the property pursuant to Article 15 of the Real Property Action and Proceedings Law or other applicable law;**

F. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and

G. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a contract of sale for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER BRANNEN

The City of Poughkeepsie

New York

Property Acquisition & Disposition Committee
Marc S. Nelson
Gary E. Beck, Jr.
John Taylor
Erian Buckley-Falcon
Nancy L. B. Griffin

62 Civic Center Plaza
Poughkeepsie, NY 12601
PHONE: (845) 451-4065
FACSIMILE: (845) 451-4070

January 21, 2020

ANY OFFERS OR COUNTEROFFERS ACCEPTED BY PAD ARE SUBJECT TO THE APPROVAL OF THE CITY OF POUGHKEEPSIE COMMON COUNCIL.

Stefan Bohdanowycz
Via email 558mainstreet@gmail.com
20 Maple Street
Irvington, NY 10533

Re: Office to Purchase City-Owned Property located at 556 Main Street

Dear Mr. Bohdanowycz:

The PAD has reviewed your most recent offer to purchase the vacant lot located at 556 Main Street for $38,000.00. This offer is acceptable to the PAD.

We are now prepared to refer your offer to the Common Council for discussion. In the event the Common Council agrees with the PAD, the offer would then go back to the Common Council for a resolution. If they do not agree, we will let you know as soon as possible whether they have a counteroffer.

If the above meets with your approval, please contact the undersigned at your earliest convenience, as we cannot refer until we receive your approval. Thank you.

Very truly yours,

CITY OF POUGHKEEPSIE
PROPERTY ACQUISITION &
DISPOSITION COMMITTEE

By: _____
Nancy L. B. Griffin

CITY OF POUGHKEEPSIE
Office of Corporation Counsel
62 Civic Center Plaza | Poughkeepsie | New York | 12601
Office (845) 451-4065 Fax (845) 451-4070
corporationcounsel@cityofpoughkeepsie.com
Paul Ackermann, Corporation Counsel

556 main street
Purchase Proposal

CITY-OWNED PROPERTIES FOR SALE

Dear Sir/Madam:

Thank you for your interest in city-owned properties, which are offered for sale by the City of Poughkeepsie. The attached list identifies properties available at the date of its printing. Our office can advise you if a property is currently available. From time to time we update the list as properties are sold.

In the sale of these properties, the City of Poughkeepsie is focusing on community development and commitment and owner-occupancy. To accomplish these goals, we have established the following sales guidelines:

1. **All one and two family houses and building lots zoned for one and two family houses will be sold only to owner-occupants or organizations that will rehabilitate the property for the sole purpose of selling the house to an owner-occupant. Houses that need extensive rehabilitation will not be offered directly to an owner-occupant unless the prospective purchaser has previous experience and financial capacity to undertake the work.**

2. **All multi-family and commercial buildings will be sold to investor/developers who possess some combination of the following: a demonstrated history of community involvement; a record of quality real estate development; a record of good property management; capacity to undertake and complete the project in the stated time frame; and proof of financial capacity to perform; good credit history; and a clean record with the City of Poughkeepsie.**

When there are properties and/or desired uses that do not fit the sales guidelines above, development plans will be reviewed on a case-by-case basis.

The presentation of this list shall not constitute an offer to sell the properties listed thereon. The City, in its sole discretion and for any reason, may withdraw any such properties from this list.

Pre-Qualification:

Prospective new purchasers are asked to complete an application. Applicants who do not meet the guidelines above will be notified. Those who desire to be owner occupants, but do not fit the guidelines for a direct purchase of a city-owned property, will be referred to a homebuyer program. Applicants who do meet the stated guidelines will be invited to explore purchase of city-owned property. *Applications are attached in this package.*

Inspecting City Properties and Safety Issues:

All properties are shown to pre-qualified parties by appointment only.

Some properties may not be safe for interior viewing by the public. The city reserves the right to make that determination at any time. In those cases, a written description of building conditions will be prepared by city staff, with photographs when possible.

Title:
Unless otherwise stated, properties are conveyed to the purchaser with a quitclaim deed. The purchaser is responsible for clearing title along with any costs related to that process. In cases where a property is offered with marketable title, a charge for costs incurred by the city, including a reasonable administrative fee, will be added to the sales price. Once an offering price is accepted by the Common Council, purchasers agree that they shall not use that price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation.

Making an Offer:
To make an offer on City-owned property, please complete the attached "Purchase Offer Form" and return it to my office. Please be advised that all purchase offers are reviewed carefully before being presented to the Common Council. Presentation to the Common Council then follows as soon as reasonably possible.

If you have any questions, please contact me at (845) 451-4065.

Sincerely yours,

s/Paul Ackermann

Paul Ackermann
Corporation Counsel

Enclosure

RESIDENTIAL- ONE & TWO FAMILY HOMES

Thank you for your interest in the City of Poughkeepsie. The Office of Corporation Counsel wants to help you find the property that best matches your needs as a **Homeowner-Occupant**. *To help us please complete the following:*

Name: Stefan Bordincuyz

Address: 20 Cooper St, Irvington, NY 10533

Home Phone: 646-752-1933 Work Phone: 212-505-3635 Fax: 212-505-3634

Employer: Trident Restoration Inc.

Employer Address: 355 E. 6th St, New York

If Self Employed: _____

~~Property Needs~~:
Single-Family: ___ Two-Family: ___ New Construction: ___ Other: ✓
If other, please explain: Mixed use 3 story building, 2 commercial street-front units and 9 studio/1 bedroom apartments

Number of Bedrooms: two ___ three ___ four ___ No preference 9, 1 per apartment

Will this purchase require financing: yes ___ no ✓

Have you spoken/met with a lender: yes ___ no ✓

If yes, the name, address and phone of lender: _____

Have you ever attended a "Home Buyer Information Class"? yes ___ no ✓
If yes, where? _____

Do you now or have you ever owned property in the City of Poughkeepsie: yes ✓ no ___
If yes, where? 114 Hooker St, 555-564 Main St

Do you own other property: yes ✓ no ___
If yes, please provide the complete address:
115 Albert St, Irvington, NY 10701

What properties on the *"Properties For Sale List"* interest you?
556 Main St

INVESTOR/DEVELOPER-COMMERCIAL & MULTI-FAMILY RESIDENTIAL

Thank you for your interest in the City of Poughkeepsie. The Office of Corporation Counsel wants to help you find the property that best matches your development needs. To help us - please complete the following questionnaire:

Name: [illegible]

Address: [illegible] Home Phone: [illegible]

Business Name: 336 Main St, LLC

Address of Business: [illegible]

Business Phone: 212 563-5635 Fax: 212 563 5636

Property Needs:
Multi-Family: ✓ Office: ____ Storage: ____ Manufacturing: ____
Retail: ✓ New Construction: ✓ Other: ____
If other, please explain: ____

Space/Building Requirements: total floor area: 84000sf area per floor: 28000sf
Lot size: ____ Clear height: ____ Electrical/Mechanical: ____
Minimum Column Spacing: 20' Parking Needs: 15

Will the purchaser operate a business or otherwise occupy the building? Yes ____ No ✓
Explain: ____

Will this purchase require financing: yes ____ no ✓

Do you now or have you ever owned property in the City of Poughkeepsie:
Residential - yes ✓ no ____ Commercial - yes ✓ no ____
If yes, where? [illegible]

Do you own other property: yes ✓ no ____
If yes, please provide the complete address:
[illegible]

What properties on the *"Properties For Sale List"* interest you? 336 Main St

Please attach resume of property ownership and management and company profile if applicable.

PURCHASE OFFER ON CITY OWNED PROPERTY

Date: 1/8/2020

Address of City-owned Property to be purchased: 556 Main St

Purchaser Information:

Name(s) of Purchaser: 556 Main St LLC (Stefan Bakchandzhiev)

Address of Purchaser: 20 Nicole Ct
Irvington, NY 10533

Phone number(s): 845-450-[illegible]

Name, address and phone number of Business (if purchase is to be in the business' name):
556 Main St LLC
20 Nicole Ct
Irvington, NY 10533

Name, address and phone number of Attorney:
Bean and Kelley PLLC - 272 Mill St, Poughkeepsie, NY 12601
845-452-6100 - Christina Reynolds

Dollar amount of purchase offer: $35,000

Conditions on the offer:

Financial Information:

Financial information for acquisition (to buy) of the property:

Owner Financing: ✓ Private Financing: _____ Need to obtain a mortgage: _____

Name, address, phone number and a contact person of Bank, Mortgage Company or Private Financing:

Financial information for the rehabilitation (when applicable) of the property:

Owner Financing: ✓ Private Financing: _____ Need to obtain a mortgage: _____

Name, address, phone number and a contact person of Bank, Mortgage Company or Private Financing:

Other Property owned:

Do you, or any member of your immediate family own other real property located in the City of Poughkeepsie in any of the following capacities:

Individually _____ Shareholder _____ Officer or director of a corporation _____
Partner in a partnership _____ Member of a Limited Liability Company ✓
Member of a Joint Venture _____ Other Capacity _____

Please Identify: 338 Main St

If yes, the addresses of any other property, located in the City of Poughkeepsie:
126 Cannon St

Please be advised that the principals must be current on all other indebtedness to the City of Poughkeepsie.

