



COMMON COUNCIL MEETING

Common Council Chambers

Monday, July 6, 2020

6:30 p.m.

***5:30 pm. Public Hearing regarding proposed Local Law
amending Chapter 7 of the City of Poughkeepsie Code of Ordinances
entitled, "City Officers and Employees" ("Right to Know" Act).***

I. ROLL CALL:

II. REVIEW OF MINUTES:

Common Council Meeting of June 15, 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:

VIII. MOTIONS AND RESOLUTIONS:

1. SEQRA Resolution R20-58 and Sale Resolution R20-59, city owned property located on North Bridge Street.
2. Resolution R20-60, approving the designation of 1-3 Grand Street as a local historic landmark.
3. Resolution R20-61, setting a public hearing proposed designation of 370 Main Street as a local historic landmark.
4. Resolution R20-62, authorizing a five-year lease purchase for parking meters.
5. Resolution R20-63, approving the allocation of funds from Contracted Services Other to execute a professional service agreement with Eric Pierson.

IX. ORDINANCES AND LOCAL LAWS:

1. Ordinance O-20-05, amending Section 13-149 of Chapter 13 of the Code of Ordinances entitled, "Motor Vehicles and Traffic", to add parking meter zones located at Academy Street between Main Street and Cannon Street.
2. Ordinance O-20-06, amending Section 13-149 of Chapter 13 of the Code of Ordinances entitled, "Motor Vehicles and Traffic", to add parking meter zones located at North Hamilton Street between Mill Street and Main Street.
3. Ordinance O-20-07, amending Section 13-126 of Chapter 13 of the Code of Ordinances entitled, "Motor Vehicles and Traffic", to add two-hour parking & permit parking areas on Main Street, North Side, beginning west of Davies Place, continuing until North Water Street.
4. Ordinance O-20-08, amending Section 13-149 of Chapter 13 of the Code of Ordinances entitled, "Motor Vehicles and Traffic", to add parking meter zones located at Catherine Street between Mill Street and Main Street.

X. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM CITY ADMINISTRATOR NELSON**, a communication regarding residential parking on Zimmer Avenue.
2. **FROM CITY ADMINISTRATOR NELSON**, a communication (in executive session), to discuss a potential purchase of real property.
3. **FROM DANIELLE LECLERC**, a notice of property damage sustained,
4. **FROM MACKEY BUTTS & WISE, LLC**, a notice of intent for Hudson & Packard, located at 29 Academy Street to obtain a Liquor License.
5. **FROM MARIANO PEREZ**, a notice of property damage sustained.
6. **FROM LORENZO ANGELINO, ESQ.**, a notice of intent for Goodnight Kenny to obtain a Liquor License.
7. **FROM SALVATORE MESSINA NAD MELISA MESSINA**, a notice of personal injuries sustained.

XI. UNFINISHED BUSINESS:

XII. NEW BUSINESS:

XIII. ADJOURNMENT:

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R20-58)**

INTRODUCED BY COUNCILMEMBER PETSAS

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at no number North Bridge Street and identified as Tax Map No.: 6062-68-959260; 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
(R20-59)

INTRODUCED BY COUNCILMEMBER PETSAS

WHEREAS, the City of Poughkeepsie has previously taken title to a lot improved with an accessory structure known as Unnumbered North Bridge Street (Tax Map No: 6062-68-959260), in the City of Poughkeepsie by reason unpaid 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 Teberna 200, LLC to purchase these properties for the sum of \$16,553.06; and

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

WHEREAS, the Common Council hereby finds that the offer from Teberna 200, 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 Teberna 200, LLC, to purchase premises known as unnumbered North Bridge Street (6062-68-959260), in the City of Poughkeepsie for the sum of \$16,553.06 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 and close out any and all violations with in thirty (30) days of closing.
- C. 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;

- D. Purchaser shall merge the property with the adjacent property it currently owns located 68 North Bridge Street.
- E. 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
- F. 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 _____.

A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 1-3 GRAND STREET AS A LOCAL HISTORIC LANDMARK

(R20-60)

INTRODUCED BY COUNCILMEMBER MENIST:

WHEREAS, the property located at 1-3 Grand Street, has been nominated for a local historic landmark designation with the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter "HDLPC"); and

WHEREAS, the HDLPC held a public hearing on March 12, 2020 regarding the application as a local historic landmark; and

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

WHEREAS, the HDLPC's approved application was forwarded to the Common Council for consideration on March 19, 2020; and

WHEREAS, the Common Council held a public hearing on June 1, 2020 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 the property located at 1-3 Grand Street possesses special character, historic and aesthetic value as part of the cultural, economic and social history of the City of Poughkeepsie; embodies distinguishing characteristics of an architectural style; is identified with historic personages; and is the work of a designer whose work has significantly influenced an age.

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby designates the 1-3 Grand Street as a local historic landmark. The City Chamberlain is authorized and directed to forward notice of the designation of 1-3 Grand Street to the Dutchess County Clerk for recordation.

SECONDED BY COUNCILMEMBER _____ .



Gary E. Beck, Jr.
Building Inspector

THE CITY OF POUGHKEEPSIE
NEW YORK

BUILDING PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

HISTORIC DISTRICT & LANDMARKS NOMINATION FORM

LOCATION (For District nominations, attach list of all properties)

Address: 1 Grand Street

Grid # _____

NAME OF PROPERTY

Historic Name (if any): St. John the Baptist Rectory

Other Names (if any): Hubert Zimmer House

CLASSIFICATION

Ownership of Property

☒ Private ☐ Public

Owner: PK 1-3 Grand LLC

Address: 93 Fourth Ave, #1289

City: New York, NY

State/Zip: 10276

Category of Property

☒ Building(s)

☐ District

☐ Site

☐ Structure

☐ Object

FUNCTION OR USE

Historic Functions or Uses:

Private home, church rectory

Current Functions or Uses:

Vacant

NAME OF ORIGINAL ARCHITECT (if known): _____

ATTACHMENTS

NARRATIVE DESCRIPTION: Describe the historic and current conditions of the property on one or more continuation sheets, and attach the sheets to the application.

MAPS: Please attach a map of the subject property or properties.

PHOTOGRAPHS: Please attach photographs of the property or properties.

Statement of Significance: Mark "X" in the applicable box(es) below for the criteria qualifying the individual property for local register listing.

- ☒ The property possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
- ☐ The property is identified with historic personages; or
- ☐ The property embodies the distinguishing characteristics of an architectural style; or
- ☐ The property is the work of a designer whose work has significantly influenced an age; or
- ☐ Because of unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.

Statement of Significance: Mark "X" in the box(es) below acknowledging the existence of the two criteria qualifying a group of properties as a historic district.

- ☐ The group contains properties which meet one or more of the criteria for designation of a landmark; and
- ☐ By reason of possessing such qualities, it constitutes a distinct section of the City.

Narrative Statement of Significance: Explain the significance of the property, in terms of the boxes checked above, on one or more continuation sheets. Attach the sheet(s) to the application.

Bibliography: Cite any books, articles or other sources used in preparing this form on one or more continuation sheets. Attach the sheet(s) to the application.

Form Prepared by:

Name/Title: Historic District and Landmarks Preservation Commission (HDLPC)

Organization: _____

Street: 62 Civic Center Plaza

City/State/Zip: City of Poughkeepsie 12601

Telephone: _____

Date: 2/13/20

HDLPC CERTIFICATION

The HDLPC hereby certifies that this application ☒ does ☐ does not meet the criteria for designation as a local historic district, landmark or landmark site. The HDLPC ☒ does ☐ does not recommends that the Common Council approve the application, in accordance with the provisions of Section 19-4.5(3) of the Zoning Ordinance of the City of Poughkeepsie, New York.

Motion: WERNER STEGER

Second: TONI MAURO

Votes: 5 0 0

Arthur Rollin
Signature of Chairman (X)



Gary E. Beck, Jr.
Building Inspector

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HISTORIC DISTRICT & LANDMARKS NOMINATION FORM

LOCATION (For District nominations, attach list of all properties)

Address: 3 Grand Street

Grid # _____

NAME OF PROPERTY

Historic Name (if any): St. John the Baptist Church

Other Names (if any): First German Evangelical Lutheran Church

CLASSIFICATION

Ownership of Property

☒ Private ☐ Public

Owner: Pak 1-3 Grand LLC

Address: 93 Fourth Ave, #1289

City: New York, NY

State/Zip: 10276

Category of Property

☐ Building(s)

☐ District

☐ Site

☐ Structure

☐ Object

FUNCTION OR USE

Historic Functions or Uses:

Church

Current Functions or Uses:

Vacant

NAME OF ORIGINAL ARCHITECT (if known): _____

ATTACHMENTS

NARRATIVE DESCRIPTION: Describe the historic and current conditions of the property on one or more continuation sheets, and attach the sheets to the application.

MAPS: Please attach a map of the subject property or properties.

PHOTOGRAPHS: Please attach photographs of the property or properties.

Statement of Significance: Mark "X" in the applicable box(es) below for the criteria qualifying the individual property for local register listing.

- ☒ The property possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
- ☐ The property is identified with historic personages; or
- ☐ The property embodies the distinguishing characteristics of an architectural style; or
- ☐ The property is the work of a designer whose work has significantly influenced an age; or
- ☐ Because of unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.

Statement of Significance: Mark "X" in the box(es) below acknowledging the existence of the two criteria qualifying a group of properties as a historic district.

- ☐ The group contains properties which meet one or more of the criteria for designation of a landmark; and
- ☐ By reason of possessing such qualities, it constitutes a distinct section of the City.

Narrative Statement of Significance: Explain the significance of the property, in terms of the boxes checked above, on one or more continuation sheets. Attach the sheet(s) to the application.

Bibliography: Cite any books, articles or other sources used in preparing this form on one or more continuation sheets. Attach the sheet(s) to the application.

Form Prepared by:

Name/Title: Historic District and Landmarks Preservation Commission (HDLPC)

Organization: _____

Street: 62 Civic Center Plaza

City/State/Zip: Poughkeepsie, NY 12601

Telephone: _____

Date: 2/13/20

HDLP CERTIFICATION

The HDLPC hereby certifies that this application ☒ does ☐ does not meet the criteria for designation as a local historic district, landmark or landmark site. The HDLPC ☒ does ☐ does not recommend that the Common Council approve the application, in accordance with the provisions of Section 19-4.5(3) of the Zoning Ordinance of the City of Poughkeepsie, New York.

Motion: WERNER STEGER

Second: TONI MAURO

Votes: 5 0 0

Arthur Rollin
Signature of Chairman

Local Register Nomination: 1 and 3 Grand Street (St. John the Baptist Church and Rectory)

Statement of Significance: Prepared by Poughkeepsie Historic District and Landmarks Preservation Commission (HDLPC) © 2020

Properties possess special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state, or nation

St. John the Baptist Church (3 Grand Street)

Narrative Description:

St. John the Baptist church is 3 bays wide and 5 bays long constructed in running bond and Flemish bond brickwork with stone trim. The west (front) façade is dominated by a four-stage bell tower projecting from the center of the main structure. On the first floor of the bell tower is a 1 story portico with pedimented roof and brick columns resting on stuccoed piers. A 3 story round arch is recessed into each wall of the bell tower. Round arches are repeated in the paired window openings and lintels that mark each stage of the tower's ascension. The bell tower houses 3 bronze bells cast in 1908 by the Meneely Bell Company of Troy. The tower ascends to a 4 gabled belfry with saw tooth brick soffit.

The south elevation contains 3 side entrances: 2 to the basement and 1 to the sacristy. An 1899 addition, designed by architect William J. Beardsley, lengthened the church to the east by one additional bay (marked by a buttress on the north and south elevations); Beardsley also added a 1 story sacristy and a 5-sided polygonal apse on the east façade (see "The German Lutheran Church" Poughkeepsie Daily Eagle January 27, 1899). The north and south elevations each contain 5 full height windows (formerly stained glass) and five, 6 over 6 round arched basement windows set into a stone clad foundation with water table.

On the interior, double entrance doors open into a small vestibule with stairs leading to the nave which has a single center aisle flanked by rows of white oak pews seating approximately 200 people. At the back of the nave is an organ loft running the full width of the west wall. In the loft's center is an 1858 Ferris and Stuart Company organ, thought to be the oldest organ in Poughkeepsie and one of the oldest organs in the Hudson Valley.

At the east end of the church is a domed sanctuary whose ceiling and walls are decorated with painted stars and crosses. The large ceiling mural depicting Christ's Ascension was created as part of the remodel and redecoration of 1899. The terrazzo flooring with cross motif dates to 1930 when the church was redecorated under the leadership of Father Alexander Butkowsky (known as "Father Buddy") who was the priest at St. John the Baptist for 33 years. Stencil borders throughout the church were designed and painted in 1990 by church decorator Robert Logston of Lamb Studios in Philmont, Columbia County, NY. Religious art work, stained glass and ecclesiastical fittings have been removed by the Catholic diocese.

Statement of Significance:

St. John the Baptist was built in 1866 by builder/architect William Harloe, best known as the builder of Vassar College's National Historic Landmark buildings, Old Main and Vassar Observatory designed by

architect James Renwick. Why Harloe came to Poughkeepsie is unknown, but his earliest work here easily ranks him as Poughkeepsie's greatest church builder. His work includes the building of Washington Street M.E. Church (1858), Holy Comforter (1859), Congregational Church (1860), German Lutheran Church (1866), and St. Paul's Episcopal Church (1872).

The Church is located in the Union Street Historic District, a significant intact example of a working class urban neighborhood that welcomed successive waves of immigrants including Germans, Irish, Poles, Italians, and Slavs who settled here from the 1840s through the 1920s. The district is predominantly 2 ½ story, 3 bay brick residences with side gables, stone trim and varying porch configurations. Churches, commercial buildings and some larger homes are interspersed compatibly throughout.

Constructed in 1866, the First German Evangelical Lutheran Church served the district's large German Immigrant population as well as smaller congregations of Danish and Swedish Lutherans, many of whom arrived in Poughkeepsie starting in 1892 to work at the Swedish owned DeLaval Milk Separator Company. Like the nearby German Catholic and German M. E. Churches, the German Lutheran Church was an important center of ethnic continuity for German families who could receive religious services spoken in German and enjoy the company of fellow German immigrants while also transitioning to their new identity as Americans.

When the German Lutherans outgrew this church and moved to larger quarters, the building was purchased in 1923 by a new wave of Slavish immigrant arrivals who founded the Slavic Catholic Church of St. John the Baptist. The church closed in 2007 with deconsecration and purchase by a private owner in 2018. St. John the Baptist's modest size, simple vernacular design and unadorned brick construction are highly representative of this district's intimate scale, its unpretentious immigrant roots and the way in which sacred buildings were constructed by one immigrant group then later passed along for reuse by the next nationality of immigrant arrivals. St. John the Baptist Church is on the National and State Register of Historic Places as part of the Union Street Historic District.

St. John the Baptist Rectory (1 Grand Street)

Narrative Description:

1 Grand Street is a narrow 3 bay residence of Flemish bond brick. Its mansard roof is shingled in fish scale gray slate with red slate quatrefoil accents. Windows are round or segmental arch, 2 over 2 double hung with stone sills. Lintels are especially decorative in a triple arched "eyebrow" design that terminates in corbelled pendants.

The north façade contains a 3 sided, 4 light bay window in the 1st floor northeast corner which was added sometime between 1895 and 1913. The 1 bay front porch on the west façade has been reworked using modern columns, siding and stair materials. A modern double storm door covers an original wooden double front door with segmental arch transom.

The rear half of the south elevation contains a full height bump out and a secondary side entrance covered by a simple shed roof. The third floor has a bracketed cornice and round arched 2 over 2 attic windows. A modern one car detached garage is located along the south side of the house. A low wrought iron fence marks the edge of the very minimal front yard typical of the district.

The interior contains an entry hall, parlor, dining room, kitchen, 6 bedrooms and 3 bathrooms. The bathrooms and kitchen contain no original fittings. Original features include 2 over 2 windows, double front door, plaster moldings, marble fireplace mantle, staircase, and much of the wood trim and interior doors.

Statement of Significance:

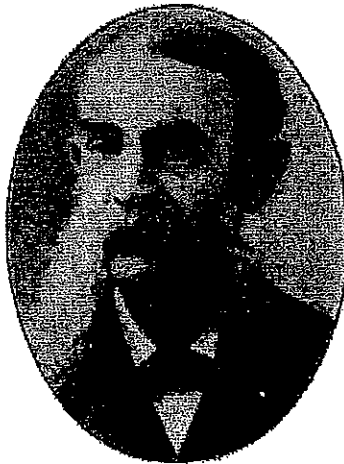
1 Grand Street was built c. 1871 as the home of German immigrant Hubert Zimmer and his wife Matilda. Hubert Zimmer was born in 1845 in Wetteldorf, Germany. At age 13, he began a 6 year apprenticeship to a jeweler in the German city of Trier. After completion of his training in 1864, Zimmer emigrated to America at age 19, settling in the heavily German Union Street area of Poughkeepsie. Here he bought the small shop of a retiring jeweler at Market and Union Streets and began a jewelry repair business. By 1878, he was able to expand into jewelry retailing and eventually moved "uptown" to larger quarters directly on Main Street where he celebrated 50 years as a Poughkeepsie jeweler in 1914. Zimmer was also a well-known member of the city's German societies - especially its singing societies, the Germania Club and the St. Cecilia Society. After Zimmer's death in 1919, his descendants continued the family jewelry business until 1954 - using the name "Hubert Zimmer Company" and the impressive tag line, "Jewelers Since 1864."

1 Grand Street is representative of the larger brick mansard residences scattered throughout the Union Street District built for upwardly mobile German immigrants like Zimmer who were able to break into the ranks of the middle class as self-employed small business owners, but who at least initially, chose to remain residents of their ethnic neighborhood. As the Union Street area's German presence gave way to a new wave of Slavic immigrants in the 1920s, 1 Grand Street was purchased in 1924 as the rectory of the Slavic Catholic Church of St. John the Baptist. St. John the Baptist Rectory at 1 Grand St. is on the National and State Register of Historic places as part of the Union Street Historic District.

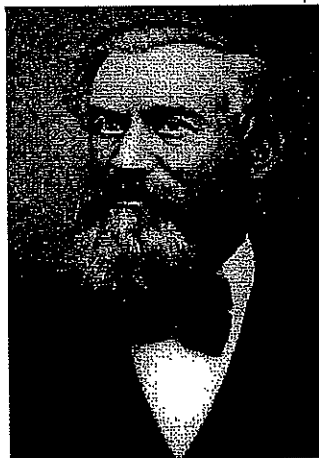
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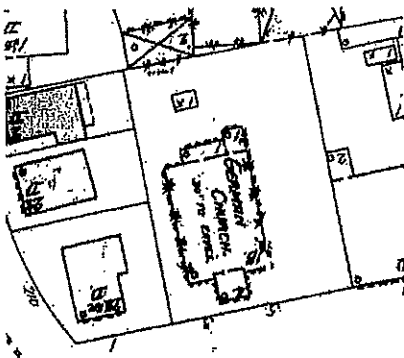
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"German Lutheran Now on Mill" Eagle News 1/29/1923



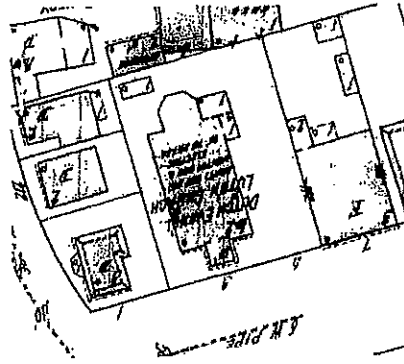
*Hubert Zimmer, German
Immigrant jeweler*



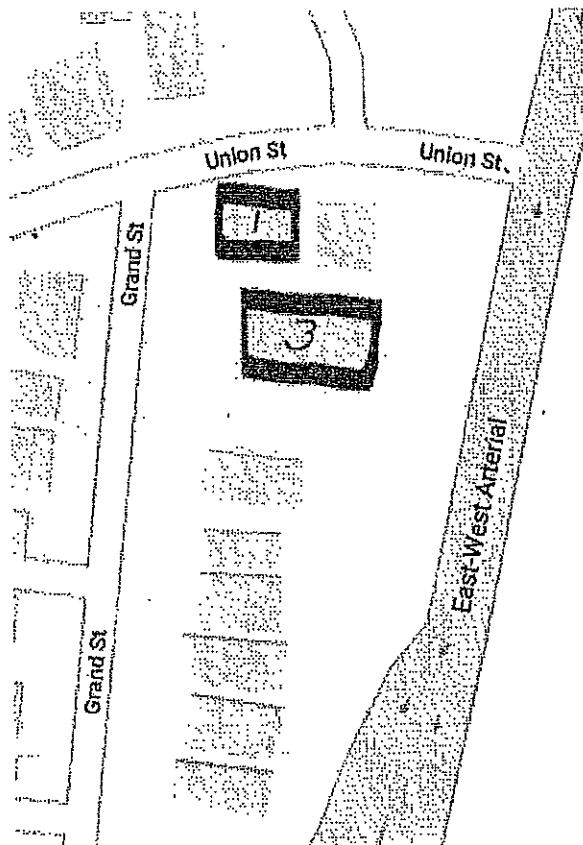
*William Harloe, Church builder, architect and
Mayor of Poughkeepsie*



German Lutheran, 1895 Sanborn Map

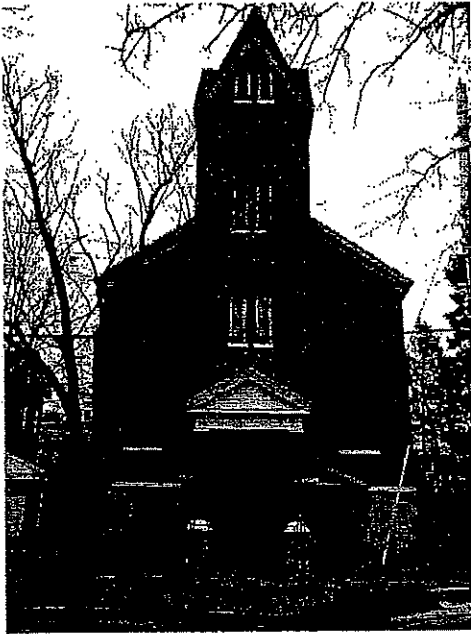


Expanded German Lutheran, 1913 Sanborn Map



1 and 3 Grand Street Map





West Façade

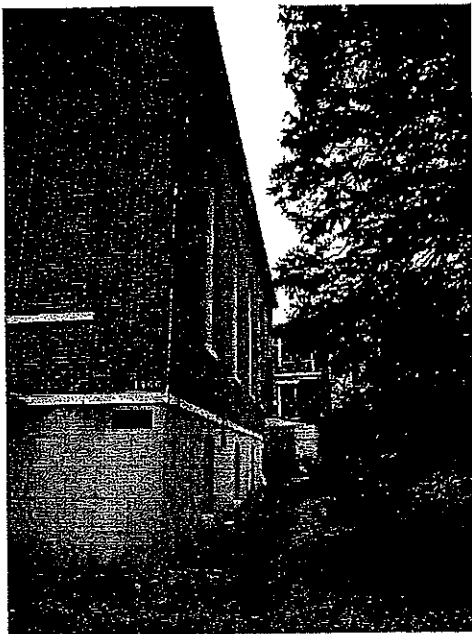


Tower

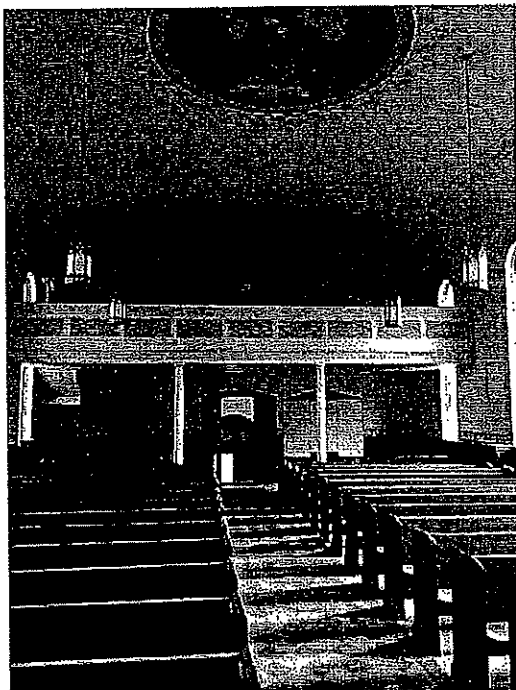
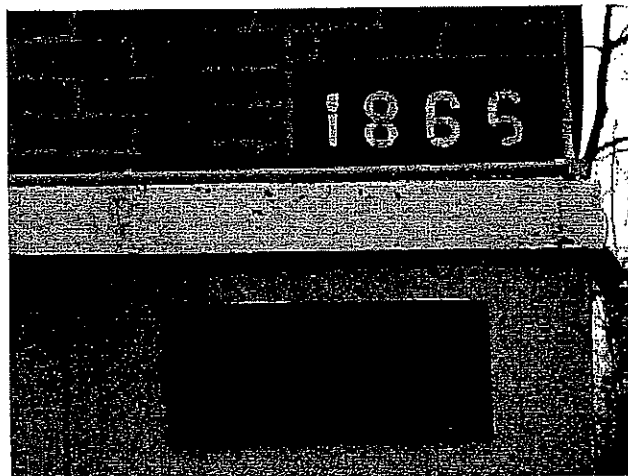


North Façade





South Façade



Organ loft, west wall



Domed Sanctuary, east wall



West Façade

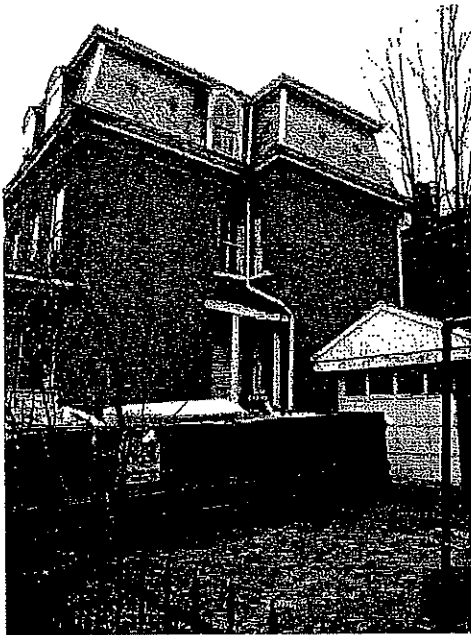


East Façade





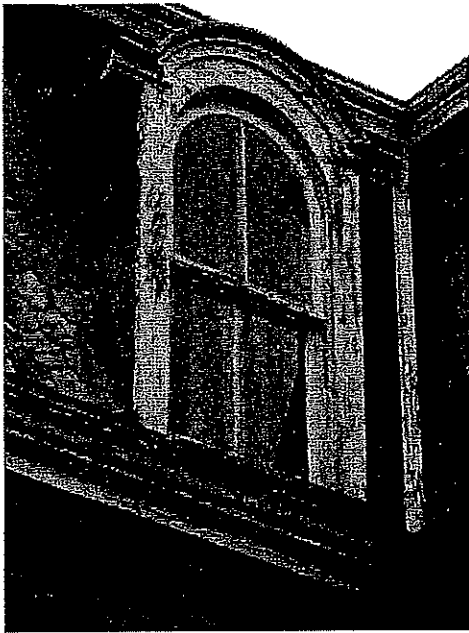
North Façade



South Façade



Mansard Slate with quaterfolds



Round arch attic windows



Original double front door behind modern storm doors

**A RESOLUTION OF THE CITY OF POUGHKEEPSIE, SETTING A PUBLIC HEARING
REGARDING THE PROPOSED NOMINATION OF 370 MAIN STREET AS A LOCAL
HISTORIC LANDMARK
(R20-61)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter "HDLPC") nominated 370 Main Street for local historic landmark designation based on their recognition that the property is associated with events that have made a significant contribution to the broad patterns of the City's history and the distinctive characteristics of the property; and

WHEREAS, the HDLPC held a public hearing on June 11, 2020 regarding the nomination of 370 Main Street as a local historic landmark; and

WHEREAS, the HDLPC voted in favor of the proposed nomination and approved the application on June 11, 2020; and

WHEREAS, pursuant to Section 19-4.5(4)(g) of the Code of Ordinances of the City of Poughkeepsie, the HDLPC's approved application was forwarded to the Common Council for consideration on June 24, 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 July 13, 2020 at 6:00 p.m. concerning the designation of 370 Main Street as a local historic landmark.

SECONDED BY COUNCILMEMBER _____



**CITY OF POUGHKEEPSIE, NEW YORK
BUILDING DEPARTMENT**

(845) 451-4007

(845) 451-4006 (FAX)

HISTORIC DISTRICT & LANDMARKS NOMINATION FORM

LOCATION (For District nominations, attach list of all properties)

Street and Number: 370 Main Street

NAME OF PROPERTY

Historic Name (if any): French Pastry Shop

Other Names (if any): Karl Ehmer's Meat Market

CLASSIFICATION

Ownership of Property

Private

Owner: POK Acquisitions

Address: 93 Fourth Avenue

City: New York

State/Zip: NY 10276

Public

Owner: _____

Address: _____

City: _____

State/Zip: _____

Category of Property

Building(s)

District

Site

Structure

Object

FUNCTION OR USE

Historic Functions or Uses:

Restaurant and Soda Fountain

Current Functions or Uses:

Vacant

NAME OF ARCHITECT (if known): Attributed to Edward C. Smith

ATTACHMENTS

NARRATIVE DESCRIPTION: Describe the historic and current conditions of the property on one or more continuation sheets, and attach the sheets to the application.

MAPS: Please attach a map of the subject property or properties.

PHOTOGRAPHS: Please attach photographs of the property or properties.

Nomination Form
Page 2

Statement of Significance: Mark "X" in all of the applicable boxes below for the criteria qualifying the property for local register listing.

X. Property is associated with events that have made a significant contribution to the broad patterns of our history.

Property is associated with the lives of person significant in our past.

X. Property embodies the distinctive characteristics of a type, period or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.

Property has yielded, or is likely to yield, information important in prehistory or history.

Property is listed, or is eligible for listing, on the State and/or National Registers of Historic Places.

Narrative Statement of Significance: Explain the significance of the property, in terms of the boxes checked above, on one or more continuation sheets, and attach the sheet(s) to the application.

Bibliography: Cite any books, articles or other sources used in preparing this form on one or more continuation sheets, and attach the sheet(s) to the application.

Form Prepared by:

Name/Title: Historic Districts and Landmarks Preservation Commission
Organization: City of Poughkeepsie HDLPC
Street: 62 Civic Center Plaza
City/State/Zip: Poughkeepsie, NY 12601
Telephone: _____
Date: March 12, 2020

HDLPC RECOMMENDATION

The HDLPC hereby certifies that this application does ~~does not~~ meet the criteria for designation as a local historic district, landmark or landmark site, and recommends approval of the application to the Common Council in accordance with the provisions of Section 19-4.5(3) of the Zoning Ordinance.

Motion: HOLLY WAHLBERG
Second: TOM MARRAS
Votes: 5 0 0
Ayes Nays Abstentions

Arthur J. Rellis
Signature of Chairman
Date: _____

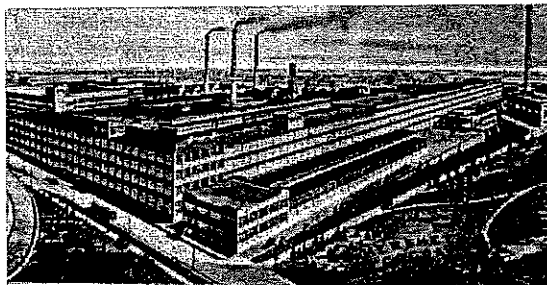
Local Register Nomination: 370 Main St. (French Pastry Shop Building)

Statement of Significance: Prepared by Poughkeepsie Historic District and Landmarks Preservation Commission (HDLPC) © 2020

1. Property possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state, or nation

The story of Stelio Frangk and his creation of Poughkeepsie's French Pastry Shop presents an outstanding demonstration of the Greek immigrant story in America. During the era of Frangk's emigration to America from Greece, Greek immigrants were fast becoming known as America's "confectioners" – opening "candy kitchens," ice cream parlors, soda fountains, and luncheonettes in towns large and small across America. The Greek immigrant-owned Confectionary/Bakery/Luncheonette became a familiar and popular presence on Main Street, America in the years following the close of World War I.

With a marked tenacity, Greek immigrants excelled at entrepreneurship, frequently pooling their savings to form business partnerships with family members or fellow immigrants (thus giving rise to the saying, "When two Greeks meet, they open a restaurant.") Greek immigrants appear to have taught themselves various candy and ice cream recipes, then shared these recipes orally with other newly arrived Greeks who worked at learning the confectioner's trade until ready to start their own shop. (Today, we still enjoy some of these Greek recipes including Andes Mints, Carvel Ice Cream Cakes, Dove Ice Cream Bars, and Heath Bar Chocolates.)



THE HERSHEY CHOCOLATE COMPANY'S MODERN DAYLIGHT FACTORY
45 ACRES OF FLOOR SPACE. 8000 ACRES OF FARMS.

Prohibition levelled the playing field for the Greek Confectionary/Luncheonette as hotels and larger restaurants lost the advantage of being able to offer alcoholic beverages. But new competitive pressure arrived when drugstores and dime stores added their own soda fountains and lunch counters. The growing might of companies like Hershey Chocolates with their mass-produced candies also put additional pressure on Greek confectioner entrepreneurs who were often forced to add catering and restaurant service to their confectionary and soda fountain offerings in order to survive.



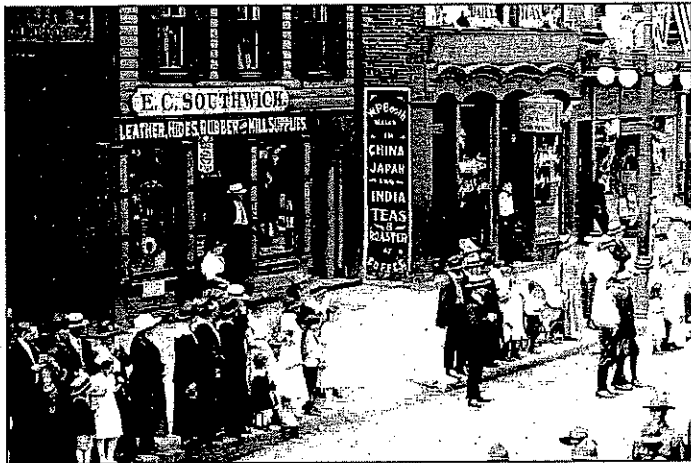
Stelio Frangk in WWI uniform, 1918

Like other immigrant groups before them, Greeks faced significant prejudice. Their deeply cherished links to their homeland along with their exotic alphabet, language and religion meant a slow and sometimes difficult assimilation into American life. Xenophobes labelled them "the greasy Greeks" – a slur that Greek confectioners often combatted by building gleaming terra cotta tiled, Art Deco luncheonettes which included things like "scientific" baking facilities and "dainty" well-appointed interiors.

The life of Poughkeepsie's Greek immigrant, Stelio Frangk (1891-1956) embodies much of this classic Greek-American experience. Frangk (whose full Greek name "Frangkakis" was Americanized to "Frangk") emigrated to America from Crete in 1910 and worked in New York City for two years before arriving in Poughkeepsie in 1912. Like many young Greek immigrant men, Frangk initially took up low skilled, menial restaurant work that few others wanted to do. From 1912 to 1914, Frangk worked in the kitchens of Poughkeepsie's Nelson House and Morgan House Hotels until he and a friend had saved enough to open their own bakery – first on lower Main Street then on S. Hamilton St. near Main.

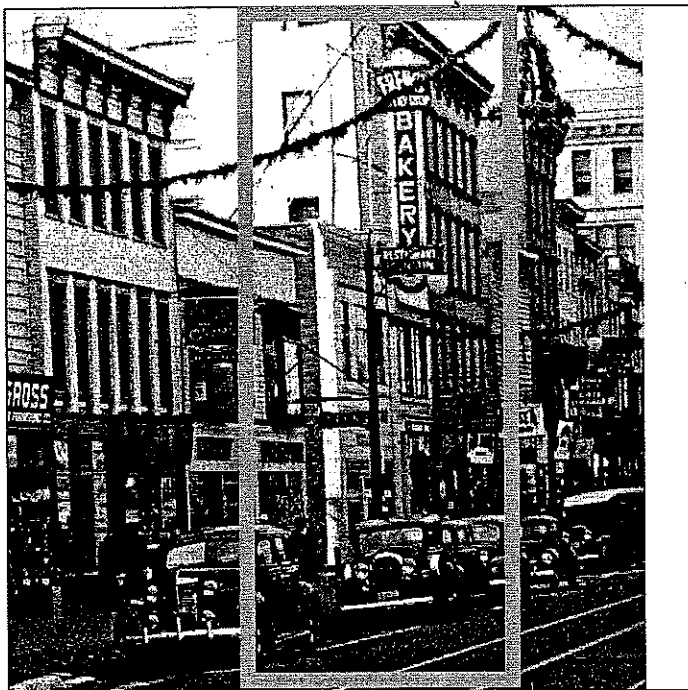
After serving stateside in World War I, Frangk returned to Poughkeepsie and moved his bakery in 1919 into leased space closer to the heart of downtown at 368 Main. By 1920, he had become a U.S. citizen and by 1922 he had changed the name of his store from "The Pastry Shop" to the more sophisticated sounding "French Pastry Shop." In realizing the advantages of associating American commerce with French glamor, Frangk was something of a Poughkeepsie trailblazer. Other Poughkeepsie shop owners would eventually follow suit with shop names like "Jolie Hats," "Paris Millinery" and "La Belle Fontaine Confectionary."

In 1923, Frangk purchased 368 Main for \$38,000 and moved himself and his new Greek bride into rooms over the shop. With this major purchase of prime Main St. real estate, the community took note. For the first time, the publishers of the Poughkeepsie City Directory even took the trouble to spell Frangk's last name correctly.

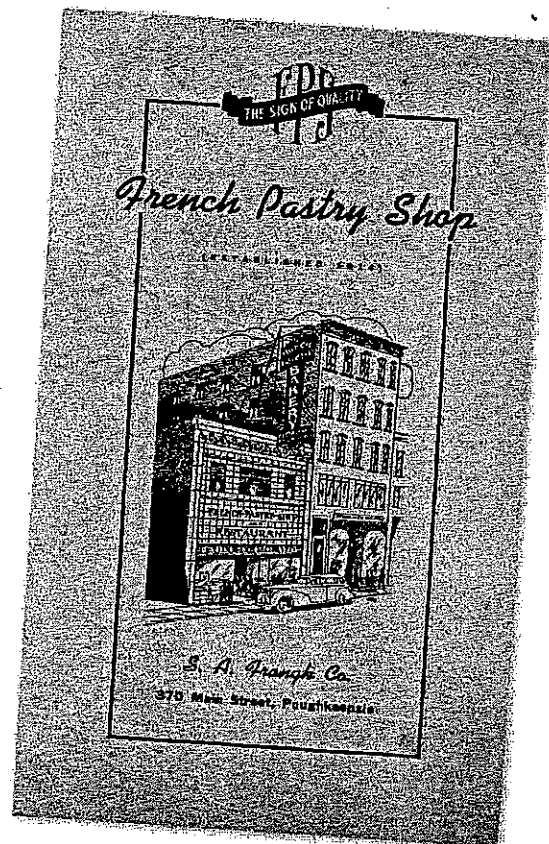


The "Old Southwick Building" on the left in 1918
demolished by Frangk in 1929

By 1927, Frangk was again ready to expand, purchasing the wood frame building next door at 370 Main known as "the old Southwick Building" – one of the oldest buildings on Main Street and formerly the home of one of Poughkeepsie's oldest family businesses, the Southwick Tannery and Leather Goods Store. Frangk demolished this old Southwick Building in 1928. In its place was erected Poughkeepsie's first Art Deco building, the new French Pastry Shop which Frangk proudly advertised as offering "the utmost in sanitation and cleanliness" with "commodious sanitary showcases," a "scientific bakery," and a "handsomely appointed" restaurant.



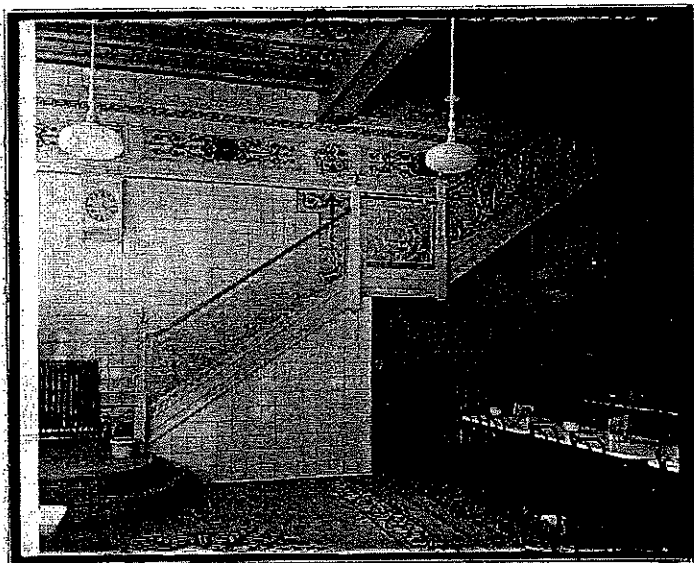
French Pastry Shop in 1939 under its large neon sign; (at right) Menu
cover from the French Pastry Shop c. 1939



By coupling this clear architectural demonstration of modern sanitation and modern style with a shop name that gave no hint of Greek ownership, Frangk outwitted those who denigrated "greasy Greeks" as fit only to



Members of the Greek community on the steps of the Greek Orthodox Church built in 1924 on Academy St.



Spotless and dainty white tiled interior of the Childs Restaurant chain which entrepreneurs like Frangk sought to emulate in the 1920s and 30s

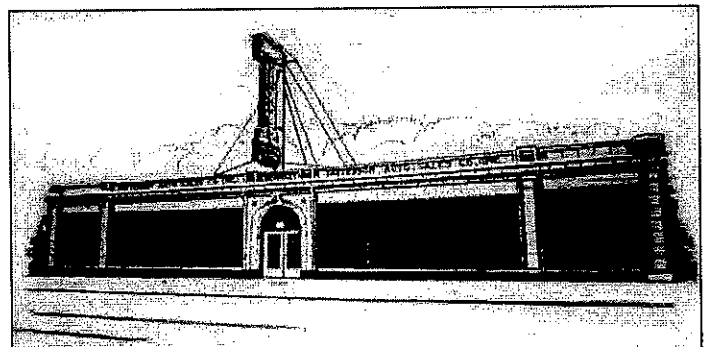
2. Property embodies distinguishing characteristics of an architectural style

The French Pastry Shop presents a commercial Art Deco façade unusual in Poughkeepsie and one of only three such examples known to have been built in the city. Architect Edward C. Smith designed the Art Deco home of Patterson Auto Sales at 534-536 Main in 1929 as well as the Art Deco "Church Building" on the SE corner of Main and Market in 1931. It seems likely that the French Pastry Shop was also designed by Smith at the same time he was designing the Pat-

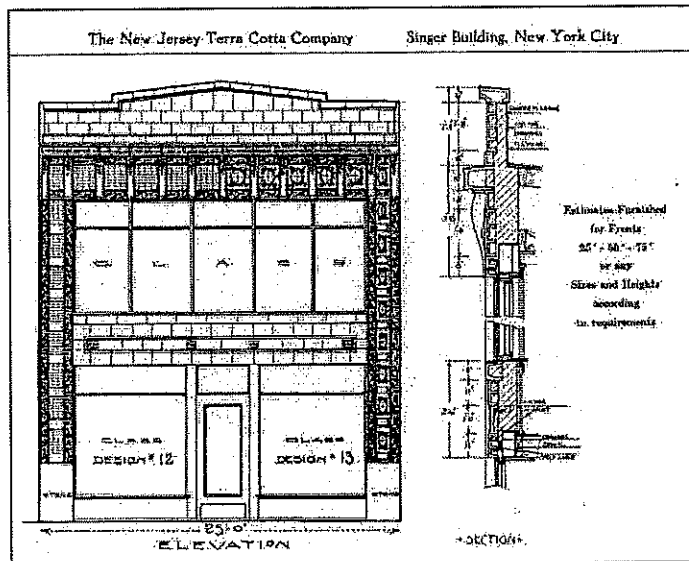
shine shoes at the local Greek-owned "bootblack parlor." Stelio Frangk had taken control of Main Street property long owned by Poughkeepsie's oldest families with British names like Booth and Southwick. Now new names, like Frangk, Pappas, Birdas, Kustas, Labrinos, Christakos, Maroulis, Chamberas, Kokenos, and Pappattianasopoulos would shape important new chapters in the city's history.

Frangk's French Pastry Shop became a thriving success as a location for civic and club events and "dainty" snacks for women shoppers newly liberated from the drudgery of staying at home baking their own bread, pies and baked goods. Frangk also fully embraced American food traditions, providing crul-ers at Halloween, pumpkin pies at Thanksgiving, European cookies for Christmas, hot cross buns at Easter, and freshly made strawberry ice cream by Memorial Day. Fellow Greek immigrant John Christakos, who partnered with Frangk for 20 years, would later claim that Eleanor and Franklin Roosevelt were patrons of the French Pastry Shop.

Frangk retired in 1947 after 35 years as a confectioner and baker. The French Pastry Shop was sold to Jewish bakers who continued the store under the same name until 1960 when the building was transformed into Karl Ehmer's Meat Market. At Frangk's death in 1956, the full extent of his business success was revealed by an astonishingly large estate of over a quarter of a million dollars (the equivalent of approximately 2.5 million in today's dollars). The history of Stelio Frangk and the French Pastry Shop is remarkable for its ability to reveal significant facets of the Greek immigrant experience in Poughkeepsie and across the nation.



Architect Edward C. Smith's Art Deco design for the Patterson Chevrolet dealership on Main St. used terra cotta cladding



Terra cotta companies supplied catalogs with ready made storefront designs and installation diagrams



Terra cotta in bright colors and raised designs brought a fresh new aesthetic to storefronts, movie theaters, gas stations, and auto showrooms in the 1920s and 30s (above: detail from the French Pastry Shop)

terson Auto Building in early 1929.

The innovative use of terra cotta instead of brick, granite or marble on the front façade was a distinct departure from the city's traditional storefront architecture. The splashes of color achieved with polychrome terra cotta created a lively effect new to Main Street. Certainly one of the hoped for outcomes of using these new colors was to attract attention, and Terra Cotta manufacturer catalogs promised that "artistic, bright and cheerful" storefronts would deliver new patrons.

Another benefit of terra cotta was its ability to reflect light, thereby increasing the effectiveness of neon signs and generally bringing about an overall brightening of Main Street, especially at night. Early depictions of the French Pastry Shop show its dramatically tall neon sign clearly capable of drawing significant attention to this comparatively low, two story shop.

The ability of terra cotta to also be unfading and cleaned with only a simple scrubbing was especially attractive for bakeries and restaurants trying to telegraph appetizing cleanliness in an era when food purity standards were well-known to be potentially unreliable. A veneer of terra cotta was also quick to install and economical to buy. Architects could choose from a variety of machine molded Art Deco tile motifs including chevrons, sunbursts and abstract plant forms in a variety of colors like those still found on the French Pastry Shop Building.

The French Pastry Shop is an excellent example of the way in which Art Deco motifs and terra cotta materials brought new vibrancy and exciting modernity to Poughkeepsie's Main Street and Main Streets across America in the late 1920s and 1930s.

Narrative Description:

The French Pastry Shop, designed by Poughkeepsie architect Edward C. Smith and constructed in 1929, is a two story brick building with front (north) façade faced in cream colored terra cotta tiles with polychrome bands of accent tiles in typical Art Deco motifs such as chevrons, stylized plant forms and sunbursts. Narrow ribbons of tile frame the top and bottom of four second floor double hung modern windows. Corner pilasters rising from block bases are composed of smaller tiles stacked in rows which end at a stepped-back parapet decorated with polychrome tiles in a chevron and sunburst design.

A modern first floor metal storefront (featuring 2 display windows, recessed double entry door and side door to the second floor) fills the entire first floor front between the pilasters. The first floor metal storefront is topped by a band of polychrome tiles featuring a row of yellow suns and abstract plant forms over which appear individual terra cotta letters spelling out the words "French Pastry Shop." Some of these letters are missing. Both spalling and "blistering" of the terra cotta are evident along with missing and loose mortar and holes created by the screws that once fastened other sheathing material over portions of the terracotta facade. A large neon sign which was originally suspended from metal roof poles is no longer present. A narrow, locked alleyway sepa-

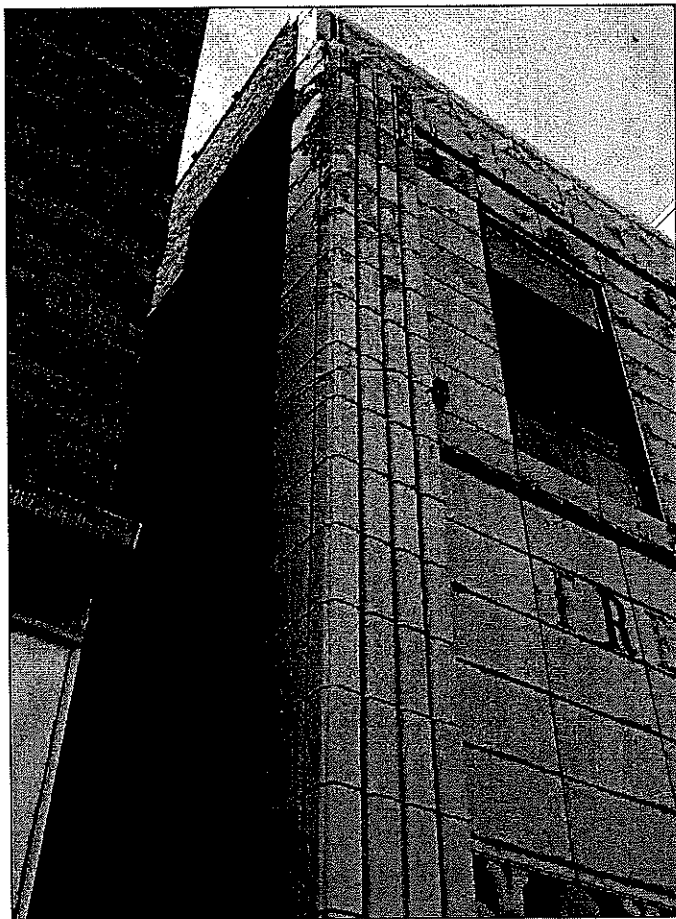
rates 370 Main from its neighbor to the east. A party wall is shared with its neighbor to the west.

Bibliography:

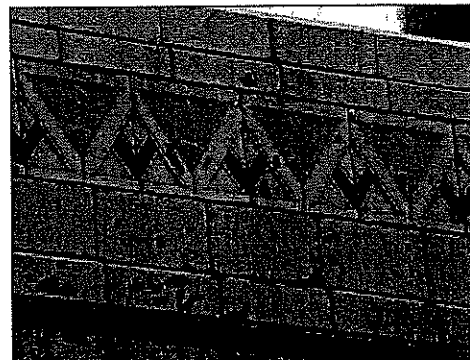
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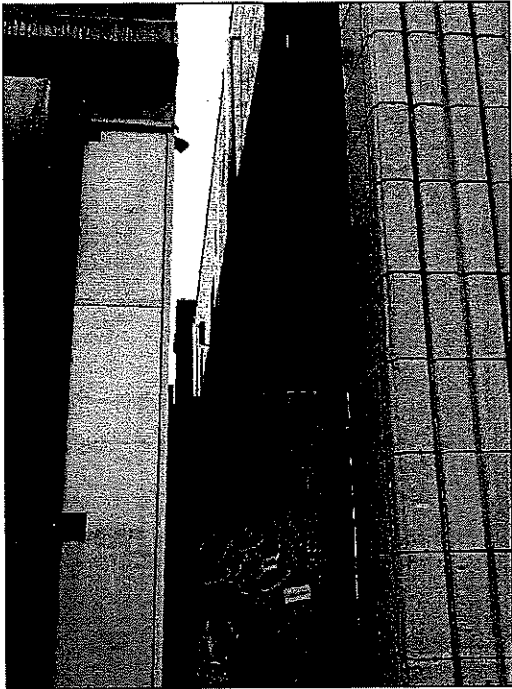
Front (north) facade



Corner pilaster with ridged texture meeting brick side wall



Above: Chevron detail and letter "R" of signage



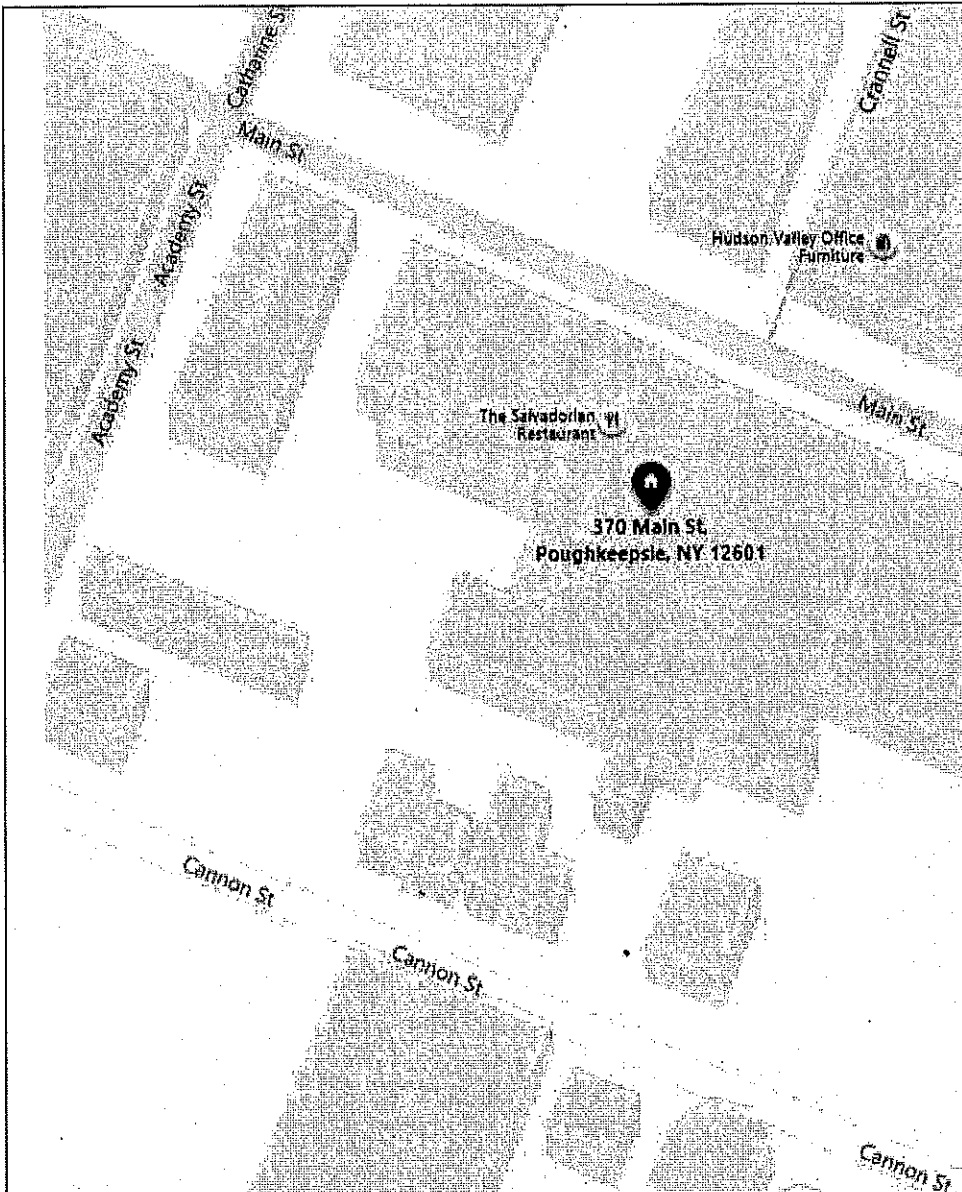
Alleyway along east facade



Signage and polychrome terra cotta band over modern storefront



West facade extending along shared wall with 368 Main



RESOLUTION
R20-62
EXTRACT OF MINUTES
Resolution No:
[Lease Purchase—Parking Meters]

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session via videoconference and/or teleconference pursuant to Executive Order 202.1, as amended, on July 6, 2020 at 6:30 o'clock p.m., local time. A live transmission was available to the public as described in the notice of meeting attached hereto. The meeting was recorded and a full transcript will be prepared to the extent required by the Executive Order.

The meeting was called to order by Chair Salem, and, upon roll being called, the following members were: (Note: Where members are marked Present, specify whether In Person at the Common Council Chambers, 3rd Floor, 62 Civic Center Plaza, Poughkeepsie, New York 12601, via Videoconference, or via Teleconference.)

PRESENT:

	Present	Absent
Council Chair Sarah A. Salem	VIA	
Councilmember Sarah Brannen	VIA	
Councilmember Natasha Cherry	VIA	
Councilmember Yvonne Flowers	VIA	
Councilmember Lorraine Johnson	VIA	
Councilmember Randall A. Johnson II	VIA	
Councilmember Matthew McNamara	VIA	
Councilmember Evan Menist	VIA	
Councilmember Christopher D. Petsas	VIA	

The following persons were ALSO PRESENT:

Commissioner of Finance Brian Martinez, PhD VIA _____

The following resolution was offered by Councilmember Petsas and McNamara, seconded by Councilmember _____, to wit;

RESOLUTION DATED JULY 6, 2020

A RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT FOR PARKING METERS FOR THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$486,062

WHEREAS, it is necessary to acquire and install parking meters described herein; and

WHEREAS, the Common Council has reviewed a written evaluation of financing

alternatives on file with the Chamberlain setting forth the reasons why it is in the best interests of the City to finance such acquisition through a lease purchase agreement, and on the basis of such evaluation and review, the Common Council deems it for the benefit of the City and for the efficient and effective administration thereof to enter into a lease purchase agreement (the "Agreement") providing for lease purchase of such parking meters described herein on the terms and conditions therein provided;

BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

SECTION 1. Maximum Cost and Useful Life. The acquisition of parking meters is hereby authorized at an estimated maximum cost of \$486,062 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 50 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is five years.

SECTION 2. SEQR. It is hereby determined that the aforesaid purpose constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which is determined under SEQR not to have a significant impact on the environment.

SECTION 3. Plan of Financing. The City plans to enter into the Agreement to pay the total cost of the projects described in Section 1. The Commissioner of Finance is authorized to negotiate proposals for the Agreement on the basis of the terms set forth herein with an interest rate not to exceed 5.00% per annum. Certificates of Participation are not authorized in the absence of further approval by the Common Council.

SECTION 4. Approval of Documents. Subject to the provisions of this Resolution, the Commissioner of Finance is hereby authorized and directed to execute, and the City Chamberlain is hereby authorized and directed to attest and countersign, the Agreement and any related exhibits and certificates, and the City Chamberlain is hereby authorized to affix the seal of the City to such documents. The Agreement shall separately state principal and interest components of the annual payments and the total of all periodic payments during each year of the Agreement shall be substantially level or falling during each year throughout the term of the Agreement. The Agreement shall include the provisions required by Section 109-b(2)(a) and 6.

SECTION 5. Other Actions Authorized. The officers and employees of the City shall take all action necessary or reasonably required by the parties to the Agreement to carry out, give effect to and consummate the transactions contemplated thereby and to take all action necessary in conformity therewith, including, without limitation, the execution and delivery of any closing and other documents required to be delivered in connection with the Agreement.

SECTION 6. Required Terms.

(a) No General Liability. Nothing contained in this Resolution and the Agreement or any other instrument shall be construed with respect to the City as incurring a pecuniary liability or charge upon the general credit of the City or against its taxing power, nor shall the breach of any agreement contained in this Resolution and the Agreement or any other instrument or document executed in connection therewith impose any pecuniary liability upon the City or any charge

upon its general credit or against its taxing power, except to the extent that the rental payments payable under the Agreement are special limited obligations of the City as provided in the Agreement. The Agreement shall not be a general obligation of the City. The Agreement shall be deemed executory only to the extent of the monies appropriated and available for the purpose of such Agreement and no liability on account therefor shall be incurred beyond the amount of such monies. It is understood that neither such Agreement nor any representation by any public employee or officer creates any legal or moral obligation to request, appropriate or make available monies for the purchase of such Agreement.

(b) Non-Appropriations. Nothing in the Agreement shall, in the event of non-appropriation, preclude a political subdivision from acquiring equipment, machinery or apparatus for the same or similar purpose as the equipment, machinery or apparatus included in the Agreement for a period of more than sixty days from the date of expiration, termination or cancellation of such Agreement, provided, however, that in no case shall the Agreement contain any provision which would preclude the City from performing any statutorily or constitutionally required duties or functions, or require the City to pay liquidated damages.

(c) Security. In the case of the failure to appropriate, the sole security, apart from any security provided by a credit enhancement, for any remaining periodic payments shall be the equipment, machinery or apparatus subject to the Agreement.

(d) Term. The term of the Agreement shall not exceed five years.

SECTION 7. Tax-Exempt Status. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the obligations represented by the Agreement authorized by this resolution, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the Agreement authorized by this resolution as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 8. No Real Property. The Agreement shall in no event be construed as or deemed a lease or lease-purchase of a building or facility.

SECTION 9. Severability. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

SECTION 10. Effective Date. This Resolution shall be effective immediately.

Council Chair Sarah A. Salem	VOTING ____
Councilmember Sarah Brannen	VOTING ____
Councilmember Natasha Cherry	VOTING ____
Councilmember Yvonne Flowers	VOTING ____
Councilmember Lorraine Johnson	VOTING ____
Councilmember Randall A. Johnson II	VOTING ____
Councilmember Matthew McNamara	VOTING ____
Councilmember Evan Menist	VOTING ____
Councilmember Christopher D. Petsas	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

Submitted to Council: Council Action: Roll call vote taken: Yes ____ No ____ Ayes ____ Nays ____ Abstain ____ Absent ____ Approved by Mayor on _____ Mayor's Signature _____ Robert G. Rolison	I hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted at a regular meeting of the Common Council held July 6, 2020 _____ City Chamberlain
--	--

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 6th day of July, 2020 and entitled:

RESOLUTION DATED JULY 6, 2020

A RESOLUTION AUTHORIZING EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT FOR PARKING METERS FOR THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$486,062

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of July, 2020.

-SEAL-

Deanne Flynn
City Chamberlain

RESOLUTION
(R20-63)

INTRODUCED BY CHAIR SALEM

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie, pursuant to Section 2.18 of the Administrative Code does hereby authorize the Chairperson of the Common Council to execute a professional service agreement with Eric Pierson in an amount not to exceed \$7,500 chargeable to line item 01.1010.7469- Contracted Services Other.

SECONDED BY COUNCILMEMBER _____.

**ORDINANCE AMENDING §13-149
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-20-05)

INTRODUCED BY COUNCILMEMBER CHERRY

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie, as follows:

SECTION 1: §13-149 is hereby amended by the following addition:

Section 13-149 - Municipal parking meters zones; establishment; regulation.

Upon the erection of signs giving due notice thereof, the following areas shall be designated as Parking Meters Zones and are to be utilized only for the purpose set forth in this Article:

Academy St., between Main St. and Cannon St.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by Underlining and Bold

**ORDINANCE AMENDING §13-149
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-20-06)

INTRODUCED BY COUNCILMEMBER CHERRY

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie, as follows:

SECTION 1: §13-149 is hereby amended by the following addition:

Section 13-149 - Municipal parking meters zones; establishment; regulation.

Upon the erection of signs giving due notice thereof, the following areas shall be designated as Parking Meters Zones and are to be utilized only for the purpose set forth in this Article:

N. Hamilton St., between Mill St. and Main St.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by Underlining and Bold

**ORDINANCE AMENDING §13-126
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-20-07)

INTRODUCED BY COUNCILMEMBER PETSAS

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie, as follows:

SECTION 1: §13-126 is hereby amended by the following addition:

Section 13-126 - Permits for public parking permit system.

Upon the erection of signs giving due notice thereof, the following areas shall be designated as two-hour parking & permit parking areas and are to be utilized only for the purpose set forth in this Article:

Main St., North side, beginning west of Davies Pl. continuing until N. Water St.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by Underlining and Bold

**ORDINANCE AMENDING §13-149
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-20-08)

INTRODUCED BY COUNCILMEMBER CHERRY

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie, as follows:

SECTION 1: §13-149 is hereby amended by the following addition:

Section 13-149 - Municipal parking meters zones; establishment; regulation.

Upon the erection of signs giving due notice thereof, the following areas shall be designated as Parking Meters Zones and are to be utilized only for the purpose set forth in this Article:

Catherine St., between Mill St. and Main St.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by Underlining and Bold

**ORDINANCE AMENDING §§13-126 OF THE
MOTOR VEHICLES AND TRAFFIC ORDINANCE
CONCERNING VARIOUS PARKING REGULATIONS**

(O-20-XX)

INTRODUCED BY COUNCILMEMBER L. JOHNSON

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie as follows:

SECTION 1: Section 13-126(c)(2) of the City of Poughkeepsie Code of Ordinances entitled "The following on-street parking permit districts are hereby created:" is hereby amended by the addition to the following district "**District 4: North side District**":

Street	Side	Description	Parking Regulation	Time Regulation
Zimmer Avenue	Both Sides	Residential Parking Only	None	None

SECTION 2: This Ordinance shall take effect immediately upon adoption.

SECONDED BY COUNCILMEMBER _____.

Bold denotes ADDITION.

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

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2020 JUN 25 AM 9:00

TODAY'S DATE: 6-22-2020

NAME AND ADDRESS OF EACH CLAIMANT:

Danielle LeClere
17 McAllister Dr.
Pleasant Valley, NY 12569

TELEPHONE NUMBER: 914-475-8590

NAME AND ADDRESS OF ATTORNEY (IF ANY):

Steven Nesheiwat
224 Church St
Poughkeepsie, NY 12601

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE): 6-22-20 @ approx 1:30

Pk City Hall Parking garage. There are no signs indicating that it is not public parking. I followed a car into the garage unaware that the gate would come down and break my sunroof which was open.

ITEMS DAMAGED OR INJURIES SUSTAINED:

Sunroof of car, scratches to car, damage to roof rack & antenna.

Danielle LeClere
Signature of Claimant

Signature of Claimant

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

Danielle LeClere 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.

Danielle LeClere
Signature of Claimant

Signature of Claimant

Sworn to before me this

22nd day of June, 2020

[Signature]
Notary Public

STEPHANIE W. SCOTT
Notary Public, State of New York
Qualified in Dutchess County
No. 4787129
Commission Expires 12/31/21

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.



CUSTOMER #: 459115

4554282

PRE-WORKORDER

DANIELLE F LECLERC
17 MCALLISTER DR
PLEASANT VLY, NY 12569-7853
DANIELLEFLECLERC@GMAIL.COM

HOME: CONT: (914) 475-8590

Page 1 of 1



www.HealeyBrothers.com • 1-888-3-Healey

Healey Chevrolet, Inc.

1960 South Road, Poughkeepsie, NY 12601
(845) 298-2001

N.Y.S. M.V. R/S REG. NO. 7025000

BUS: (845) 723-5020 CELL: (914) 475-8590

SERVICE ADVISOR: *Alex Torresson

COLOR	YEAR	MAKE/MODEL	VIN	LICENSE	MILEAGE IN/ OUT	TAG
BK	2020	Chevrolet EQUINOX	2GNAXVEX8L6197456		4049	5064
DEL DATE	PROD. DATE	WARR. EXP.	PROMISED	PO NO.	RATE	PAYMENT
01/27/2020						06/24/2020
R.O. OPENED	READY	OPTIONS: Sold:STK#B06636 ENG:2.0_Liter_DOHC				
06/23/2020						
LINE	OP CODE	DESCRIPTION	DURATION	ESTIMATE		

GA001 sunroof assembly with deflector weather strip and glass

3126.21



BUICK



PONTIAC



Cadillac

GMC



HYUNDAI



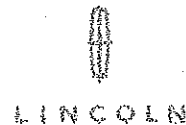
KIA MOTORS



MITSUBISHI MOTORS



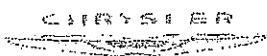
Ford



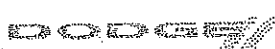
LINCOLN



MERCURY



CHRYSLER



DODGE



Jeep



Subtotal

3126.21

Shop Charges

0.00

Printed On 06/24/2020 11:18 AM

Sales Tax

254.00

Estimate Expires on 07/24/2020

Total

3380.21

WARRANTY STATEMENT AND DISCLAIMER: PLEASE SEE THE REVERSE SIDE OF THIS REPAIR ORDER FOR THE DEALERSHIP'S LIMITED WARRANTY.

LABOR COSTS: Our labor charges may be based on a Job Rate, an Hourly Rate multiplied by clock hours, Flat Rate Manual time, or a combination thereof. See "Rate" above. Our Hourly Rate is \$. The Manual(s) used for Flat Rates is. You have the right to review time rates as listed in the Manual upon request.

PAYMENT TERMS: I agree to pay for the inspection and repairs I authorize, along with the necessary materials, in Cash or approved credit card upon completion of the Repairs unless the Dealership agrees to other payment arrangements in advance. If I authorize commencement of repairs or disassembly of the vehicle or a vehicle component for diagnostic purposes and do not authorize completion of a repair or service, I understand that a charge will be imposed for disassembly, reassembly or partially completed work and I agree to pay the same. A garageman's lien is hereby acknowledged on the vehicle to secure the cost of labor, materials, parts and other authorized charges. The cost for preparing an estimate or diagnosis is \$.

PARTS: All parts installed are new and all body shop parts are new OEM parts unless otherwise indicated. Replaced parts will be returned to you upon written request, except those parts which are subject to a manufacturer's warranty or sold on an exchange basis.

Discard Replaced Parts (INITIAL) Save Replaced Parts (INITIAL)

I understand that the Dealership is not responsible for any delays caused by unavailability of parts or shipping by the parts manufacturer, distributor, or the transporter, nor is it responsible for loss or damage to the vehicle or articles left in the vehicle in case of fire, theft, hail, wind or any other cause beyond its control. I hereby grant the Dealership permission to operate the vehicle on streets, highways and public roadways for the purpose of testing and/or inspecting the vehicle. I authorize the retrieval of on-board data as needed to facilitate vehicle repair, as well as sharing that data with the vehicle manufacturer for diagnostic and research purposes.

Customer X Date

Dealer CAP ©2006 ADP (06/11) SERVICEWORKORDER TYPE 2 - SW2C - "LIMITED WARRANTY" - NEW YORK - 9596492

ESTIMATE: OUR DEALERSHIP WILL PROVIDE YOU WITH AN ESTIMATE OF THE COST OF PARTS AND LABOR NECESSARY TO PERFORM REPAIRS UPON REQUEST. YOUR BILL WILL NOT EXCEED THE ESTIMATE WITHOUT YOUR AUTHORIZATION. PLEASE INITIAL BESIDE THE KIND OF ESTIMATE YOU WANT TO RECEIVE.

INITIALS WRITTEN ESTIMATE INITIALS ORAL ESTIMATE INITIALS NO ESTIMATE

☐ It is necessary to disassemble the vehicle to provide an estimated price for repairs. The estimated teardown and reassembly charge is \$ and does not include the cost of repairs. PRELIMINARY ESTIMATE \$ 3380.21

SHOP SUPPLY COSTS: A charge equal to % of the total cost of parts and labor, not to exceed \$, will be added to the Repair Order for shop supplies used in connection with the repair.

Original Estimate (1) (Parts & Labor)	Total Additional Cost Authorized	Approved By:	Date & Time	Manner of Authorization
\$	\$			☐ In Person ☐ Via Telephone ☐ Via Fax/E-mail
Revised Estimate (2)	\$			☐ In Person ☐ Via Telephone ☐ Via Fax/E-mail

STORAGE CHARGES A storage charge equal to \$15.00 will be assessed and shall accrue daily if I fail to pick up the vehicle within 30 business days from the date I am notified that the repairs are complete or after the communication of an estimate if I fail to authorize repairs.

MACKEY BUTTS & WISE LLP

June 22, 2020

FILED POUGHKEEPSIE
JUN 23 AM 7:49

ATTORNEYS AT LAW

Robert B. Dietz
Robert R. Butts
David R. Wise
Joshua E. Mackey
Cara A. Whalen

Ian S. MacDonald
Christina A. Mazzarella
Claire L. Pulver

Neil A. Wilson
Roderick J. MacLeod
R. Keith Salisbury

Via Email and UPS Overnight
Tracking #1ZF021070194319271
Ms. Deanne Flynn, City Chamberlain
62 Civic Center Plaza
Poughkeepsie, New York 12601

RE: Better Made Restaurant Group LLC
Our File No.: 7730.0034

Dear Ms. Flynn:

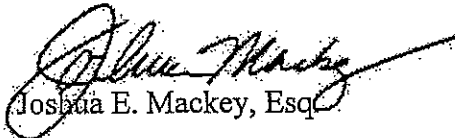
Kindly note our office's representation of the Better Made Restaurant Group LLC in their application to the New York State Liquor Authority for a permit at the premises located at 29 Academy Street in the City of Poughkeepsie.

Enclosed please find the original Standardized 30-Day Advance Notice Form for your records. If agreeable, kindly provide written consent upon receipt of this Notice to our office.

Should you have any questions, please do not hesitate to contact our office.

Very truly yours,

MACKEY BUTTS & WISE, LLP


Joshua E. Mackey, Esq.

Reply to:

☐ 3208 Franklin Avenue
Millbrook, NY 12545
P 845.677.6700
F 845.677.2202

JEM/gsd
Encl.

☐ 319 Mill Street
Poughkeepsie, NY 12601
P 845.452.4000
F 845.454.4966

www.mbwise.com

{00200994 1}

☐ Original☐ Amended

Date _____

16. List the floor(s) of the building that the establishment is located on: **FIRST (Main Area) & BASEMENT (for storage only)**17. List the room number(s) the establishment is located in within the building, if appropriate: **FIRST & BASEMENT**18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No19. 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:

N/A

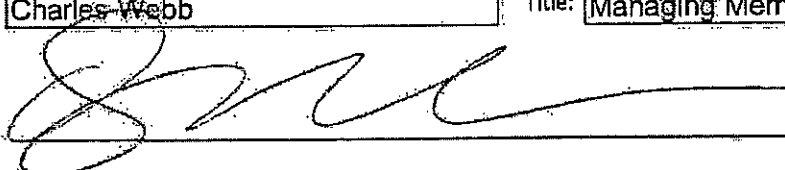
Name

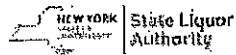
Serial Number

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: **PK ACAD LLC**23. Building Owner's Street Address: **278 Mill Street, Suite 100**24. City, Town or Village: **Poughkeepsie** State: **NY** Zip Code: **12601**25. Business Telephone Number of Building Owner: **(845) 471-1047****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: **Joshua E. Mackey, Esq. - Mackey Butts & Wise LLP**27. Representative/Attorney's Street Address: **3208 Franklin Avenue**28. City, Town or Village: **Millbrook** State: **New York** Zip Code: **12545**29. Business Telephone Number of Representative/Attorney: **(845) 677-6700**30. Business E-mail Address of Representative/Attorney: **jmackey@mbwise.com**

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: **Charles Webb** Title: **Managing Member**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 was Sent: 06/22/2020 1a. Delivered by: Overnight Mail with Tracking Number

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

☒ New Application ☐ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change ☐ Method of Operation Change

For New applicants, answer each question below using all information known to date

For Renewal applicants, answer all questions

For 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 principals

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For Class Change applicants, attach a statement detailing your current license type and your proposed license type

For 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: Better Made Restaurant Group LLC

6. Trade Name (if any): Hudson & Packard

7. Street Address of Establishment: 29 Academy Street

8. City, Town or Village: Poughkeepsie, NY Zip Code: 12601

9. Business Telephone Number of Applicant/Licensee: (734) 790-7894

10. Business E-mail of Applicant/Licensee: hudsonandpackard@gmail.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & Cider ☒ Wine, Beer & Cider ☐ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

☒ Full food menu; full kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment: Restaurant (full kitchen and full menu required)

14. Method of Operation: (check all that apply)

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke

☐ 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: (check all that apply)

☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure

☐ Sidewalk Cafe ☐ Other (specify): _____

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: 06/11/2020
NAME AND ADDRESS OF EACH CLAIMANT:

TELEPHONE NUMBER: 845 702 5069

NAME AND ADDRESS OF ATTORNEY (IF ANY):

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

City tree branch fell and damaged a Green Metallic 2008 Nissan at (12) Front on April 13, 2020 at approximately 11 am on South Grand Avenue. The

ITEMS DAMAGED OR INJURIES SUSTAINED: Police officer saw the car damaged - no injuries - Green Metallic 2008 and filed a report - cost of damage Nissan damaged at (12) Front damage cost \$1354.88

MANUANO PEREZ RODRIGUEZ
Signature of Claimant

Signature of Claimant

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

Manuano Perez Rodriguez 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.

MANUANO PEREZ RODRIGUEZ
Signature of Claimant

Signature of Claimant

Sworn to before me this

11th day of June, 2020

[Signature]
Notary Public

Linda A Roa Rodriguez
01R06318487

Notary Public, State of New York
Qualified in Dutchess County

My commission expires JANUARY 26th, 2023

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.

BRIGGS AUTO BODY

Workfile ID:

019da6e3

1777 Route 44, PLEASANT VALLEY, NY 12569

Phone: (845) 635-9082

Preliminary Estimate**Customer: Perez, Mariano****Job Number:**

Insured: Perez, Mariano

Policy #:

Claim #:

Type of Loss:

Date of Loss:

Days to Repair: 0

Point of Impact: 12 Front

Owner:**Inspection Location:****Insurance Company:**

Perez, Mariano

BRIGGS AUTO BODY

(845) 702-5069 Cell

1777 Route 44

PLEASANT VALLEY, NY 12569

Repair Facility

(845) 635-9082 Business

VEHICLE

2008 NISS Altima S w/Continuously Variable Transmission 4D SED 4-2.5L Gasoline SMPI Green Metallic

VIN: 1N4AL21E38N411558

Interior Color:

Mileage In:

Vehicle Out:

License: HPF6730

Exterior Color: Green Metallic

Mileage Out:

State: NY

Production Date:

Condition:

Job #:

TRANSMISSION

Automatic Transmission

Overdrive

POWER

Power Steering

Power Brakes

Power Windows

Power Locks

Power Mirrors

DECOR

Dual Mirrors

Body Side Moldings

Tinted Glass

Console/Storage

Overhead Console

CONVENIENCE

Air Conditioning

Intermittent Wipers

Tilt Wheel

Cruise Control

Rear Defogger

Keyless Entry

Alarm

Message Center

Telescopic Wheel

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

CD Player

SAFETY

Drivers Side Air Bag

Passenger Air Bag

Anti-Lock Brakes (4)

4 Wheel Disc Brakes

Front Side Impact Air Bags

Head/Curtain Air Bags

SEATS

Cloth Seats

Bucket Seats

Reclining/Lounge Seats

WHEELS

Wheel Covers

PAINT

Clear Coat Paint

OTHER

Power Trunk/Gate Release

State Liquor
Authority

OFFICE USE ONLY

☐ Original☐ Amended

Date _____

49

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

1. Date Notice was Sent: June 12, 20201a. Delivered by: E-mail

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

☐ New Application ☐ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change ☐ Method of Operation Change

For New applicants, answer each question below using all information known to date

For Renewal applicants, answer all questions

For 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 principals

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For Class Change applicants, attach a statement detailing your current license type and your proposed license type

For Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

 CITY OF Poughkeepsie
 CLERK OF CITY CLERK
 JUN 15 AM 8:14

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: Ninety miles north Inc.6. Trade Name (If any): Goodnight Kenny7. Street Address of Establishment: 27 Academy Street8. City, Town or Village: Poughkeepsie, NY Zip Code: 126019. Business Telephone Number of Applicant/Licensee: 954 895 772710. Business E-mail of Applicant/Licensee: Davina0208@gmail.com11. Type(s) of alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

☒ Full food menu; full kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; food prep area at minimum
13. Type of Establishment: Bar
 14. Method of Operation: (check all that apply)
 ☐ Seasonal Establishment ☒ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke

☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): Acoustic
☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): _____

 15. Licensed Outdoor Area: (check all that apply)
 ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure

☐ Sidewalk Cafe

☐ Other (specify): _____

OFFICE USE ONLY

☐ Original☐ Amended

Date _____

49

16. List the floor(s) of the building that the establishment is located on:

Ground floor + Basement

17. List the room number(s) the establishment is located in within the building, if appropriate:

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:

PK ACAD LLC

23. Building Owner's Street Address:

278 Mill Street, Suite 100

24. City, Town or Village:

Poughkeepsie

State:

NY

Zip Code:

12601

25. Business Telephone Number of Building Owner:

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:

Lorenzo L. Angelino

27. Representative/Attorney's Street Address:

42 Catharine Street

28. City, Town or Village:

Poughkeepsie

State:

NY

Zip Code:

12601

29. Business Telephone Number of Representative/Attorney:

845-214-1133

30. Business E-mail Address of Representative/Attorney:

langelino@angelinolaw.com

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.

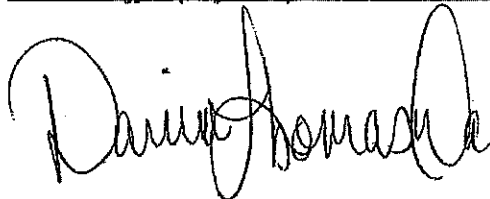
31. Printed Principal Name:

Davina Thomasula

Title:

Owner

Principal Signature:



CITY OF Poughkeepsie
CITY CHAMBERLAIN

-----X
SALVATORE MESSINA and MELISSA MESSINA, JUN -2 AM 10: 50

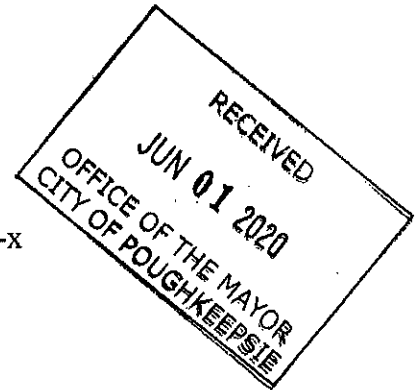
NOTICE OF CLAIM

Claimants,

-against-

CITY OF POUGHKEEPSIE,

Respondent.
-----X



TO: MAYOR ROBERT G. ROLISON
CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA
POUGHKEEPSIE, N.Y. 12601

PLEASE TAKE NOTICE that the claimants hereby make a claim against the City of Poughkeepsie for damages sustained because of personal injuries.

1. Claimants reside at 3 Marshall Drive, Poughkeepsie, NY 12601.
2. Claimants' attorneys are Rutberg Breslow Personal Injury Law, 3344 Route 9 North, Poughkeepsie NY 12601.
3. The claim arose at 17 Rose Street, Poughkeepsie, New York 12601 on March 25, 2020 at approximately 7:30 a.m.
4. The nature of the claim and the manner in which it arose are as follows:

Claimant was in a trench, engaged in construction (installation of water line / connection of new line to the main). A section of curbing had been placed on excavated material alongside the trench. The curbing and excavated material and trench siding fell into the trench, whereupon claimant was struck by the curbing and pinned in place until a machine operator removed the curbing with the use of an excavator. Claim is made per Sections 240 & 241 of the New York Labor Law.
5. The nature of the injuries as presently known are as follows:

Claimant sustained fracturing of the bones of the lower left leg/ ankle, with two surgeries to date (placement of external fixation device followed by open reduction/internal fixation.)

6. Claimant Melissa Messina claims for loss of spousal services/consortium.

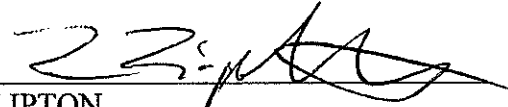
7. Not more than 90 days has elapsed since the subject incident occurred.

Claimants intend to commence an action if you do not adjust and pay this claim within the time provided by statute.

DATED: Poughkeepsie, New York
May 28, 2020

Yours, etc.

RUTBERG BRESLOW PERSONAL INJURY
LAW

By: 

LEVI LIPTON

Attorneys for Claimants SALVATORE &
MELISSA MESSINA

3344 Route 9 North

Poughkeepsie, NY 12601

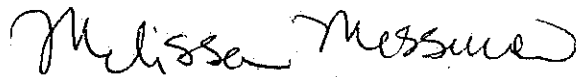
Tel.: (845) 486-0300

STATE OF NEW YORK)
) ss:
COUNTY OF DUTCHESS)

SALVATORE & MELISSA MESSINA, being duly sworn, depose and state that deponents are the claimants; that they have read the foregoing Notice of Claim and know the contents thereof; the same is true to deponents' own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponents' believes it to be true.

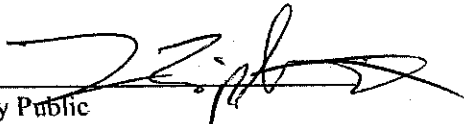


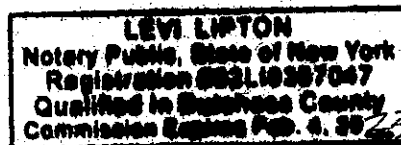
SALVATORE MESSINA



MELISSA MESSINA

Sworn to before me this
28th day of May, 2020


Notary Public



STATE OF NEW YORK)
) ss.:

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

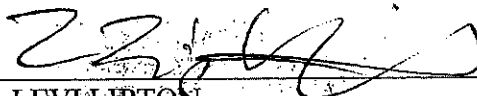
I, the undersigned, am an attorney admitted to practice in the courts of New York and say that I am the attorney of record for claimant(s).

I have read the annexed Notice of Claim, know the contents thereof and the same are true to my own knowledge where so indicated. All other information is stated upon information and belief, and as to those matters, I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon the material in file, information and reports contained in said file.

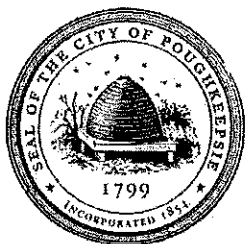
The reason I make this affirmation instead of claimant(s) is because said claimant(s) reside outside the county in which your affirmant's law office is located.

I affirm that the foregoing statements are true under penalties of perjury.

Dated: Poughkeepsie, New York
May 28, 2020



LEVI LIPTON



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, June 15, 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, June 15, 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

II. REVIEW OF MINUTES:

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

CCM Minutes 6-1-2020						
☒ 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.

ADD:

VIII: MOTIONS AND RESOLUTIONS:

4. Resolution R20-56, approving Council amendments to the 2020 budget.

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

Kira Thompson-101 Hamilton Street

Mary Linge-4 Morehouse Road

Darrett Roberts-

Jonathan Bix-Kingston NY

Carmen McGill-78 Glenwood Avenue

Jeffrey Aman-

Jules Eddy-420 Baker Street

Matthew Brill-Carlat-30 North Clover Street

Caroline Fenner-42 Croft Road

Randy Johnson-Manitou Avenue

Laurie Sandow-South Grand Avenue- Tonight we'll be witness to this Council using an important presentation on the Right to Know Act to virtue-signal their stance on the Black Lives Matter movement. I say this as someone who's worked for passage of the Right to Know Act, and as someone who supports and admires the work of the NY Civil Liberties Union.

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

However, tonight's presentation stands in stark contrast, and as camouflage, to this Council's own deeply embedded culture of lawbreaking, secrecy, and qualified immunity, and its consistent hostility, refusal and failure to implement policies serving and protecting the residents of this City. Members of this Council continue their fake news campaigns unabated—all the while undermining public knowledge and involvement; all the while feeding only their own private and favored pipelines; all the while depriving the public of necessary information; consistently thumbing their noses at Freedom of Information and other requests.

Are tonight's presenters aware that Council Chair Salem instantly, illegally eliminated public comments under cover of Cuomo's Coronavirus Executive Orders? And that the public's privilege to speak was restored only through my repeated efforts? That even after Chair Salem's fabricated explanation, all Council members continue their silent and complicit violation of both City Charter and Council rules? Are tonight's presenters aware that Chair Salem, at their last meeting, denied a presentation to members of the Waterfront Advisory Committee, forcing those members to the Siberia of public comments, while the Council created a new puppet waterfront committee?

Are the summer soldiers at tonight's meeting—who otherwise don't attend or voice objections to the autocracy of this Council—aware of the ways in which the remainder of tonight's agenda will undermine housing justice? education justice? justice and equity across life's entire spectrum while diminishing this City's vibrancy and diversity, and advancing gentrification? Because you cannot lay claim to concern about the lives and rights of African-Americans, people of color, poor and working people, while remaining silent, uninformed, and unconcerned about tonight's other agenda items or the willful abuses of this Council.

Will tonight's justice warriors ever rise up against last-minute agenda additions and deletions? Against phony developer claims of affordable housing that's not actually affordable to City residents? About proposed PILOTs that will grease the school-to-prison pipeline for years to come? About the Councilmembers who pay more than \$20,000 annual private school tuition for their own children, yet move a resolution that will—in total, for the next 30 or 40 years—deliver only enough revenue to the school district to annually fund the education of 1-1/2 students? Why no public hearing on the Catharine St. project? What about the secretive yet rampaging property purchases eating this City alive, turning it into a company town owned by and profiting a very small, elite group of developers and non-profits? What about Baxter's current illegal evictions underway in Luckey Platt? What about the way in which the two Sarah's, while on the IDA, wrote a PILOT deviation for a developer but didn't settle the UDAG loan [Urban Development Action Grant], and now, despite their conflict of interest, will discuss that same UDAG behind closed doors in tonight's Executive Session?

What about the sale of so-called City-owned properties that are never posted to the City website? Where's our City Planner and what good will our ever-missing Comprehensive Plan do once the City's already been sold to the highest bidders and property vultures? What about the self-righteous pronouncements of Council members who forget they're public servants and just this afternoon snuck a phony budget reduction onto the agenda—a cut that's not a cut, but instead a reduction in a budget line that's not used. That "reduction" is pure window dressing, and not really a cut at all. What about Councilmembers who, in violation of law, block their social media posts?

What about meetings announcements that are hastily posted and then vanish, as if never posted and never existed? Or meetings that are posted without agendas, or never posted at all? When was the last

time a councilmember held a ward meeting or even sent a newsletter? I could go on, but I really can't—I might get arrested again for violating a rule that doesn't exist. Plus public comments have severe time limitations, making clear that this City's so-called "public servants" have zero interest in public input and involvement.

Jeffrey Schneider-

Patricia Thompson-Ivy Terrace

Doreen Clifford-182 S. Grand Avenue

Brian Johnson

Patricia Lloyd

Mae Parker Harris-16 Allen Place

Ezra Weisman-163 Union Street

V. MAYOR'S COMMENTS:

Mayor Rolison:

Start off with the crisis that we're still in as it relates to COVID. As we all know that we have seen a turn in this crisis in a downward trend, which is good for all of us, especially the city of Poughkeepsie.

We at one point had cases confirmed in the city in the triple digits. That's now down to double digits. And that is certainly good news. But however, we need to make sure that we maintain. Vigilance in combating this crisis. We need to continue with the practices, I think that got us where we are today, and that is social distancing. Social distancing and the wearing of masks washing our hands. I know we've been talking about this for, I think 100 days now, but that that is working.

After our last council meeting, we had a rally, protest, discussion, exchange of ideas with close to 3000 people here in the City of Poughkeepsie, which was a safe environment for all the members of this community and members who came from far and wide to have discussions with one another, to have discussions with elected officials that were there, and to have discussions with members of law enforcement that were there. This was an opportunity for people to express their anger, their frustration and the voicing of ideas to everyone that was there to make this community. And, quite frankly, this country better. I really just want to say again, I'm pleased that we had it happen here in the city of Poughkeepsie. I'm grateful to the community, especially the community leaders who were quite literally right in the middle of this rally at various times during the evening and participated in these discussions. You know, their support helped keep this rally safe for everyone and also everyone that was at this rally acting the way they did kept it safe for everyone.

Now, on the topic of policing, as most of you know, we have procedural justice, and implicit bias training in this city. We have been a leader in that in Dutchess County as part of our procedural justice initiative. There is a citizen and police committee it has met previously. Covid 19 stopped those

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

meetings, but tonight they had their first meeting at five o'clock. And that was an important committee group of people to discuss the things that we're discussing tonight. And we'll continue to discuss. I also want to let you know that as a result of the Governor's executive orders, there is not only an individual responsibility, but counties also have responsibilities.

And our county has been in discussion with the Governor's office on trying to coordinate these discussions and leading a response and change, which is so important to all of us that are listening tonight. And many of the folks who were not able to join this Zoom call for this go to meeting call.

And as this information is going to be actually coming out in the next few days, I will be sharing publicly.

The County Executive was on a call today with the mayors and supervisors. We'll be sending emails and there will be public announcements on how this is going to look, how everyone can participate. And I urge everyone to participate in these discussions as nothing is more important for all of us to have a voice in than what is taking place right now and how we can stop.

This from occurring in the future and the frequency that this is taking place right now. An important point in all of this is consistency. You know, as a police officer for 26 years in the Town of Poughkeepsie PD, the consistency between agencies is important. So whether you live in the Village of Tivoli, the City of Beacon, the City of Poughkeepsie, the same treatment and same interaction that you have with police and all those communities should be the same. It's the same expectation that you deserve as a citizen of this country and people who are non-citizens, people who are visitors. Anybody who was here. It's the same expectation of fairness and rights in all those communities. I mean, that's the way it should be. And the discussion tonight on the "Right to Know". I believe that as this "Right to Know" Act is being discussed tonight, it should be consistent in other communities, if it's in the City of Poughkeepsie. It should be the same for others.

You know, in the city, there are multiple police agencies that come through here every single day and have discussions and initiate interactions with our community members. So it's something that I think that we need to be cognizant of. It's if it's important here and I know it is, and it should be important everywhere. You know, we can make some changes. There are some things that we can't control, such as what happened in Minneapolis. We don't control what happens in Minneapolis, but we do have a say what happens here. Of course we do. And we should have a say about what ideals and the concerns that we want to put forward. So those ideas shouldn't just stay here in the City of Poughkeepsie.

And I think that that's really important. I know we're going to have time to discuss not just the "Right to Know" Act, but other things that the Governor is requiring that I know you want to talk about and so do why. And I look forward to those discussions with all of you and members of this community.

Recently, he issued a proclamation for a group of individuals who wanted to celebrate in a public way. And we're going to hold off until we can do that. June 18th, which is actually June 19th, which is obviously the historic signing of the Emancipation Proclamation. And that that has been done also this month, as we all know, is Pride Month. And the banners have gone up in the Main Street corridor. We are just coordinating when we will put up the flag on city hall like we did last year.

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

Also, good news is phase two is well underway in reopening our community. I want to thank the on the second floor and Planning and Economic Development team, along with the re-opening team of all city departments who have been working with local businesses so they can take advantage of the new rules and relaxation of some of the guidelines. It was under the governors of New York. Plus, we're seeing it.

There are sidewalk cafes and eateries that have sprung up throughout the city. A guidebook was put together by the team, which is right here. PKgoforward.

And if anyone has any obviously questions about that, you can reach out to us in City Hall to help you get through just some of the regulations. That's not burdensome. We're really working hard to make sure that everybody has the opportunity to do those types of activities that are allowed to get business going again. And that's obviously something that's important for all of us.

Phase three is coming, our expectation next week. So we are moving in that direction already.

I can tell you that we will be opening up the playgrounds on June 21st, as well as the skate park will be reopened on June 21st. The dog park is open and has been on for a little over a week now.

Now this is coming very quickly. There were things that were announced today on gathering's going from ten to twenty five in phase three. And we're trying to understand how that's going to work.

We're also being told that organized youth practices for sports teams can take place in certain areas, parts of the park, whether it's baseball, softball. Our understanding is probably all sports that that have an organizational aspect to it can start to practice.

My understanding is, again, a lot of us came out today is that on July 6th, organized activities for sports teams will be allowed again, obviously using all of the guidelines of social distancing. And we will be putting that out as well. So everyone understands it.

And where are our Parks and Rec director Brian Laffin and is working obviously directly with sports teams and keeping them abreast of what is going to happen and when they. And participate in these activities in our parks. We're super excited about that. We are working on getting our ball fields back in shape. And I can tell you it's not going to be the easiest of tasks because as part of our budget reductions, some of those materials were cut. However, we are working with some of our other community partners to make sure that the fields are ready and they will be they'll be ready to go. We may centralize some of the sports activities in in Sprat because it has multiple ball fields there. That's, again, just being discussed.

You make sure you know what, we have as much of the infrastructure available for the teams that are going to participate in exciting project that I know all of you are aware of.

There's been discussion out it here in the council and a flurry of e-mails on directions and their Wi-Fi network that they're putting in different parts of the city that have difficulties in actually accessing Wi-Fi. We are working with them to facilitate that. Our expectation is there was some discussion on the new pavilion in Mansion square Park that will be a Wi-Fi site is what I was having a discussion today on that to give Wi-Fi coverage in that particular park, in that particular part of the city.

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

Also in other areas where we can facilitate the installation of Wi-Fi antennas.

Tonight, you have a communication from Community Engagement Director, John Penney, who is presenting on the 2020 Census and how important it is to the city, because, as we continually say, our federal funding is tied to our census. So it is important that we all fill it out. We encourage others to fill it out. And now I believe that I think I said at the last meeting that some of the regional outreach folks are going to be coming out on up. But I'm not going to let John explain that to all of you.

We have the tentative date of reopening City Hall on the 24th, in conjunction with phase three.

We have spent the last month in preparing all of the different parts of City Hall, especially the areas with the most public access, to create a safe working environment for our city hall employees and the public who comes in to city hall. And there's been a lot of activity going on. It's still going on. And our expectation is we will be good to go on the 24th.

I'll close tonight, Chair in congratulating the appointment that you'll be making for our new County Legislator. And I, I understand that it is an individual by the name of Barrington Atkins'.

He will be appointed and then subsequently, I'm sure he'll be sworn in as the newest member of the Dutchess County legislature and wish him nothing but the best. And as someone myself, who spent twelve and a half years in the Dutchess County Legislature. I was appointed to fill a position by the City of Poughkeepsie Common Council. And I can say I think that the new Legislator Atkins will enjoy his role in that position, in that body of elected representatives and helping the City of Poughkeepsie. We look forward to working with Barrington in his new capacity as a legislator.

Thank you.

VI. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Chair Salem:

I'd like to share some information sent to me by Councilmember Cherry by way of the principal of the Early Learning Center in the Poughkeepsie City School District that due to the COVID19 pandemic, they have moved their registration process online. To register your child for kindergarten or PreK, please go to the PCSD website and click Central Registration under the District Info tab. The ELC will be sharing information throughout the summer about supplies, possible events, and the plans for school opening for the fall. Please register early so that we can reach you with this information.

Last Tuesday I attended the Stop the Violence Protest for George Floyd's murder, to stand in solidarity against racism and oppression against our black community members. While I applaud the organizers for calling out more than 2,000 members of our community, I was aghast to see the thousands left behind while the few were allowed to pass the police barricade to walk across the bridge. While I'm sure the ceremony that was held in the middle of the Mid-Hudson Bridge was moving, I was literally moved by and with the mass of people left, who turned themselves around and continued to peacefully protest through the City of Poughkeepsie. I'm here to stand with the many, not walk with the few.

I feel grateful and proud that as a community we were able to ground ourselves in peace and in protest in response to racism, oppression, and the ongoing problem of unequal justice. It is our right to protest

and take voice when instances of injustice, hate, and racism occur. We have the power to continue to see that it remains productive and peaceful, and as a body, even more so- we have the ability to institute and initiate reforms and policies in order to continue to encourage the unraveling of the conditions that have led to this civil unrest. Public unrest doesn't happen overnight, and the changes we need to ensure our people feel supported and are protected won't happen overnight either.

In addition to what was stated during Public Participation this evening, I have personally received dozens of emails and phone calls expressing sympathetic points of view. Calling on us to make the changes necessary to help us shift ourselves and rise out of this horrific moment. To change the narrative, craft another story of a small American city. Of our Poughkeepsie. I hear you. I hear you loud and clear. We hear you. My colleagues Councilmember Cherry and Councilmember Brannen with the support of many of us, have suggested that we hold a special meeting as soon as next week to address these concerns and to take the first required action to see that the Right to Know Act becomes law.

Today the LGBTQ+ community and our allies saw an incredible victory with the Supreme Court ruling that language of the Civil Rights Act of 1964, which prohibits sex discrimination, applies to discrimination based on sexual orientation and gender identity effectively issuing protections and support to millions of gay and transgender individuals in the workforce. While this is incredible news, news and while I am feeling massively proud, we can't ignore the number of transgender and gender non-conforming people killed each year, I think more than 22 since the start of 2020 alone and the fact that experts say these numbers don't tell the full story. That is, their genders, even beyond death, are in fact disregarded and misreported, ignored.

VII. REPORTS OF COMMITTEES AND BOARDS:

VIII. MOTIONS AND RESOLUTIONS:

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

RESOLUTION APPOINTING BARRINGTON ATKINS TO FILL THE DUTCHESS COUNTY LEGISLATURE DISTRICT 10 MEMBERSHIP VACANCY FORMERLY HELD BY BARBARA JETER-JACKSON (R20-53)

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

WHEREAS, there currently exists a membership vacancy in District 10 of the Dutchess County Legislature following the passing of Barbara Jeter-Jackson on May 24, 2020; and

WHEREAS, the Dutchess County Charter §2.13 provides that the membership vacancy shall be filled during the first thirty (30) days after its occurrence; and

WHEREAS, District 10 lies wholly within the boundaries of the City of Poughkeepsie; and

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

WHEREAS, pursuant to §2.13(a) of the Dutchess County Charter, the Common Council of the City of Poughkeepsie is authorized to fill the vacancy by a majority vote of the Council; and

WHEREAS, the person selected to fill the vacancy shall take and file the oath of office pursuant to law, and shall be entitled to take the District 10 seat of the County Legislature at the next meeting as authorized by §2.13 of the County Charter; and

WHEREAS, the appointment will continue through the end of 2020; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of exercising its authority to appoint an individual to fill the District 10 membership vacancy; and

WHEREAS, the Common Council has solicited interest from members of the public qualified to be appointed to fill the membership; and

WHEREAS, the Common Council of the City of Poughkeepsie has determined that this appointment is in the best interest of the City of Poughkeepsie and County of Dutchess, and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints Barrington Atkins to fill the District 10 membership vacancy of the Dutchess County Legislature pursuant to §2.13(a) of the Dutchess County Charter; and be it further

RESOLVED, that the appointment is indicated and contingent upon the signing of the oath of office with a term that will expire on December 31, 2020; and be it further

RESOLVED, this Resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER BRANNEN

R20-53						
☒ 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 L. Johnson to receive and print.

**RESOLUTION
(R20-52)**

**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.**

INTRODUCED BY COUNCILMEMBER CHERRY:

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 constructing on the Land a rent-restricted housing project, 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 varying income levels, 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 rent restricted residential rental accommodations for persons of varying income levels; 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

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

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.

SECONDED BY COUNCILMEMBER BRANNEN:

Duly adopted by the Council Members
on the 15TH day of June, 2020.

Approved:	X
Veto:	_____
Not Endorsed:	_____

**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

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

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 thirty (30) years from the HDFC's acquisition of the Property, with an automatic right to an additional ten (10) years provided it is determined that the Project has been adequately capitalized. The Project shall be considered adequately capitalized if it so determined by an independent needs assessment professional mutually selected by the City and Partnership. If the Parties are unable to agree upon an independent needs assessment professional, the independent needs professional shall be selected by the City. This assessment shall be completed in year twenty eight (28) of this agreement. If deficiencies are identified, the Partnership and/or HDFC shall have the right to correct such deficiencies prior to the expiration of the initial thirty (30) year PILOT and have the Property re-inspected by the same independent needs assessment professional. 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 three percent (3%) 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.

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

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

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

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

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

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.

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

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.

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

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.

R20-52			Yes/Aye	No/Nay	Abstain	Absent
☐ Defeated ☐ Tabled	☒ Accepted	Councilmember Flowers	Voter	☒	☐	☐
		Councilmember McNamara	Voter	☒	☐	☐
		Councilmember Cherry	Voter	☒	☐	☐
		Councilmember R. Johnson	Voter	☐	☒	☐
		Councilmember Menist	Voter	☒	☐	☐
		Councilmember Petsas	Voter	☒	☐	☐
		Councilmember L. Johnson	Voter	☐	☒	☐
		Councilmember Brannen	Voter	☐	☒	☐
		Chair Salem	Voter	☐	☒	☐

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

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R20-54)**

INTRODUCED BY COUNCILMEMBER FLOWERS

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at no number Fitchett Street and identified as Tax Map No.: 6162-81-561106; 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:

Official Minutes of the Common Council Meeting of Monday, June 15, 2020

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 L. JOHNSON

R20-54						
☒ 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	☒	☐	☐	☐

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

**RESOLUTION
(R20-55)**

INTRODUCED BY COUNCILMEMBER FLOWERS

WHEREAS, the City of Poughkeepsie is the owner of no number Fitchett Street and more particularly known as Tax Map No.: 6162-81-561106 (the, "Property"); and

WHEREAS, the Property is a vacant residential lot, approximately 100' x 50', located on the corner of Fitchett Street and Lawrence Road; and

WHEREAS, the city has received an offer to purchase the Property from James Patterson; and

WHEREAS, the city is desirous of selling the Property to James Patterson after a recommendation by the Property Acquisition and Disposition Committee ("PAD"); and

WHEREAS, James Patterson has offered to purchase the Property for \$9,500 and the Common Council has determined that to be fair and just compensation; and

WHEREAS, the Common Council hereby finds that the sale 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 offer from James Patterson to purchase the premises identified as Tax Map No.: 6162-81-561106 in the City of Poughkeepsie for the sums of \$9,500 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 file for and receive a favorable judgment pursuant to Article 15 of the RPAPL within four (4) months of closing.**
- F. Purchaser must submit plans for the construction of a 1 or 2 family home within six (6) months of closing, apply for a building permit once such plans are accepted and obtain a certificate of occupancy within twelve (12) months of the plans being accepted by the Building Department.**

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 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) 431-4065
FACSIMILE: (845) 431-4070

December 16, 2019

James Patterson
33 Fitchett Street
Poughkeepsie, NY 12601

Re: Offer to Purchase City-Owned Property
Corner of Fitchett and Lawrence

Dear Mr. Patterson:

As you are aware, the Property Acquisition and Disposition Committee ("PAD") has accepted your counteroffer to purchase the vacant lot on the corner of Fitchett and Lawrence.

At this time, we would like to schedule a closing for on or about December 28, 2019. The purchase price is \$9,500. You will also need monies to record the deed. *12/20/2020*

However, there are certain items we need to clarify. Because this is a vacant lot and you are proposing new construction on the lot, the City will require certain timelines be met, which will be included in the reverter clause attached to the deed, as follows:

- An Article 15 action to quiet title must be completed within 4 months of the date of closing;
- Preliminary plans and specifications must be submitted to Building Department within 6 months of the date of closing;
- Once plans and specifications have been accepted by Building Department, you must promptly obtain a building permit;
- Construction must be completed, and a certificate of occupancy issued, within 12 months of issuance of the building permit.

If the above meets with your approval, please contact the undersigned at your earliest convenience to schedule the closing. Thank you.

Very truly yours,

CITY OF POUGHKEEPSIE
PROPERTY ACQUISITION &
DISPOSITION COMMITTEE

By: *Nancy L. B. Griffin*

Nancy L. B. Griffin, Member

cc: PAD Members
Corporation Counsel

The City of Poughkeepsie
New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601

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

January 15, 2020

Re: Fitchett Street
6162-81-561106

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.

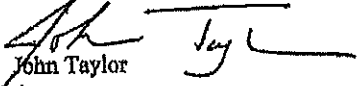
The property is located on Fitchett Street, City of Poughkeepsie and consists of one vacant parcel of residential vacant land. At present, there are no improvements on the subject property and any improvement would require Planning/Zoning Board approvals. No physical inspection has been made of the property. 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. 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.

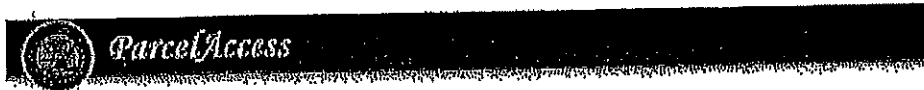
After careful consideration, I have concluded the estimated Market Value of the subject property, to be \$18,000.

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

Respectfully,


John Taylor
Assessor
City of Poughkeepsie

Official Minutes of the Common Council Meeting of Monday, June 15, 2020



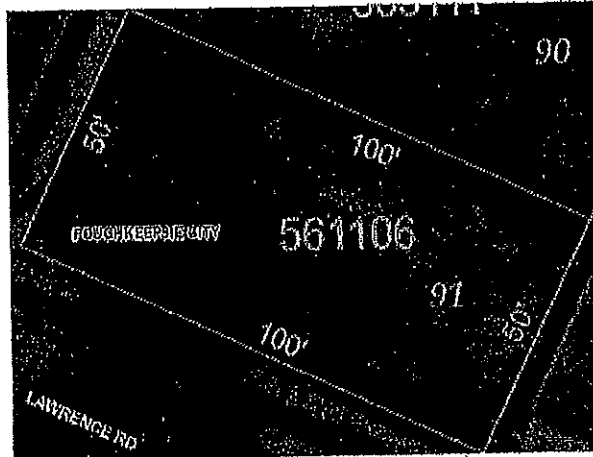
Final Roll

Parcel Global Identification #:
131300-6162-61-561106-0000
Municipality: City of Poughkeepsle

Parcel Location:
Fitchett St

Owner Name on March 1
Bradford, Robert H (P)
Bradford, Roberta S (A)

Primary (P) Owner Mail Address
15 Lawrence Rd
Poughkeepsle NY 126010000



Parcel Details

Size (acres): 60 X 100 Land Use Class: (311) Vacant Land; Residential; Residential Vacant Land
File Map: Agri. Dist: (0)
File Lot #: School District: (131300) Poughkeepsle City School District
Split Town:

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
\$32900	\$32900	\$32900	\$32900	\$32900	\$0
Tax Code:	Roll Section:	Uniform %:	Full Market Value:		
H: Homestead	1	100	\$ 32900		
Trnt. Roll:	Final Roll:	Valuation:			
6/1/2019	7/1/2019	7/1/2019			

Last Sale/Transfer

Sale Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
\$0	0	1713	0883	()	0

Site Information:

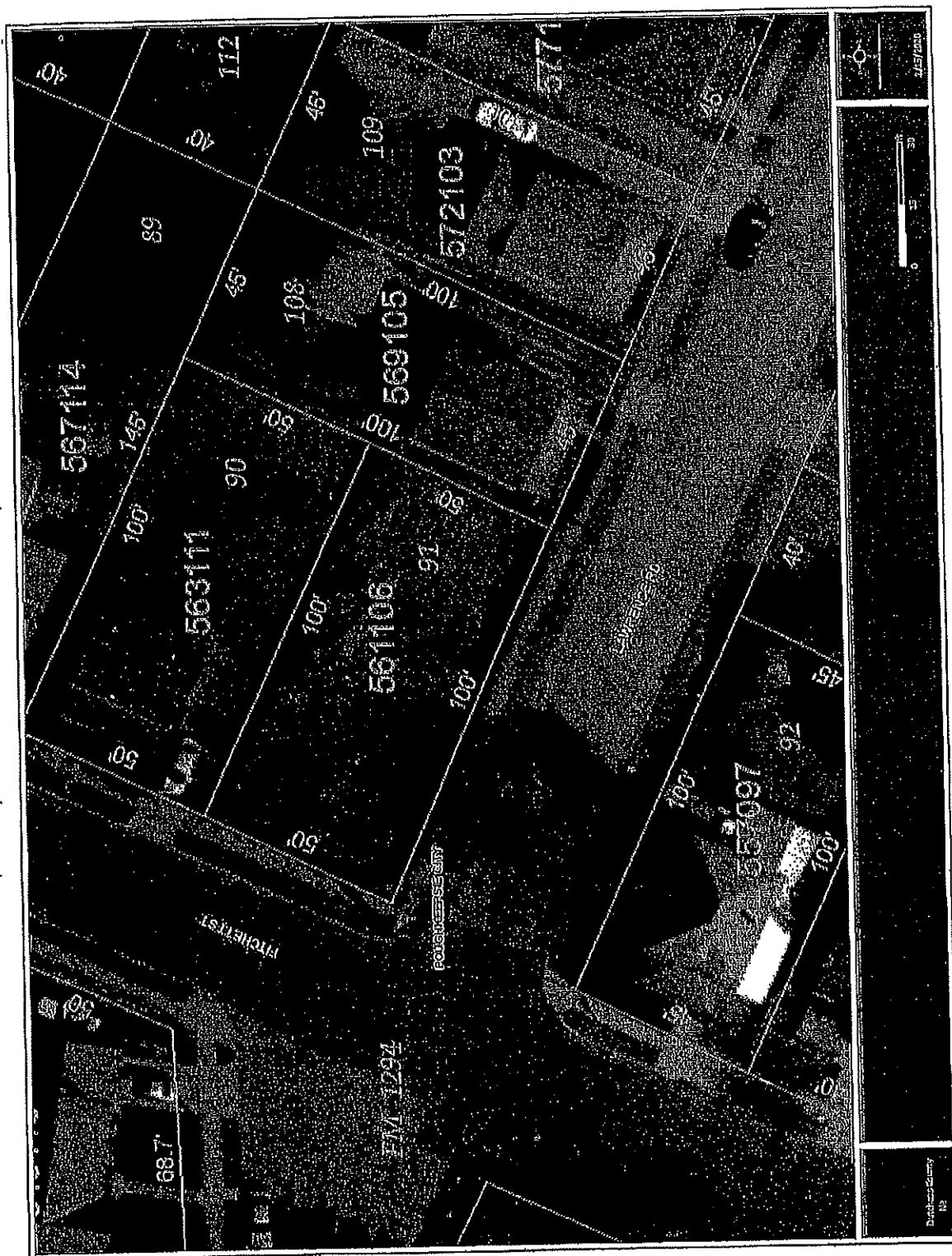
Site Number: 1	Sewer Type:	Desirability:	Zoning Code:	Used As:
Water Supply:	(3) Comm/public	(2) Typical	R-2	()

Special District Information:

Special District: GP000	Primary Units:	Ad Valorem Value:
Spec. Dist. Name:	0	32900
Greater Pk Lib Dist		

ABSOLUTELY NO ACCURACY OR COMPLETENESS GUARANTEE IS IMPLIED OR INTENDED. ALL INFORMATION ON THIS MAP IS SUBJECT TO CHANGE BASED ON A COMPLETE TITLE SEARCH OR FIELD SURVEY.

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Official Minutes of the Common Council Meeting of Monday, June 15, 2020

R20-55						
☒ 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	☒	☐	☐	☐

IX. ORDINANCES AND LOCAL LAWS:

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS

1. From John Penney, Chair of the Dutchess County Complete Count Committee, giving updates on the Poughkeepsie Self Response Rate.
2. From Commissioner of Finance Martinez on Parking Meter Upgrades.
3. From City Administrator Nelson Sale of city-owned property at 68 N. Bridge Street.

XI. NEW BUSINESS:

XII. OLD BUSINESS:

X. ADJOURNMENT:

A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to adjourn the meeting at 10:18 P.M.

Dated: July 1, 2020

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, June 15, 2020.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain