



COMMON COUNCIL MEETING

Tuesday, February 21, 2023

Common Council Chambers

6:00 p.m.

Public Hearing: *for the purpose of receiving comments on the Draft Zoning Amendments*

6:30 p.m.

I. ROLL CALL

II. REVIEW OF MINUTES:

Public Hearing Meeting – February 6, 2023
Common Council Meeting – February 6, 2023

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

IV. PUBLIC PARTICIPATION

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS

1. A Presentation From Celebrating The African Spirit

VI. MAYOR'S COMMENTS

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

VIII. REPORTS OF COMMITTEES AND BOARDS:

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

1. R-23-22, Resolution Designating 299 Main Street as a Local Historic Landmark

X. ORDINANCES AND LOCAL LAWS:

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

XII. ORDINANCES AND LOCAL LAWS:

XIII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM CYNTHIA FARRELL**, a notice of property damage sustained on or around August 1, 2022.
2. **FROM FELICIA ELTING**, a notice of property damage sustained on or around January 18, 2022.
3. **FROM JD'S PUB & BREW, INC.**, a 30 day advance notice of intent to obtain a NYS Liquor License.
4. **FROM LTK ENTERTAINMENT LLC.**, a 30 day advance notice of intent to obtain a NYS Liquor License.

XIV. ADJOURNMENT:

A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 299 MAIN STREET AS A LOCAL HISTORIC LANDMARK

(R-23-22)

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, 299 Main Street, City of Poughkeepsie is owned by JMS 299 Main LLC, who is desirous of securing a designation of 299 Main Street as a local historic landmark; and

WHEREAS, the HDLPC held a public hearing on November 10, 2022 regarding the application as a local historic landmark; and

WHEREAS, the HDLPC voted in favor of the proposed nomination and approved the application on November 10, 2022; 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; and

WHEREAS, representatives of JMS 299 Main LLC appeared before the Common Council on December 19, 2022 to make an initial presentation on the application;

WHEREAS, the Common Council held a public hearing on February 6, 2022 regarding the nomination as a local historic landmark; and

WHEREAS, after duly considering the factors specified in Section 19-4.5(4) of the Code of Ordinances of the City of Poughkeepsie, the Common Council hereby finds that 299 Main Street possesses special character, historic and aesthetic value as part of the cultural, economic and social history of the City of Poughkeepsie and embodies distinguishing characteristics of an architectural style. .

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby designates

299 Main Street, currently owned JMS 299 Main LLC, as a local historic landmark. The City Chamberlain is authorized and directed to forward notice of the designation of the 299 Main Street to the Dutchess County Clerk for recordation.

SECONDED BY COUNCILMEMBER _____.

PLEASE PRINT OR TYPE FORM CLEARLY

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

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 2/2/23

NAME AND ADDRESS OF EACH CLAIMANT:

Cynthia Farrell
108 Hooker Ave.
Poughkeepsie, NY 12601
TELEPHONE NUMBER: (914) 756-8040

NAME AND ADDRESS OF ATTORNEY (IF ANY):

Mark Stanton
1 West Red Oak Lane #1
West Harrison, NY 10604

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

On Aug. 1, 2022, work began replacing entire sewer line from the home through the street. It was discovered that the pipes were crushed in the street in addition to being laid crooked. Central Hudson took responsibility for the work east of yellow line. However, I am seeking payment for all work west of yellow line.

Signature of Claimant

Signature of Claimant

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

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

Signature of Claimant

Sworn to before me this 6 day of Feb, 2023

Notary Public

Tullio G. Bruno
Notary Public, State of New York
No. 4952504
Qualified in Westchester County
Commission Expires 6/1/2027

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

Cynthia Farrell
77 Broadway #1F
Ossining, NY 10562
cynthia@CynthiaFarrellNYC.Com
(917) 756-8040

February 1, 2023

To legal unit of City of Poughkeepsie:

I am the owner of 108 Hooker Avenue, Poughkeepsie, NY 12601. I have attached a claim form for an incident that we started to remedy in August 1, 2022. I did not know until recently, that I could submit a claim to the city for what occurred, and would like to ask the you receive this claim though it is over ninety days from date of incident especially given:

The officials in the city building department (Inspector Bob O'Shea), an official at the the Department of Water and Power, and those at Central Hudson were notified immediately and subsequently personally reviewed the site for the duration of the work at the home and in the street. At no time, did they inform me that I could submit a claim, so I do so now in the hopes that it will be considered and submitted to the city's insurance.

On August 1, 2022 my plumber discovered that the sewer line was backed up and needed replacing entirely all the way to the street because the pipe in the street had been crushed in the street at the Main, when Central Hudson did work on gas lines there a few years back. The culpability was taken on by Central Hudson and I was reimbursed for the sewer line replacement east of the yellow line in the street going 70 feet to from my home.

However, further work west of the yellow line was needed as the existing main that the sewer line had to hook up to was laid crooked in the street, and needed replacing as well- requiring excavation of the section west of the line in the street as well, and the laying of new pipe. Bob O'Shea is thoroughly aware of this work and can be reached for explanation, as can my excavator, Pat Townesend- I have included all bills for work to the claim and to this letter.

Central Hudson refused to take responsibility for that piece of the work, claiming it could have been the culpability of Verizon, or anyone else having done work in the street.

I do not own the street at all, and certainly not the western side of the yellow line, as my house is east of the yellow line. I am seeking reimbursement of the plumbing work and excavation west of the yellow line in the street. I understand it has been over 90 days, but I would rather work through a claim than a lawsuit.

Please call me to discuss.

All my best,



Cynthia Farrell

Old Towne Construction
8 DeLaval Place
Poughkeepsie, NY 12601 US
townetrib@verizon.net

Invoice



BILL TO
Ms. Cynthia Farrell
108 Hooker Ave
Poughkeepsie, NY 12601

INVOICE #	DATE	TOTAL DUE	DUE DATE	TERMS	ENCLOSED
1045	08/09/2022	\$15,900.00	09/08/2022	Net 30	

DATE		DESCRIPTION	QTY	RATE	AMOUNT
08/03/2022	03 Excavation	Exploratory dig of sewer line to sidewalk, plumber sent camera scope to find break at the gas main area in street Discovered sewer pipe packed solid	1	1,200.00	1,200.00
08/05/2022	03 Excavation	Obtain bond and dig permit Start the dig from sidewalk to center of street, saw-cut asphalt, excavate to the gas line, found broken sewer line repair caused by previous gas company contractor. (Fernco pipe was disconnected and not aligned properly.) Vac truck came to clean out the rest of the sewer main which was solid. Install temporary steel plates over opening.	1	7,200.00	7,200.00
08/08/2022	03 Excavation	Start second dig in street. Saw-cut asphalt road, dig up opposite side of street, jackhammer concrete, take out railroad tie, dig down to Central Hudson main service, dig across Verizon service, finish hand-digging to sewer main. (This part of the dig revealed the pipes were installed improperly and caused damage). Repair Verizon clay duct channel with concrete.	1	5,000.00	5,000.00
08/09/2022	03 Excavation	Backfill sand-bed sewer line and water line to house, repair foundation around sewer line exit. Rake, seed and straw.	1	2,500.00	2,500.00

BALANCE DUE

\$15,900.00

59 Mountain View Drive
Pleasant Valley Ny ,12569

(845) 245-7121
onthewaypandh@gmail.com

INVOICE

On The Way Plumbing And Heating

Bill To Cynthia Farelli

Invoice No. 99
Date Aug 9, 2022
Due Date Aug 9, 2022
Terms 0 days

Description	Quantity	Rate	Amount
Water line- From the water meter 1 inch k copper to curbstop. Froze and cut with new curbstop replace.	1	\$3,705.00	\$3,705.00
Sewer- replace the clay sewer line with 4 sdr from the house to the sewer main in the road.	1	\$5,385.00	\$5,385.00
West side over the yellow line sewer line	1	\$4,000.00	\$4,000.00
\$4000 payment total = 9,090 -1000 for water line = 8,090			
Subtotal			\$13,090.00
Total			\$13,090.00
Paid			\$0.00
Balance Due			\$13,090.00

Payment instructions

By check
On the Way Plumbing and Heating

PLEASE PRINT OR TYPE FORM CLEARLY

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

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: January 30, 2023

NAME AND ADDRESS OF EACH CLAIMANT:

Felicia Elting
146 Montgomery St
Poughkeepsie NY 12601
TELEPHONE NUMBER: 845-485-3204

NAME AND ADDRESS OF ATTORNEY (IF ANY):

N/A

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE):

Please see attached

ITEMS DAMAGED OR INJURIES SUSTAINED:

Felicia Elting
Signature of Claimant

Signature of Claimant

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

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

Felicia Elting
Signature of Claimant

Signature of Claimant

WILFRED E. ROBINSON JR.
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RO6079915
Qualified in Bronx County
My Commission Expires 02-09-2023

Sworn to before me this
30th day of January, 2023
Wilfred E. Robinson Jr.
Notary Public

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

2023 FEB - 1 PM 12:08

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

Notice of Claim

January 30, 2023

To Whom it may concern:

On the evening of January 18th at approximately 5:30 pm I was driving north on North Hamilton Street to my worksite at the Dutchess County Jail. Just before the entrance to the driveway, in front of 119 North Hamilton Street I ran over a very large pothole, which inturn damaged my right front tire. Due to the poor lit area and the fall of night, I did not see the pothole to avoid it.

I called The Ultimate Tire Shop the next morning and ordered a replacement. The tire was repaired on January 20th (see invoice attached). Also on the same morning of January 19th, a call was made to the City of Poughkeepsie Department of Public Works to complain about the pothole issue. On the 25th or 26th of January I noticed the pothole was filled.

I am requesting reimbursement for the cost of my tire repair for the city's negligence with keeping the roads in good condition. As my tax dollars contribute to the cost of the city's maintenance.

Respectfully submitted,



Felecia Elting
845-485-3204

 1/30/23

WILFRED E. ROBINSON JR.
NOTARY PUBLIC-STATE OF NEW YORK
No. 01R06079915
Qualified in Bronx County
My Commission Expires 02-08-2023

THE ULTIMATE TIRE SHOP

582 MAIN STREET
POUGHKEEPSIE, NY 12601
845.454.8473

1/20/2023 12:16:55 PM EST

Invoice #417

Page:1

FELICIA,

Phone:

Vehicle : 2018 Mini Cooper 2.0 L 1998 CC L4 DOHC 16 Valve

VIN : WMWXU3C5XJ2B64874

Tag/State : CJD7660/NY

Fleet #/Driver:

Created : 1/20/2023 12:09:52 PM EST

Odometer In : 27739

Invoiced : 1/20/2023 12:16:25 PM EST

Odometer Out : 27739

Qty	Code/Tech*	Description	Condition	Unit Price	Price
1		205/45R17 PIRELLI P7 RUN FLAT		\$272.95	\$272.95
		mount and balance			\$0.00
1		NEW YORK STATE TIRE WASTE FEE		\$2.50	\$2.50

Tires \$272.95

Charges \$2.50

Sales Tax NY STATE SALES TAX @ 8.125% \$22.18

Total \$297.63

Credit Card (credit card): \$297.63

PAYMENT \$297.63

BALANCE DUE \$0.00

I hereby authorize the repair work herein set forth to be done along with the necessary material and agree that you are not responsible for loss or damage to vehicle or articles left in vehicle in case of fire, theft or any other cause beyond your control. I hereby grant you and/or your employees permission to operate the vehicle herein described on streets, highways or elsewhere for the purpose of testing and/or inspection. An express garagekeeper's lien is hereby acknowledged on above vehicle to secure the amount or repairs thereto. All Vehicles left over 48 hrs. after repairs are completed WILL INCUR A \$20.00 PER DAY STORAGE FEE.

Customer Signature _____

Ultimate Tire & Auto Repa
582 Main St
Poughkeepsie, NY 12601
(845) 454-8473
MID: XXXXXXXXX8961

CC Sale

BRIC: 07AK848J0T2J76KJKLW
Batch #: 0074 Item 0006
01/20/23 12:19:26
APPR CODE: 020218
MasterCard TAP-E
*****9702

Amount \$297.63

APPROVED

Mastercard
AID: A0000000041010
TVR: 0000008001

CUSTOMER COPY

pot hole photos

message

andflee04 <eandflee04@aol.com>
to: felting@hudsonriverhousing.org

Mon, Jan 30, 2023 at 7:32 PM



Wilfred E. Robinson Jr. 1/30/23

WILFRED E. ROBINSON JR.
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RO6079915
Qualified in Bronx County
MY COMMISSION EXPIRES 02-08-2024



OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

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

1. Date Notice Sent: 2/3/23

1a. Delivered by: _____

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

For premises outside the City of New York:

☐ New Application ☐ Removal ☐ Class Change

For premises in the City of New York:

☐ New Application ☐ New Application and Temporary Retail Permit ☒ Renewal ☐ Alteration ☐ Removal☐ Class Change ☐ Method of Operation ☐ Corporate ChangeFor **New** and Temporary Retail Permit applicants, answer each question below using all information known to dateFor **Renewal** applicants, answer all questionsFor **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)For **Corporate Change** applicants, attach a list of the current and proposed corporate principalsFor **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocationFor **Class Change** applicants, attach a statement detailing your current license type and your proposed license typeFor **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes**Please include all documents as noted above. Failure to do so may result in disapproval of the application.****This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:**3. Name of Municipality or Community Board: City of Poughkeepsie**Applicant/Licensee Information:**4. Licensee Serial Number (if applicable): 2198574Expiration Date (if applicable): 3/31/225. Applicant or Licensee Name: JD's Pub & Brew, Inc

6. Trade Name (if any): _____

7. Street Address of Establishment: 347 Hooker Avenue8. City, Town or Village: Poughkeepsie, NY Zip Code: 126039. Business Telephone Number of applicant/ Licensee: 845-454-009010. Business E-mail of Applicant/Licensee: jgemmati@gmail.com11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required13. Type of Establishment: Bar/Tavern☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☐ Recorded Music ☐ Karaoke14. Method of Operation: (check all that apply) ☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): bands/ acoustic☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel☒ Other (specify): jukebox / sirus music15. Licensed Outdoor Area: ☐ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
(check all that apply) ☐ Sidewalk Cafe ☐ Other (specify): _____

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: first
17. List the room number(s) the establishment is located in within the building, if appropriate: n/a
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | | |
|------------|---------------|
| <u>n/a</u> | |
| Name | Serial Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: Gemmati Brothers, Inc
23. Building Owner's Street Address: 30 Manchester Road
24. City, Town or Village: Poughkeepsie State: New York Zip Code: 12603
25. Business Telephone Number of Building Owner: 845-454-6920

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

26. Representative/Attorney's Full Name: _____
27. Representative/Attorney's Street Address: _____
28. City, Town or Village: _____ State: _____ Zip Code: _____
29. Business Telephone Number of Representative/Attorney: _____
30. Business E-mail Address of Representative/Attorney: _____

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

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

31. Printed Principal Name: Joseph T. Gemmati Title: President

Principal Signature: _____





OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

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

1. Date Notice Sent: **February 3, 2023**1a. Delivered by: **Certified Mail Return Receipt Requested**

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

For premises outside the City of New York:☒ New Application ☐ Removal ☐ Class ChangeFor premises in the City of New York:☒ New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ AlterationFor **New** and Temporary Retail Permit applicants, answer each question below using all information known to dateFor **Renewal** applicants, answer all questionsFor **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)For **Corporate Change** applicants, attach a list of the current and proposed corporate principalsFor **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocationFor **Class Change** applicants, attach a statement detailing your current license type and your proposed license typeFor **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes**Please include all documents as noted above. Failure to do so may result in disapproval of the application.****This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:**3. Name of Municipality or Community Board: **City of Poughkeepsie****Applicant/Licensee Information:**

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

5. Applicant or Licensee Name: **LTK Entertainment LLC**

6. Trade Name (if any): _____

7. Street Address of Establishment: **309 Main Street**8. City, Town or Village: **Poughkeepsie**, **NY** Zip Code: **12601**9. Business Telephone Number of applicant/ Licensee: **845-204-6232**10. Business E-mail of Applicant/Licensee: **LTKEntertainment@yahoo.com**11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☒ Menu meets legal minimum food requirements; food prep area required13. Type of Establishment: **Bar/Tavern**☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☐ Recorded Music ☐ Karaoke14. Method of Operation: ☐ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): _____☒ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel☐ Other (specify): _____15. Licensed Outdoor Area: ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
(check all that apply) ☐ Sidewalk Cafe ☐ Other (specify): _____

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: Ground Floor
17. List the room number(s) the establishment is located in within the building, if appropriate: n/a
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | | |
|-------|---------------|
| _____ | _____ |
| Name | Serial Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: 309 Main St LLC
23. Building Owner's Street Address: 1 Karlsburg Rd., #301
24. City, Town or Village: Monroe State: NY Zip Code: 10950
25. Business Telephone Number of Building Owner: 800-518-1202

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

26. Representative/Attorney's Full Name: _____
27. Representative/Attorney's Street Address: _____
28. City, Town or Village: _____ State: _____ Zip Code: _____
29. Business Telephone Number of Representative/Attorney: _____
30. Business E-mail Address of Representative/Attorney: _____

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

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

31. Printed Principal Name: Katherine Penn Title: LLC Manager

Principal Signature: _____



THE CITY OF POUGHKEEPSIE NEW YORK

PUBLIC HEARING

Monday, February 6, 2023 6:00 pm

Common Council Chambers

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is February 6, 2023 and the time is 6:00 pm.

THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE proposed Nomination of 299 Main St. as a Historic Landmark

Councilwoman-At-Large Brown called the meeting to order at 6:03 pm.

I. WELCOME

II. ROLL CALL: 7 present, 2 absent (Absent: Councilmembers Thompson & Johnson)

III. PUBLIC PARTICIPATION: Five (5) minutes per person public comment.

1. Nick Kalogris – 14 Maryland Ave.

Chairwoman Brown called a recess of the Public Hearing at 6:12pm.

IV. ADJOURNMENT:

The Public Hearing ended at 6:32pm.

Dated: February 15, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on February 6, 2023.

*Official Minutes of the Public Hearing of Monday, February 6, 2023 for the purpose of receiving
comments on the proposed nomination of 299 Main St. as a Historic Landmark*

Respectfully submitted,

**Jasmin Nicole Davis
City Chamberlain**



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, February 6, 2023, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is Monday, February 6, 2023, and the time is 6:33 pm.

I. ROLL CALL: 8 present; 1 absent (Councilmembers Thompson)

II. REVIEW OF MINUTES:

**Public Hearing Meeting – January 30, 2023
Public Hearing Meeting – January 30, 2023
Common Council Meeting – January 30, 2023**

**Motion to accept the minutes: Councilmember Long
2nd: Councilmember Johnson**

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

-YES-

ADD: Under VIII. CONSENT AGENDA: MOTIONS AND RESOLUTIONS:

R-23-21, Resolution Setting a Public Hearing on the Draft Update to the Zoning and Land Use Regulations Dated December 2022

IV. PUBLIC PARTICIPATION

- **Nick Kalogris – 14 Maryland Ave.**
- **Marta Knapp – 10 S. Clinton**
- **Sal Maiello – 132 Thompson St.**
- **Laurie Sandow, S. Grand Ave. – *submitted written comments***
- **Daniel Atona – College Ave. – For the Many**
- **Melissa Hoffman – Lexington Ave.**
- **Kamal Diogen**

Newly minted Senator Rolison was recently quoted as saying the Governor must (quote) “take negotiations out of Albany’s backrooms, and expose them to the sunlight of public opinion for all to see.” Yet, the sunlight of public opinion was never Rolison’s policy while in office as Mayor, and it’s equally clear that sunlight is rejected by the City’s current unelected Mayor, its Corporation Counsel, certain City staff and the Common Council alike.

Natalie Quinn won’t expose herself and her zoning plans to public Q&A at a well-publicized, recorded meeting. But out of nowhere a resolution has been added to tonight’s agenda for a public hearing where, once again, our councilmembers are deaf, dumb and silent as to whether they’ve read and commented and interacted with their own constituents on this zoning plan. In fact, when I asked that question on Megan Deichler’s Facebook page, she illegally hid the comment, as Evan Menist tends to hide comments on his page, too—illegally. A suit that Trump lost. But nice that you’re both in the Trump camp.

Natalie Quinn and Chamberlain Davis, of their own accord, have recently altered either webcast video or transmitted public comments. Until a few minutes ago, tonight’s Council agenda listed presentations only, with zero Board and Committee reports and no motions and resolutions. Council packets continue to be posted as non-searchable text by our very public-unfriendly Chamberlain.

Both Nelson and the Council willfully ignore Emails they’ve received, and questions posed to them at meetings. Mr. Mayor, the public would like to know whether you’re collecting two salaries? Are you secretly assembling a Charter Review Commission? Why don’t you trust the City’s webmail system?

Corporation Counsel Valk has taken no action against the Common Council who, for more than two years, has willfully disenfranchised the public and violated the City Charter’s redistricting obligations. The City’s Code of Ethics reads in part: *“that there are rules of ethical conduct for public officers and employees which must be observed if a high degree of moral conduct and public confidence is to be maintained in our unit of local government.”* Valk’s office both spoke with and received a written critique from the Benjamin Center’s Josh Simons **in advance** of the Redistricting Commission’s first presentation. Valk’s office did not inform the Commission of that contact, and only acknowledged it after more than one Freedom of Information request.

And the person who shared the Commission's maps with Simons—as yet unidentified and without sanction or punishment? Could it be Evan Menist, the Majority Leader who stood right next to Nathan Shook and swore he did not know and had no contact with Josh Simons? Who also claimed that no Councilmembers, himself included, submitted Charter-obligated comments in response to the Redistricting Commission's maps, when Councilmember Flowers reports otherwise, including that Menist told her he forgot to forward those comments? the same Evan Menist who was among several council members conveniently absent from the January 30 redistricting public hearing?

What **DOES** Valk choose to enforce? Despite Chair Brown's declaration that the 2023 Council rules were delayed because (quote) "there was some legal ramifications that the way the rules were written, we needed to change" (close quote), neither Brown nor Valk took the opportunity to create a Council consent agenda policy, nor created rules, policies and penalties for a wide spectrum of other Councilmember trespasses. In response to a Freedom of Information request, the Chamberlain—and not the Corporation Counsel—wrote:

"There are no documents responsive to your request. Further, even if such legal opinions had been reduced to writing, the information requested is covered by the attorney-client privilege and, therefore, exempt from disclosure under law."

Over a century ago, Supreme Court Justice Louis Brandeis said: "Sunlight is said to be the best of disinfectants." More than one-half century ago, Dr. Martin Luther King, Jr., reminded us that "the arc of the moral universe is long, but it bends toward justice." Is 50 years and more not enough time for this Council to bend towards moral, ethical, transparent and community-driven governance?

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS

I have no comments tonight.

VI. MAYOR'S COMMENTS

Thank you, Chairwoman Brown. I also didn't have any comments, but I do want to just follow up on a couple of things we've heard from public commenters. So thank you for this. I'll be brief.

With respect to the zoning my office requested, I and development has extended the period of time for public comment through February 23rd. You know, the mayor's office has been receiving the same calls and concerns via the zoning draft that is on our website. As my colleagues on the council have, I want to be clear that it's just a draft. And, you know, as was the case with the city's comprehensive plan, as was the case with the local waterfront revitalization program that took, you know, three and a half, four years before that was passed.

There is going to be ample time for public comment and for revisions to this draft. My colleagues on the council are taking the same action tonight, working on a resolution to set a public hearing. And in the resolution, it specifically says that this is one of presumably many. And I think the chairwoman said that there could be multiple public hearings on this.

So I don't want any public comments to lead folks, particularly watching at home, might have tuned in late to assume that, you know, this council and certainly not my office is going to, you know, railroad some zoning change through without adequate public comment. That just simply isn't happening. And, you know, I believe my signature is required on the document. So I want to work with the public and the council to come up with something that works for the city of Poughkeepsie with respect to a couple of issues.

We are continuing to have some trouble with sanitation. I want to apologize to citizens for service interruptions and delays related to the fire at the transfer station. I reported on this to the common council a few weeks ago. I didn't have much to say then. I can update the public now that we're in the final stages of working with our insurer and we expect to have a resolution to the related insurance claims soon.

Our DPW commissioner has priced out a replacement sanitation truck. One of our trucks was damaged in the fire, apparently beyond repair. I saw the back and forth between our finance Commissioner and Commissioner Gen I and the Commissioner of Finance has approved that, even though we haven't quite finalized the insurance on it yet because we're anticipating that that will be done next week to replace that single piece of equipment is \$125,000.

And obviously, once we order it, it's going to take some time to get here. And, you know, we're looking at other options. And I see our sanitation, Mr. Johnson is here, and I want to thank him and his staff for everything that's happened. We're also close to working out a transfer with our Poughkeepsie City school district to get one of their trucks as well. And I'll update the council more on that.

In two weeks, we should have more information.

Lastly, Chairwoman Brown, I want to just go back to the vacancy study. I want to assure my colleagues on the council and the public that the request for proposals actually just three quotes I think we need on this will be going out from City Hall on the 17th of this month, and we expect a narrow period of time just to get quotes on this. Obviously, the vacancy study is an important part of the council's legislative agenda and we want to facilitate that as quickly as we can. Thank you.

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

~~VIII. REPORTS OF COMMITTEES AND BOARDS:~~

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

A motion to accept the Consent Agenda was made by Councilmember Long and seconded by Councilmember Johnson.

- 1. R-23-21, Resolution Setting a Public Hearing on the Draft Update to the Zoning and Land Use Regulations Dated December 2022**

RESOLUTION SETTING A PUBLIC HEARING ON THE DRAFT UPDATE TO THE ZONING AND LAND USE REGULATIONS DATED DECEMBER 2022

(R-23-21)

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, the City of Poughkeepsie Common Council adopted a new Comprehensive Plan for the City by Resolution R-22-62 on September 6, 2022; and

WHEREAS, the City of Poughkeepsie has released a draft update to the City's Zoning and Land Use Regulations dated December 2022 (the "Draft Zoning Amendments") and available at the following website: <https://www.pk4keeps.org/home>

WHEREAS, the City is currently accepting public feedback on the Draft Zoning Amendments through February 23, 2023 and, after that date, revisions will be made to the Draft Zoning Amendments as appropriate; and

WHEREAS, in addition to the online submission form available for public comments, the Common Council wishes to hold a public hearing on the Draft Zoning Amendments; and

WHEREAS, this will be the first public hearing on the Draft Zoning Amendments; there will be at least one more public hearing after the next round of revisions are released.

NOW, THEREFORE

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie shall hold a public hearing to receive comments on the draft update to the City's Zoning and Land Use Regulations dated December 2022 on Tuesday, February 21, 2023, 2023 at 6 p.m. in the Common Council Chambers, Third Floor, 62 Civic Center Plaza, Poughkeepsie, New York and the Chamberlain is hereby directed to publish proper notice of the above hearing.

SECONDED BY COUNCILMEMBER: _____.

R-23-21- VOICE VOTE						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☐	☐	☐	☒
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

XI. ORDINANCES AND LOCAL LAWS:

XII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. A PRESENTATION FROM JOULE ASSETS / COMMUNITY CHOICE AGGREGATION**, Regarding Hudson Valley Community Power
- 2. A PRESENTATION FROM RELATED AFFORDABLE**, Regarding Affordable Housing Rehabilitation Opportunity - Rip Van Winkle House
- 3. A PRESENTATION FROM BAXTER LLC.**, Regarding Development of the Garden St. Lot

A motion was made to defer the below communication/petition to Corporation Counsel by Councilmember Menist and was seconded by Councilmember Long.

4. **FROM WILLIAM SMART**, a notice of personal injury sustained on or around October 28, 2022.
5. **FROM ROBERT SCORES**, a notice of property damage sustained on or around September 19, 2022.

XIII. ADJOURNMENT:

A motion was made by Councilmember Thompson and seconded by Councilmember Shook to adjourn the meeting at 9:18 PM.

Dated: February 15, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, February 6, 2023.

Respectfully submitted,

Jasmin Nicole Davis
City Chamberlain