Name, address and phone number of Real Estate Broker (if applicable):

Development Plan:

The intended use of the property (i.e.: single family, two family, retail business, etc):
3 story brick building - commercial use first floor apartments on 2nd & 3rd floor and 1 bedroom apartments on 4th and 5th floors.

The development plan for the property (i.e.: change from residential to commercial, describe renovations to building, etc.):
New construction as currently vacant lot

What construction work is necessary to prepare the property for this use:

Is site plan approval needed: yes no

Are any variances required: yes no

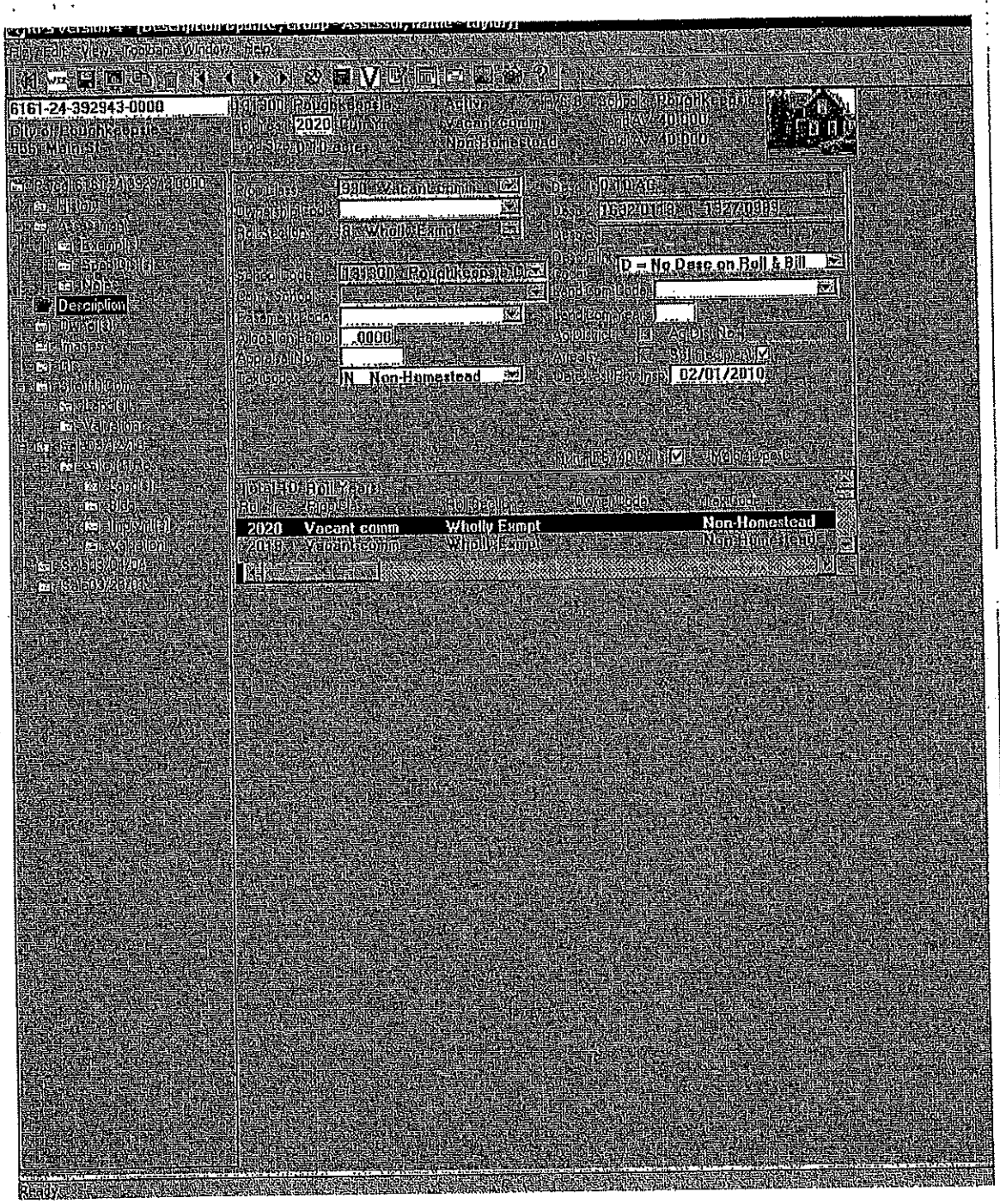
The schedule for such improvements to the property (Note- If applicable, you will be required to obtain a building permit in six months of the purchase and a Certificate of Occupancy within one year of that):

Will you be making changes to the floor plan of the building (i.e.: changing the number, size or shape of the rooms):

Purchaser(s) Signatures:

Please return completed form to:

Corporation Counsel
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12601
Phone: (845) 451-4065
Fax: (845) 451-4070


6161-24-392943-0000
2020
Vacant comm
Non-Homestead
Wholly Exempt
Rough Grass
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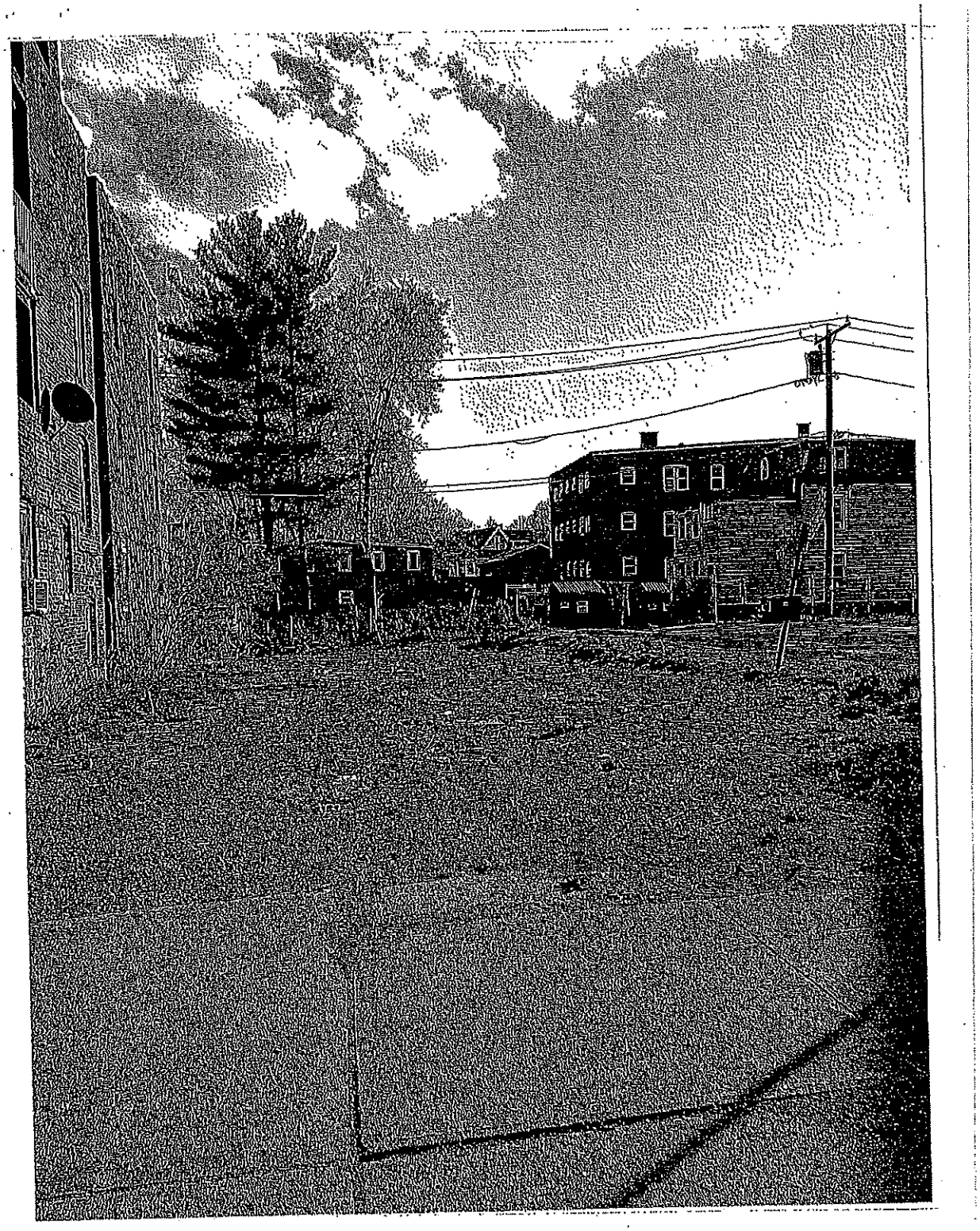
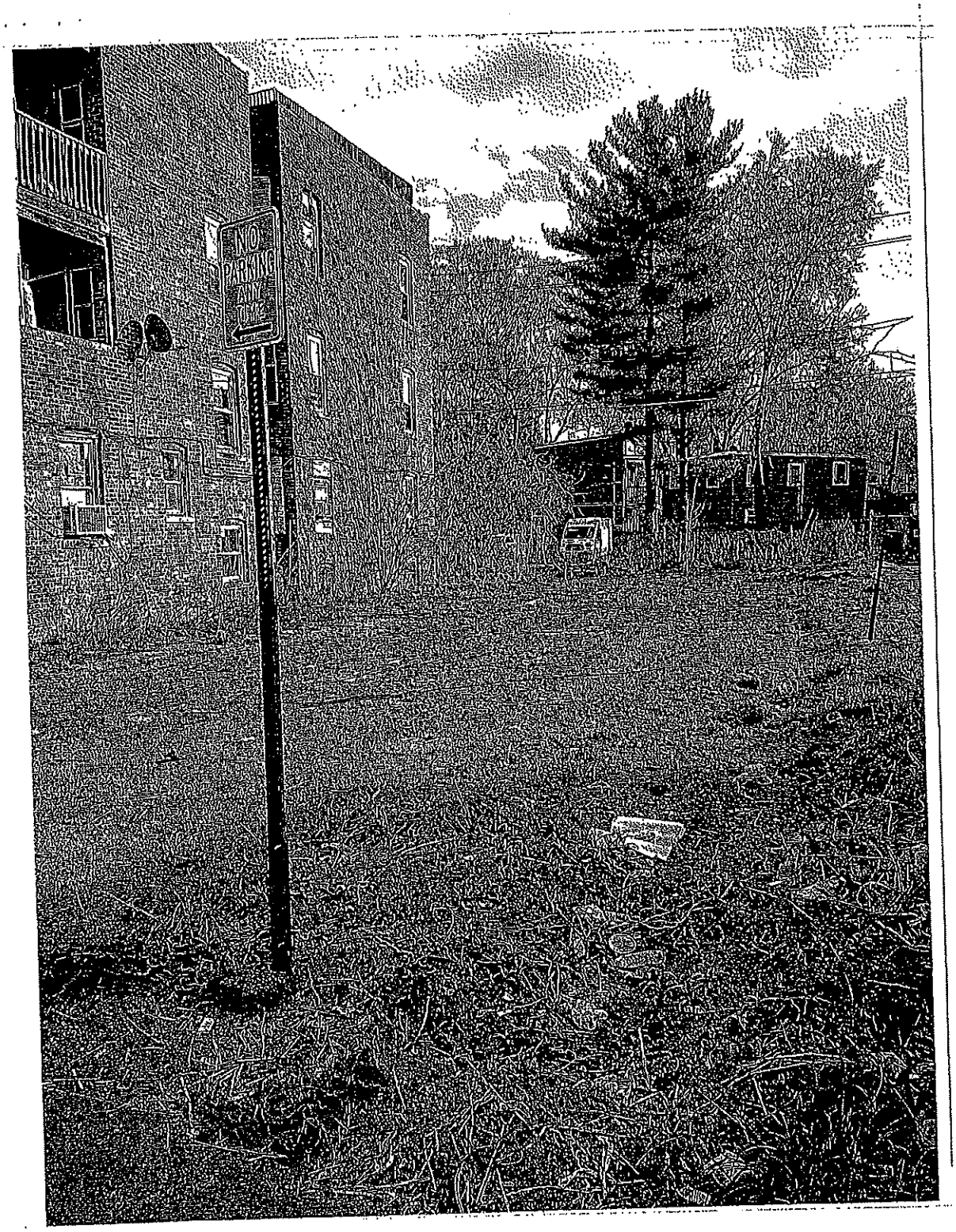
N Non-Homestead
02/01/2010
2020 Vacant comm Wholly Exempt Non-Homestead
2019 Vacant comm Wholly Exempt Non-Homestead




NO
PARKING

SalesWeb

County/Municipal Search Results

Sorted by: Swis Code (ASC) Tax Map ID (ASC)

Note: Items marked in red indicate that the sale may not have been reviewed by the assessor.

Click on column Heading for Ascending Sort, or, go to Advanced Sort Menu

Click on a data value in the first column to see the Sale Detail report for a specific Sale.

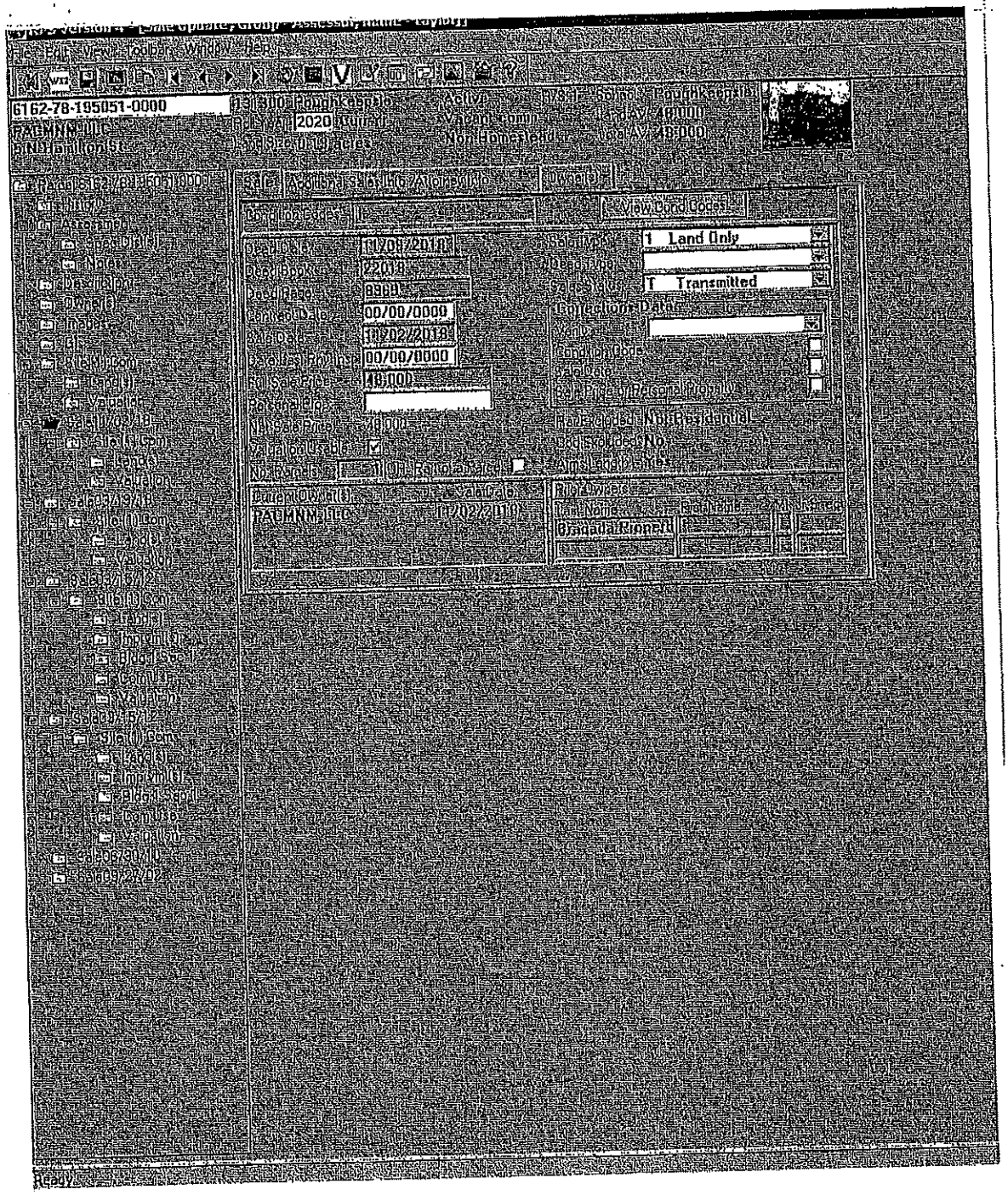
Total records returned: 9
This is page 1 of 1.

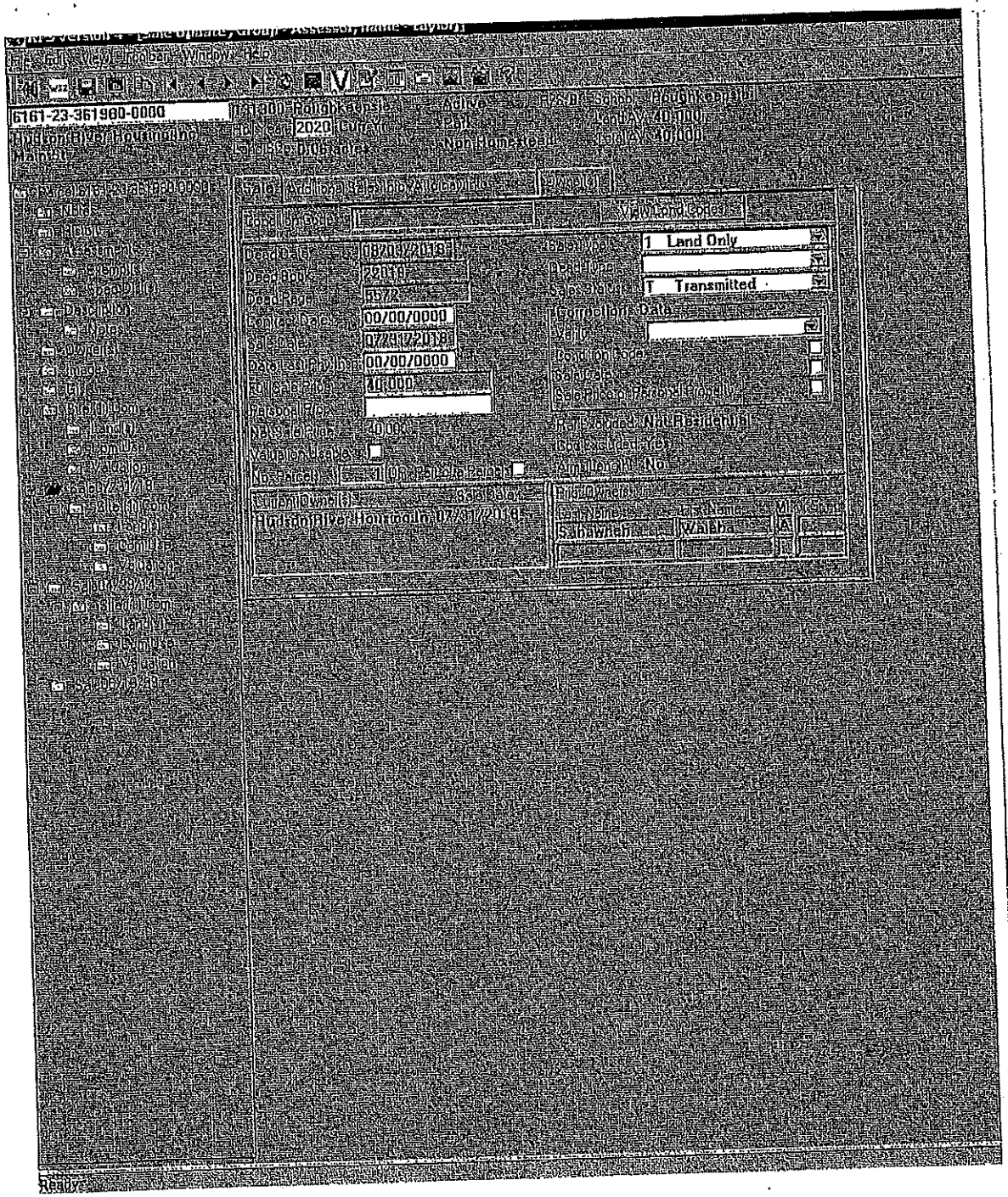
Address	Sale Date	Sale Price	Property Class on Roll	Swis Code	Tax Map ID	Deed Book	Deed Page
HAMILTON ST	12/11/2019	$3,168,100	340	131300	6062-59-821490-0000	22019	8080
BRIDGE ST	03/31/2017	$282,000	330	131300	6062-76-942131-0000	22017	2748
MAIN ST	07/31/2018	$40,000	330	131300	6161-23-361980-0000	22018	5572
225 SMITH ST	04/13/2016	$61,000	331	131300	6162-57-605450-0000	22016	2806
MORGAN AVE	04/07/2016	$20,000	330	131300	6162-72-456146-0000	22016	2943
MAIN ST	11/20/2018	$26,000	330	131300	6162-78-141035-0000	22018	8974
5 HAMILTON ST	11/02/2018	$48,000	330	131300	6162-78-195051-0000	22018	8369
5 HAMILTON ST	03/19/2018	$42,000	330	131300	6162-78-195051-0000	22018	2142
38 NORTH CLINTON	08/25/2016	$790,700	330	131300	6162-79-261120-0000	22016	5841

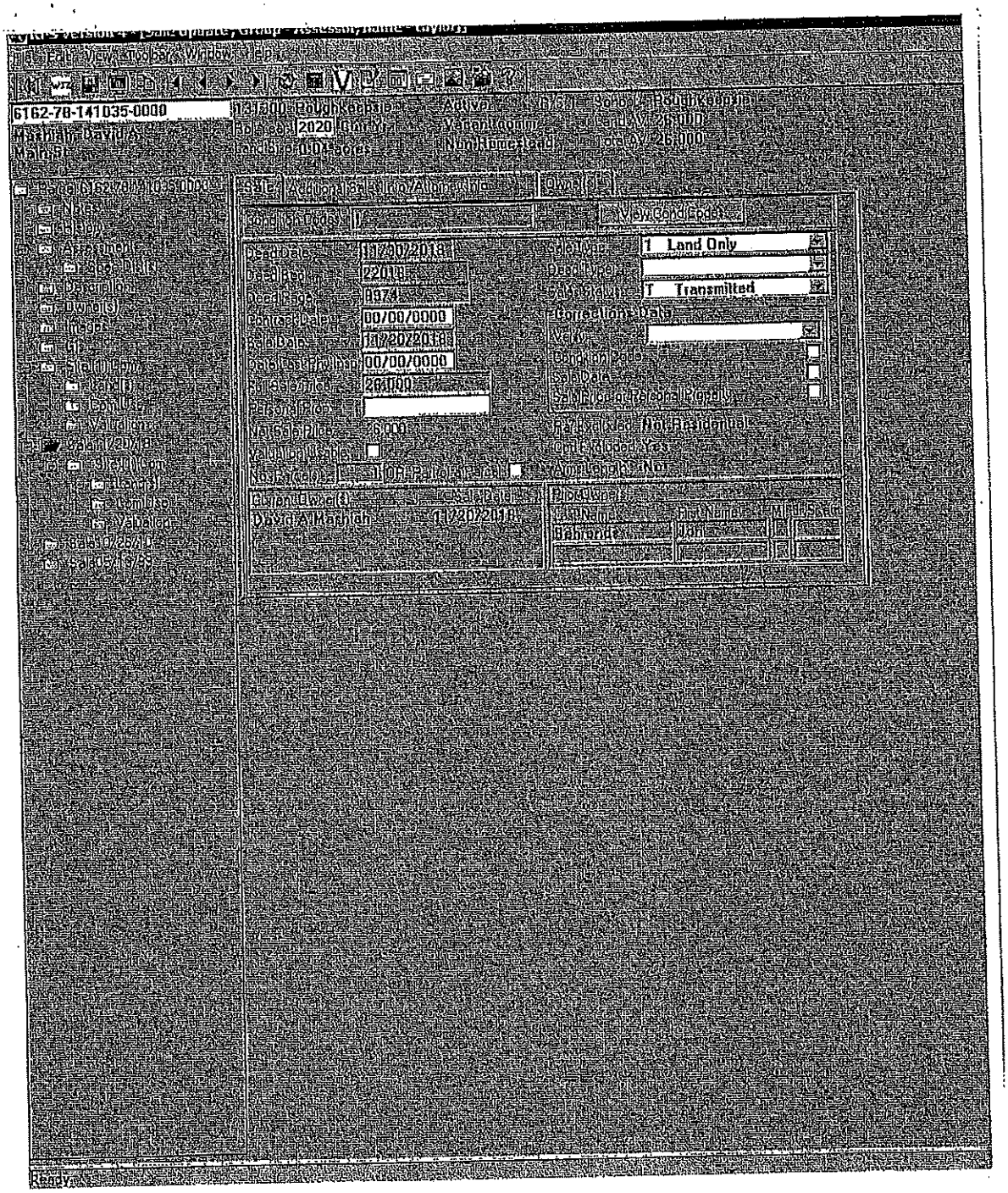
Column Data Options | Advanced Sort Menu | Save to Local File | Format for Printing All Records | Help

Questions/Comments SalesWeb Application | All Contents Copyright © NYSORPTS 2020

New Search | Privacy and Security | ORPTS Home | SalesWeb Home | Top


61 62-78-195051-0000
PAUMNN, LLC
Land Only
Transmitted
Ready


6161-23-361980-0000
2020
1 Land Only
T Transmitted
08/01/2018
29118
8578
00/00/0000
07/31/2018
00/00/0000
40,000
40.00
Non Residential
No
Hudson River Towncoal In 07/31/2018


6162-78-141035-0000
Marshall, David A
Main St
2020
Land Only
Transmitted
Non-Residential
11/20/2018
2201
1974
00/00/0000
11/20/2018
00/00/0000
2,400
6,000
David A Marshall
11/20/2018
Ready

Mid-Hudson MLS Search Results

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4/15/2020 3:41:20 PM

DEBORAH WHITTON

LAND -ACTIVE

ML#	P	List Ofc	Address	Township	Price	SubType	Acres	Zoning	BOHApp
387781	P4	HOLALG	4 COTTAGE ST	Poughkeepsie City	$33,000	Residential	0.14	RES	Y
387944	P10	WCRTFK	41 ALDEN RD	Poughkeepsie City	$57,000	Residential	0.35	R-1	Y
387677	P1	HOLALG	SEAMAN RD	Poughkeepsie City	$65,000	Residential	0.53	R-1	
387582	P1	HOLALG	GUS SIKO RD	Poughkeepsie City	$75,000	Residential	1.12	R-1	
387583	P1	HOLALG	GUS SIKO RD	Poughkeepsie City	$75,000	Residential	1.31	R-1	
387581	P1	HOLALG	SEAMAN RD	Poughkeepsie City	$95,000	Residential	1.87	R-1	
388623	P1	HOLAEF	W WINDING RD	Poughkeepsie City	$125,000	Additional Parcels	0.63	R-1	
387585	P1	HOLALG	ACADEMY ST. EXT	Poughkeepsie City	$200,000	Residential	2.85	R-1	

8 ACTIVE

LAND -SOLD

ML#	P	List Ofc	Address	Township	Price	SubType	Acres	Zoning	BOHApp
363365	P5	WCRTFK	15 GROVE ST	Poughkeepsie City	$6,000	Residential	0.09	H-M	Y
345568	P1	HOLALG	4 COTTAGE ST	Poughkeepsie City	$9,000	Commercial	0.14	RES	Y
387045	P8	HUDVLG	99 N BRIDGE ST	Poughkeepsie City	$17,500	Commercial	0.06	C-2	
374463	P9	HOLALG	12 BEEKMAN ST	Poughkeepsie City	$18,000	Residential	0.26	RES	Y
373716	P5	SERLFK	34 WILSON BLVD	Poughkeepsie City	$20,000	Residential	0.15	R-2	N
345572	P2	HOLALG	9 MORGAN AVE	Poughkeepsie City	$20,000	Residential	0.25	RES	Y
358481	P7	CANNEF	5 DOUGLAS ST	Poughkeepsie City	$25,000	Residential	0.22	R-2	N
358158	P4	SERLLG	4 GUS SIKO RD	Poughkeepsie City	$40,000	Residential	0.32	R-1	Y
358159	P4	SERLLG	6 GUS SIKO RD	Poughkeepsie City	$40,000	Residential	0.43	R-1	Y
364616	P5	HUDVLG	5-7 N HAMILTON STREE	Poughkeepsie City	$42,000	Other	0.13		
384961	P2	HOLALG	TAMIDAN RD	Poughkeepsie City	$45,000	Residential			
375275	P5	PHOLCH	5-7 N. HAMILTON ST	Poughkeepsie City	$48,000	Commercial	0.13		
370205	P6	SERLLG	4 GUS SIKO RD	Poughkeepsie City	$55,000	Residential	0.43	R-1	
370206	P6	SERLLG	6 GUS SIKO RD	Poughkeepsie City	$65,000	Residential	0.32	R-1	
377592	P1	SERLLG	SALT POINT TPKE	Poughkeepsie City	$77,500	Farm/Estate	8.03	MDR	

15 SOLD

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4/16/2020 9:26:00 AM

DEBORAH WHITTON

LAND -ACTIVE

ML#	P	List Ofc	Address	Township	Price	SubType	Acres	Zoning	BOHApp
387577	P1	HOLALG	SEAMAN RD	Poughkeepsie City	$65,000	Residential	0.53	R-1	
387269	P3	SERLFK	STRAWBERRY HILL LN	Poughkeepsie Twp	$68,500	Residential	0.62	R20	
387582	P1	HOLALG	GUS SIKO RD	Poughkeepsie City	$75,000	Residential	1.12	R-1	
387583	P1	HOLALG	GUS SIKO RD	Poughkeepsie City	$75,000	Residential	1.31	R-1	
387581	P1	HOLALG	SEAMAN RD	Poughkeepsie City	$95,000	Residential	1.87	R-1	
388534	P10	RECOWF	254 SPACKENKILL RD (BARL	Poughkeepsie Twp	$99,900	Residential	1.3		Y
388537	P13	RECOWF	254 SPACKENKILL ROAD	Poughkeepsie Twp	$99,900	Residential	1.33	R-20	Y
384414	P7	SERLFK	CLIFFDALE CT LOT 3	Poughkeepsie Twp	$102,600	Additional Parcels	1.05		Y
384432	P7	SERLFK	CLIFFDALE CT LOT 5	Poughkeepsie Twp	$102,600	Additional Parcels	1.44		Y
384433	P7	SERLFK	CLIFFDALE CT LOT 6	Poughkeepsie Twp	$102,600	Additional Parcels	3.15		Y
384440	P7	SERLFK	CLIFFDALE CT LOT 4	Poughkeepsie Twp	$102,600	Additional Parcels	1.3		Y
384438	P7	SERLFK	CLIFFDALE CT LOT 1	Poughkeepsie Twp	$107,300	Additional Parcels	1.91		Y
384411	P7	SERLFK	CLIFFDALE CT LOT 2	Poughkeepsie Twp	$107,300	Additional Parcels	1.82		Y
386638	P4	HOLALG	3 TROTTER LANE	Poughkeepsie Twp	$110,000	Residential	0.59	R20	
388623	P1	HOLAEF	W WINDING RD	Poughkeepsie City	$125,000	Additional Parcels	0.63	R-1	
380516	P2	KIPRPV	15 S VICTORY LN	Poughkeepsie Twp	$195,000	Industrial	1.85	IH	
389036	P18	ALLIWF	17 KINGWOOD DR	Poughkeepsie Twp	$199,999	Residential	0.78	R20	Y
387585	P1	HOLALG	ACADEMY ST. EXT	Poughkeepsie City	$200,000	Residential	2.85	R-1	
387766	P4	SERLFK	GENTRY BND	Poughkeepsie Twp	$210,000	Residential	2.33	R20	
380501	P2	KIPRPV	VICTORY LANE	Poughkeepsie Twp	$275,000	Industrial	2.73		Y

20 ACTIVE

LAND -CONTINGENT

ML#	P	List Ofc	Address	Township	Price	SubType	Acres	Zoning	BOHApp
386639	P4	HOLALG	5 TROTTER LANE	Poughkeepsie Twp	$110,000	Residential	0.58	R20	Y

1 CONTINGENT

LAND -SOLD

ML#	P	List Ofc	Address	Township	Price	SubType	Acres	Zoning	BOHApp
376189	P13	WILLWF	PEACH	Poughkeepsie Twp	$30,000	Residential	1.57	R4A	
380025	P5	SERLFK	VAN WAGNER RD.	Poughkeepsie Twp	$30,000	Residential	1.15		Y
368594	P6	SERLLG	VAN WAGNER LOT 3 RD	Poughkeepsie Twp	$40,000	Residential	1.86	R4A	Y
315857	P3	ACERLG	BEDELL RD LOT 5	Poughkeepsie Twp	$42,000	Residential	1.55		Y
368420	P3	HOLALG	15 LOGANS CT	Poughkeepsie Twp	$42,000	Residential	0.81	R20	Y
315854	P4	ACERLG	BEDELL RD LOT 2	Poughkeepsie Twp	$44,000	Residential	2.32		Y
368596	P6	SERLLG	VAN WAGNER LOT 5 RD	Poughkeepsie Twp	$47,000	Residential	2.44	R4A	Y
347465	P3	HOLAEF	423 SHEAFE RD	Poughkeepsie Twp	$49,000	Residential	1.18	R20	Y
335961	P4	HOLAEF	DELAVERGNE AVE	Poughkeepsie Twp	$50,000	Residential	0.82	R20	
315859	P3	ACERLG	BEDELL RD LOT 6	Poughkeepsie Twp	$55,000	Residential	1.96		Y
360878	P4	SERLLG	2 OVERLOOK RD	Poughkeepsie Twp	$60,000	Residential	2.7	R20	
384042	P8	HOLALG	11 WILTSE LN	Poughkeepsie Twp	$68,000	Additional Parcels	1.67	R20	Y
359946	P4	SERLLG	RIVERCREST DR	Poughkeepsie Twp	$75,000	Residential	3.9	312	
323614	P2	SERLLG	179 CEDAR AVE	Poughkeepsie Twp	$90,000	Residential	2.13	R20	Y
385046	P1	HOLAEF	FLYER CT	Poughkeepsie Twp	$99,000	Residential	0.87	R20	

15 SOLD

DEBORAH WHITTON

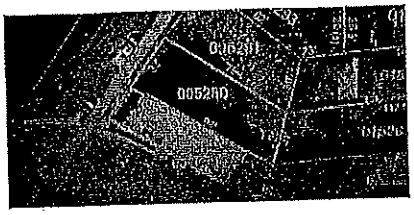
99 N BRIDGE ST, POUGHKEEPSIE, NY 12601

Land

4/15/2020 4:42 P.M.

S

$17,500



Listing #: 367045
Sub-Type: CL
Bd of Health Appr:
Bd of Hlth App Date:
Square Foot Source: Public Records
Zoning: C-2
County: DUT
Acceptable Fin: Cash
Post Office: POUGHKEEPSIE
Township: Poughkeepsie City
Zip Code: 12601-
Property Faces:
Subdivision: NONE
Lot Dim:
School Dist: POUGHKEEPSIE CITY
Lot Square Ft:
- High Sch: POUGHKEEPSIE HIGH SCHOOL
Acres: 0.06
- Middle Sch: POUGHKEEPSIE MIDDLE SCHOOL
# of Lots: 1
- Elem Sch: MORSE YOUNG CHILD MAGNET SCHOOL
Tillable Acres:
- Other Sch:
Wooded Acres:
Property Id #: 13130000616200610052690000

Directions

WASHINGTON STREET TO LEFT ON ON NORTH BRIDGE

Map Page:

Mapping:

Lot Information

Land Use:
Frontage Feet:
Road Frontage:
Divisible: N
Location: Downtown
Utilities:
Miscellaneous:
Lot Desc:
Easements:
Improvements: Curb Cut(s), Curbs & Gutters, Sidewalks
Zoning Desc:

Waterfront:
View Desc:
Fence: None
Water / Sewer:
Documents:
Other:
Miscellaneous:

Near or In Ag Dist: N

Remarks

Commercial lot for sale located in downtown Poughkeepsie right by the Walkway Over the Hudson. Great location.

Financial / Transaction Information

Tax Amount: $624
Land Tax: $341
Assess Value: $18,400
Sub Agent Comp: 2.5%

School Tax: $283
Village Tax: $0
Tax Year: 2018
Buyer's Agent Comp: 2.5%

Hyde Pk F/W Tax:
Real Tax: .
Exemption: None
Broker's Agent Comp: 2.5%

Negotiate Through: OTH

Office Information

List Office: HUDVLG
List Agent Code: 1911
List Agent 2 Code:
Buy Agent Auth: Y
Date Listing Rec:
Listing Date: 12/2/2019
Show Instructions: Show Any Time

List Office Name: C21 HUDSON VALLEY REALTY
List Agent Name: HAMAR J CLARKE
List Agent 2 Name:
Owner Name: WITHHELD
Off Market Date: 1/25/2020

List Office Phone: 845 454-6334
List Agent Phone: 845 416-6602
List Agent 2 Phone:
Appointment Phone: 8007469464
Listing Type: ER

List Agent Email: HamarC21@gmail.com

Confidential Remarks

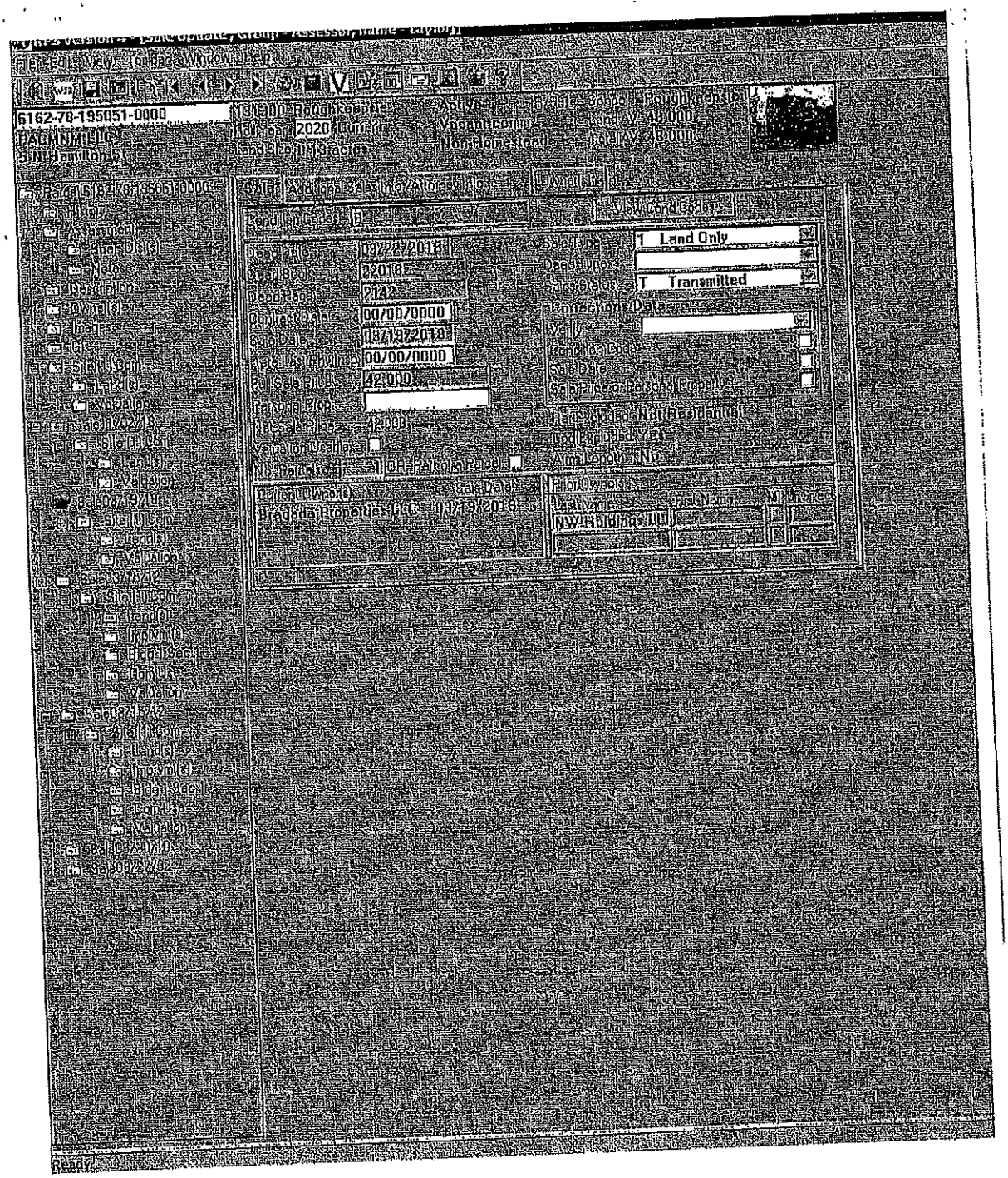
zone c-2, zoning document available for download in documents section.

Additional Information

Selling Office: KF ALL ASPECTS REALTY
Closing Forms:
Closed Date: 1/27/2020

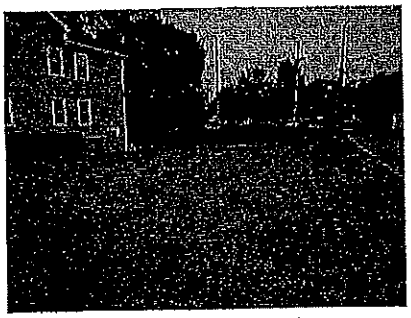
Selling Agent: JAMES PATTERSON
Selling Agent 2:
Market Time: 64

Original Price: $29,900
List Price: $29,900
Sale Price: $17,500
Seller Concession:


6162-78-195051-0000
2020
Land Size: 0.19 Acres
Land Av 40,000
Total Av 40,000
Land Only
Transmitted
Not Residential
No
09/19/2018
Ready

DEBORAH WHITTON

5-7 N. HAMILTON ST, POUGHKEEPSIE, NY 12601



Land

4/15/2020 4:42 P.M.

S $48,000

Listing #: 375275
Sub-Type: CL
Bd of Health Appr:
Bd of Hlth App Date:
Square Foot Source: Approximate
Acceptable Fin: Cash, Conventional, FHA, VA

Zoning:
County: DUT
Post Office: POUGHKEEPSIE

Township: Poughkeepsie City
Zip Code: 12601-
Subdivision: NONE
School Dist: POUGHKEEPSIE CITY
- High Sch: POUGHKEEPSIE HIGH SCHOOL
- Middle Sch: POUGHKEEPSIE MIDDLE SCHOOL
- Elem Sch: MORSE YOUNG CHILD MAGNET SCHOOL
- Other Sch:

Property Faces:
Lot Dim:
Lot Square Ft:
Acres: 0.13
# of Lots: 1
Tillable Acres:
Wooded Acres:

Property Id #: 13130000616200761950510000

Directions

Route 44/55 WEST; left onto N. Hamilton; parcel on the left. Sign on

Map Page:

Mapping:

Lot Information

Land Use: 411
Frontage Feet:
Road Frontage: City Street
Divisible: N
Location: Downtown, Historic Area, Urban
Utilities: Cable Available, Electric Available, Gas Available

Miscellaneous:
Lot Desc: Level
Easements:
Improvements:
Zoning Desc:

Waterfront:
View Desc: City Lights
Fence:
Water / Sewer: City Sewer, City Water
Documents: Land Survey
Other: IAW (commission paid only if, As and When title passes), Listed In Another MLS, Survey Available

Miscellaneous:

Near or In Ag Dist: N

Remarks

Own a piece of history in the City of Poughkeepsie. Once stood a six unit apartment complex consisting of four 3 bedroom units and two 1 bedroom units. This lot is currently zoned C-2 (centralized commercial) with a possibility for creating 8+ units with retail options. Walking distance to restaurants, shops, and Metro North. Utilities already in place for the right investor to secure their retirement! Parcel is located in the Poughkeepsie Innovation District where lots of positive changes will be occurring.

Financial / Transaction Information

Tax Amount: $1,129
Land Tax: $591
Assess Value: $25,000
Sub Agent Comp: 0%

School Tax: $638
Village Tax: $0
Tax Year: 2018
Buyer's Agent Comp: 2.5%

Hyde Pk F/W Tax:
Real Tax:
Exemption: None
Broker a Agent Comp: 0%

Negotiate Through: LBRKR

Office Information

List Office: PHOLCH
List Agent Code: 1979
List Agent 2 Code:
Buy Agent Auth: Y
Date Listing Rec:
Listing Date: 8/21/2018
Show Instructions: Call List Agent, Show Any Time, Email Agent

List Office Name: DOUGLAS ELLIMAN REAL ESTATE
List Agent Name: APRIL VITALIANI
List Agent 2 Name:
Owner Name: BRAGADA LLC
Off Market Date: 10/20/2018

List Office Phone: 914 238-3988
List Agent Phone: 2035052642
List Agent 2 Phone:
Appointment Phone: 203.505.2642
Listing Type: ER

List Agent Email: april.vitaliani@elliman.com

Confidential Remarks

Please text or email list agent before showing the property. OK anytime to show. Survey upon request.

Additional Information

Selling Office: NON MEMBER OFFICE
Closing Forms:

Selling Agent: NON MEMBER
Selling Agent 2:

Original Price: $52,500
List Price: $52,500

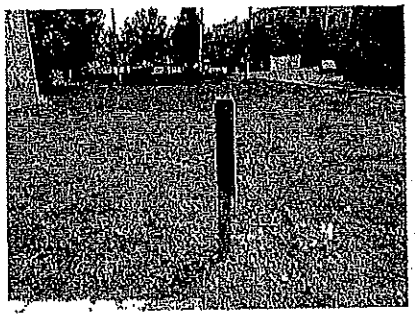
DEBORAH WHITTON

Land

4/15/2020 4:45 P.M.

5-7 N HAMILTON STREE , POUGHKEEPSIE, NY 12601

S $42,000



Listing #:	364616	Sub-Type:	OT
		Bd of Health Appr:	
Zoning:		Bd of Hlth App Date:	
County:	DUT	Square Foot Source:	Approximate
Post Office:	POUGHKEEPSIE	Acceptable Fin:	
Township:	Poughkeepsie City		
Zip Code:	12601-	Property Faces:	
Subdivision:	NONE	Lot Dim:	
School Dist:	POUGHKEEPSIE CITY	Lot Square Ft:	
- High Sch:	POUGHKEEPSIE HIGH SCHOOL	Acres:	0.13
- Middle Sch:	POUGHKEEPSIE MIDDLE SCHOOL	# of Lots:	1
- Elem Sch:	MORSE YOUNG CHILD MAGNET SCHOOL	Tillable Acres:	
- Other Sch:		Wooded Acres:	

Property Id #: 13130000616200781950610000

Directions

ROUTE 44/55 WEST (ARTERIAL=MILL STREET) TO LEFT ONTO N HAMILTON STREET; PARCEL ON THE LEFT. SEE SIGNS

Map Page: Mapping:

Lot Information

Land Use:	411	Waterfront:	
Frontage Feet:		View Desc:	
Road Frontage:	City Street	Fence:	
Divisible:	N	Water / Sewer:	City Sewer, City Water
Location:	Urban	Documents:	
Utilities:	Cable Available, Electric Available, Gas Available	Other:	
Miscellaneous:		Miscellaneous:	
Lot Desc:	Level		
Easements:			
Improvements:			
Zoning Desc:		Near or In Ag Dist:	N

Remarks

WHAT USE TO BE A 6 UNIT APARTMENT BLDG WITH (4) THREE BEDROOM & (2) ONE BEDROOM APTS ONCE SAT ON THIS LEVEL CITY LOT NOT TO LONG AGO. ZONED C-2 WITH LAND USE 411/APARTMENTS AND CONVENIENTLY LOCATED CLOSE TO SHOPPING, RESTAURANTS, CHURCHES, LAUNDRY SERVICES, THE METRO NORTH TRAIN STATION & WITH UNDERGROUND & OVERHEAD UTILITIES ALREADY IN PLACE, MAY MAKE THIS PARCEL IDEAL FOR THE RIGHT INVESTOR. THERE'S NOT TOO MANY OF THESE AROUND. TAKE A LOOK! ALL REASONABLE OFFERS CONSIDERED. AGENTS, PLEASE SEE OTHER REMARKS.

Financial / Transaction Information

Tax Amount:	$4,300	School Tax:	$2,500	Hyde Pk F/W Tax:	
Land Tax:	$1,800	Village Tax:	$0	Real Tax:	
Assess Value:	$264,800	Tax Year:	2018	Exemption:	None
Sub Agent Comp:	0	Buyer's Agent Comp:	2.5	Broker a Agent Comp:	0

Negotiate Through: LBRKR

Office Information

List Office:	HUDVLG	List Office Name:	C21 HUDSON VALLEY REALTY	List Office Phone:	845 454-6334
List Agent Code:	4420	List Agent Name:	JOYCE E STANTON	List Agent Phone:	845 489-6764
List Agent 2 Code:		List Agent 2 Name:		List Agent 2 Phone:	
Buy Agent Auth:	Y	Owner Name:	NW HOLDINGS LLC	Appointment Phone:	SEE REMARKS
Date Listing Rec:		Off Market Date:	1/31/2018	Listing Type:	ER
Listing Date:	8/17/2017				
Show Instructions:	Show Any Time			List Agent Email:	Jstant21@aol.com

Confidential Remarks

SHOW ANYTIME. SELLING AGENT/BUYER TO VERIFY INFORMATION.

Additional Information

Selling Office:	SERINO REALTY	Selling Agent:	CORINNE LOMBARDI	Original Price:	$49,900
Closing Forms:		Selling Agent 2:		List Price:	$49,000

The City of Poughkeepsie
New York

John Taylor
Assessor

62 Civic Center Plaza
Poughkeepsie, N. Y.12601

845-451-4039
Fax: 845-451-4181

April 16, 2020

Re: 556 Main Street
6161-24-392943

Mr. Marc Nelson
City of Poughkeepsie Administrator

Mr. Nelson,

Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of marketing. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc Nelson, City Administrator and is intended for his specified use.

The property is located at 556 Main Street, City of Poughkeepsie and consists of one vacant parcel of commercial vacant land. At present, there are no improvements on the subject property A physical field inspection has been made of the property. Additionally, it must be understood that no plans or survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

To establish an opinion of market value, a Sales Approach was utilized based on sales of similar properties within the subject market area. In this approach, value is based on the transfer of properties considered to be similar in use and condition. Due to the lack of recent sales within the subject immediate neighborhood, it was necessary to expand the search into surrounding neighborhoods. Any and all data, reasoning and/or analysis used to develop the opinion of value has been retained and any depth of discussion is specific to the needs of the intended user and the intended use.

After careful consideration, I have concluded the estimated Market Value of the subject property, to be $40,000.

Should you have any additional questions, please do not hesitate to contact me.

Respectfully,

John Taylor
Assessor
City of Poughkeepsie

R20-39						
			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	☑	☐	☐	☐

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

RESOLUTION INTRODUCING LOCAL LAW AND PROVIDING FOR PUBLIC NOTICE AND HEARING (R-20-41)

INTRODUCED BY COUNCILMEMBER CHERRY, FLOWERS, BRANNEN, MENIST, L. JOHNSON, R. JOHNSON, PETSAS, MCNAMARA AND CHAIR SALEM

BE IT RESOLVED, that an introductory Local Law, entitled "**LOCAL LAW AMENDING SECTION 14.08 OF THE ADMINISTRATIVE CODE ENTITLED TAXES – PENALTIES, INTEREST ON UNPAID TAXES**" be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o'clock P.M., on May 18, 2020; and

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

SECONDED BY COUNCILMEMBER BRANNEN

R20-41						
☑ 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	☑	☐	☐	☐

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

A RESOLUTION OF THE CITY OF POUGHKEEPSIE, SETTING A PUBLIC HEARING REGARDING THE PROPOSED NOMINATION OF 1-3 GRAND STREET AS A LOCAL HISTORIC LANDMARK

(R-20-42)

INTRODUCED BY COUNCILMEMBER MENIST

WHEREAS, an application for nomination as a locally designated Historic Landmark has been received by the City of Poughkeepsie for property located at 1-3 Grand Street ; and

WHEREAS, the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter "HDLPC") held a public hearing on March 12, 2020; and

WHEREAS, the HDLPC voted in favor of the proposed nomination and approved the application on March 12, 2020; and

WHEREAS, pursuant to Section 19-4.5(4)(f) of the Code of Ordinances of the City of Poughkeepsie, the HDLPC's approved application was forwarded to the Common Council for consideration on March 19, 2020; and

WHEREAS, the Common Council is required to hold a public hearing prior to the designation of any historic landmark within sixty (60) days from receipt of the approved application from the HDLPC; and

NOW THEREFORE,

BE IT RESOLVED, that the City Chamberlain be, and she hereby is authorized and directed to publish a Notice of Public Hearing to be held June 1, 2020 at 5:30 p.m. concerning the designation

of 1-3 Grand Street as a locally designated historic landmark.

SECONDED BY COUNCILMEMBER BRANNEN

R20-35						
			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	☑	☐	☐	☐

IX. ORDINANCES AND LOCAL LAWS:

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

ORDINANCE AMENDING SECTION 14-23 OF THE CODE OF ORDINANCES ENTITLED PLAYING IN CITY STREETS (O-20-2)

INTRODUCED BY COUNCILMEMBER FLOWERS:

SECTION 1. BE IT ENACTED, by the Common Council of the City of Poughkeepsie, an ordinance amending Section 14-23 of the Code of Ordinances of the City of Poughkeepsie entitled "Playing in City Streets" to provide as follows:

Section 14-23**Playing in City streets.**
[Ord. of 8-19-1980, § 1; Ord. of 8-1-1983, § 1; Ord. of 5-5-1986, § 2]

(a) It is hereby declared by the Common Council that playing in ~~certain~~ *the* streets of the city of such games as baseball, softball, stickball, Frisbee, roller skating, football, soccer, *hockey, basketball* and similar game-playing activities constitute a public nuisance and a hazard both to the persons and property of users of said public streets and to those playing in said public streets. This section is remedial in nature and is designed to protect the public safety, health and welfare.

(b) *It shall be unlawful for any person to play upon any City street, or to place on any city street a soccer goal, hockey goal, basketball hoop or any other sports equipment. Furthermore, no person shall place on their own property any basketball hoop, soccer goal, hockey goal or other sports equipment in an area where the playing of such game creates a public nuisance or hazard to the persons and property of users of the public streets and/or sidewalks in the City.*

~~**(b)** It shall be unlawful for any person, without a written permit from the City Administrator, to play upon any City street unless said street is designated herein. The City Administrator may, in his discretion, limit such permit as to time and place and may, at any time, revoke such permit, without further notice. Any person who secures a permit under this section shall file said permit or a copy thereof with the Chief of Police. The playing upon the following city streets is hereby permitted without requirement of a permit.~~

~~(Reserved)~~

SECTION 2. This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER McNAMARA :

~~STRIKETHROUGH~~ INDICATES DELETION
ITALICS INDICATES ADDED LANGUAGE

O-20-02						
			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	☑	☐	☐	☐

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM CITY ADMINISTRATOR NELSON,** a communication regarding the proposed settlement of a contract dispute between City and IDA for UDAG loan unpaid.

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF POUGHKEEPSIE, NEW YORK APPROVING AND AUTHORIZING THE SETTLEMENT OF A CONTRACT DISPUTE WITH THE CITY OF POUGHKEEPSIE INDUSTRIAL DEVELOPMENT AGENCY

(R-20-__)

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the City of Poughkeepsie (the "City") engaged the City of Poughkeepsie Industrial Development Agency (the "Agency") to undertake certain projects within the City to be developed by the Agency, and to pay for project obligations, such as the Municipal Environmental Restoration Projects (collectively, the "Work"); and

WHEREAS, by Resolutions R-03-169, R-04-90 and R-05-134, the City authorized the making of certain loans to the Agency of certain Urban Development Action Grants in the aggregate original principal amount of $1,090,000 (the "Loan"); and

WHEREAS, the Loan was evidenced by a certain Note, dated January 4, 2006, of the Agency to the order of the City, in the original principal amount of $1,090,000.00 (the "Note") and was advanced to the Agency pursuant to a certain Loan Agreement, entered into as of January 4, 2006, by and between the Agency and the City (the "Loan Agreement"); and

WHEREAS, there was outstanding on the Loan the principal amount of $443,000 (the "Original Outstanding Balance"), payment of which the City demanded from the Agency; and

WHEREAS, the Agency and the City disputed whether, or to what extent, the Agency remained liable to the City for the payment of the Original Outstanding Balance; and

WHEREAS, the Agency and the City have each been advised by legal counsel as to its potential legal obligations, liabilities and defenses in connection with such dispute; and

WHEREAS, the Agency and the City have each determined that it is in the best interests of both entities and the residents and taxpayers of the City to resolve the dispute regarding the payment of the Original Outstanding Balance without the cost and expense of potentially protracted litigation; and

WHEREAS, pursuant to the authorization of the Agency, the Agency has previously made a payment to the City in the amount of $150,000 toward the reduction of the Original Outstanding Balance; and

WHEREAS, the City and Agency have determined that it was in the best interests of both the Agency and the City and the residents and taxpayers of the City, for the purposes of effectuating a settlement of this dispute, to reduce the amount claimed by the City to be owed by the Agency by an amount equal to $100,000 (the "Settlement Reduction") and to make provision for the payment of the then remaining balance of $193,000 (the "Original Remaining Outstanding Balance"); and

WHEREAS, the Agency and City have agreed to the settlement of the dispute as follows (the "Dispute Settlement"):

The Agency shall remit to the City, until the Original Remaining Outstanding Balance is paid in full, an amount equal to twenty percent (20%) of administrative fees (excluding annual administrative fees)

actually collected by the Agency in connection with any bond financing or straight-lease transaction or otherwise in connection with the provision of financial assistance to or in connection with any project. The Agency may, at its sole option and upon the approval by vote of a majority of the members of the Agency, also prepay, in whole or in part, the Original Remaining Outstanding Balance from funds then available to the Agency; and

WHEREAS, pursuant to a resolution of the Agency duly adopted at its regularly scheduled meeting of February 13, 2019, the Agency executed and delivered that certain letter agreement, dated April 4, 2019, by and between the Agency and the City, setting forth the Dispute Settlement, a copy of which is attached hereto (the "Settlement Agreement"); and

WHEREAS, pursuant to the Settlement Agreement, the Agency paid to the City the sum of $7,830.60 (the "CNN Spruce Payment"), such amount being equal to twenty percent (20%) of the amount of the administrative fee collected by the Agency upon the closing of the straight lease transaction with CNN Spruce LLC; and

WHEREAS, after giving effect to the CNN Spruce Payment, the remaining outstanding balance due and owing to the City pursuant to the Settlement Agreement is $185,169.40 (the "Existing Outstanding Balance"); and

WHEREAS, the City has determined that it will be in the best interests of both the Agency and the City and of the residents and taxpayers of the City, for the purposes of effectuating a settlement of this dispute, to approve the terms and conditions of the Dispute Settlement, enter into and ratify the Settlement Agreement and accept receipt of all payments heretofore made by the Agency in connection with the payment and reduction of the Original Outstanding Balance.

NOW, THEREFORE,

BE IT RESOLVED by the Common Council determines as follows:

Section 1. The City hereby acknowledges and agrees that, after giving effect to (i) the payment by the Agency of $150,000 as hereinbefore set forth, (ii) the Settlement Reduction, and (iii) the CNN Spruce Payment, the Existing Outstanding Balance as of the date hereof is $185,169.40.

Section 2. In settlement of the dispute with the Agency, the City hereby approves and consents to the terms and conditions of the Dispute Settlement and the Settlement Agreement.

Section 3. The Mayor, the City Administrator and the Corporation Counsel are each hereby authorized to take such actions and to execute and deliver, or cause to be executed and delivered, any and all agreements, documents, consents, stipulations and waivers in connection with the Dispute Settlement, including, but not limited to, the Settlement Agreement, all on such terms and conditions as the Mayor, the City Administrator and/or the Corporation Counsel deem necessary or appropriate, provided the same are consistent with and in furtherance of the Dispute Settlement as hereinbefore set forth in these resolutions.

Section 4. The performance by or on behalf of the City of the actions, matters, transactions, covenants, agreements, obligations and undertakings on the part of the City to be performed under and pursuant to the Dispute Settlement, including, without limitation, the execution and delivery of the Settlement Agreement by the City Administrator, is hereby authorized and approved

Section 5. Any acts of the Mayor, the City Administrator, the Commissioner of Finance, the Corporation Counsel and/or any person or persons designated and authorized to act by any of them, on the City's behalf which acts would have been authorized by the foregoing resolutions except that such acts were taken prior to the adoption of those resolutions, including, but not limited to, the execution and delivery of the Settlement Agreement by the City Administrator, are hereby severally ratified, confirmed, approved and adopted as acts in the name of and on behalf of the City.

Section 6. This resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER: _____.

2. **FROM COUNCIL CHAIR SALEM,** a communication regarding Slow Streets PK: In order to give residents, pedestrians, and cyclists room to maintain proper social distance and slow the spread of COVID-19 as the weather warms.

3. **FROM COUNCILMEMBER BRANNEN,** a communication regarding revisiting a parking ticket amnesty program.

X. NEW BUSINESS:

XI. OLD BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to adjourn the meeting at 9

Dated: May 13, 2020

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, May 4, 2020.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain