



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, May 1, 2023, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is Monday, May 1, 2023, and the time is 7:02 pm.

I. ROLL CALL: 9 Present

II. REVIEW OF MINUTES:

Public Hearing – April 17, 2023

Common Council Meeting – April 17, 2023

Motion to accept the minutes: Councilmember Long, Seconded by Councilmember Johnson.

PH & CCM Minutes of April 17, 2023 - VOICE VOTE					Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒		☐			
	Councilmember Long	Voter	☒		☐			
	Councilmember Flowers	Voter	☒		☐			
	Councilmember Deichler	Voter	☒		☐			
	Councilmember Thompson	Voter	☒		☐			
	Councilmember Johnson	Voter	☒		☐			
	Councilmember Menist	Voter	☒		☐			
	Councilmember Shook	Voter	☒		☐			
	Chairwoman Brown	Voter	☒		☐			

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

-NONE-

IV. PUBLIC PARTICIPATION

- **Kane Bowers - For the Many**
- **Jairo Perez - For the Many**
- **Naomi Brooks – S. Grand Ave. ***
- **Sheila Folster – 45 Verrazano Blvd.**
- **Paola Bari – Barnard Ave.**
- **Laurie Sandow – S. Grand Ave. ***
- **Melissa Hoffman – 21 Lexington Ave.**
- **Johnathan Pagan**
- **Mary Williams – Mansion St.**

Common Council May 1, 2023
Naomi Brooks, S. Grand Ave

Good evening. I am going to rewind to the last Common Council meeting with two corrections.

The first is the comments made by Ken Stenger. He failed to introduce himself with his address or affiliation, as you request. By not doing so, the public may not have known he is Pelton Partners' lawyer. I watched him engage, right outside of these chambers during the April 13 HDLPC meeting, with a citizen named Ken Stier, who Stenger is in the process of deposing as an ongoing campaign to squelch opposition to the Pelton project. The Kens had a close-face shouting match, with Stenger taunting Stier. I was shocked that a lawyer would say anything beyond "see you in court" to someone he was instrumental in *bringing* to court; it seemed very unprofessional. It became clear, though, that it was a calculated move on Stenger's part, when he later calmly told you within these chambers that we were privileged to witness the HDLPC's "lesson in decency and civility." I had the "privilege" of witnessing his tactics *outside* of chambers that night, which had the double whammy of not being recorded, and of ensuring some level of the *breakdown* of civility. One additional correction to Mr. Stenger's comments: the executive session was 92 minutes, timed on the webcast, not 2 hours as he claimed. 92 minutes to review a 12 page legal document.

The second set of comments was made by Mayor Nelson in response to public commenters. In defending his decision to appoint Tom Parise to the commission, he described him as a 4-term councilperson in the 1st ward. The mayor said "I fail to understand how he wouldn't be qualified as a member of our community to sit on that board." Your law details what makes a commissioner qualified, and being a councilperson or living near historic landmarks is not in there. In fact, Mr. Parisi used his council time to vote *against* historic preservation laws three times during his tenure.

The Mayor went on to scoff at the comments that there was a rush to vote and not enough time to review the settlement and the project proposal. He confused the seven years of *previous* project proposals and their subsequent denial with the *current* settlement, which commissioner LI said was received with less than 24 hours to review.

In the days after the HDLPC vote, Brian Hooper was reinstated to the commission. Did the last-minute *addition* of anti-preservationist Mr. Parise and the continued *delay* to reinstate Mr. Hooper impact the outcome of the vote? It is way past time for you to "wait and see", "not react to a single situation", and "continue to cooperate with administration". It is time for you to oversee operations, as the checks and balances of our government require, to ensure the people and processes are the best they can be. Without stepping in, you will see this scenario repeat itself in other ways in other boards and commissions. Coming up? A new Delaval project. Be proactive, please.

Laurie Sadow comments, c/PK Common Council meeting, May 1, 2023

It's nearly eight weeks since the Council's Charter-mandated Special Informational Meeting of March 6th and—despite Chairwoman Brown's and Corporation Counsel Valk's on-the-record assurances that responses to questions not answered during the meeting would be delivered in writing afterward—it's no surprise that I still have no written replies from Mayor Marc Nelson, Chairwoman Brown, Chamberlain Davis, the now-gone Natalie Quinn, as well as several other Councilmembers. But that was always the plan—to cut me off, to villainize me and characterize my questioning as taking too much time, to save select parties from answering questions during the webcast and on the public record, and to leave my questions unanswered. After the fact claims by these parties that no answers are due are absolutely false.

Here are some more questions that need answers: where is the public job posting and description of the seat that mystery man Joe Donat was chosen to fill? Same for Damien Powell, the town resident and evangelical minister installed as Nelson's new assistant. Is this City so deep in questionable activity that they need someone on staff to provide instant absolution? What other City employee, board, committee and commission positions are being filled or eliminated without public knowledge, postings or explanations?

At the last Council meeting, once the public could no longer comment, we heard insinuations and half-truths, if not flat-out lies, from the unelected Mayor as well as from certain Councilmembers. Beware the comments of Marc Nelson, who is so skillful at evasion and smoke and mirrors “answers” to questions, throwing up half-truths in their place. History teachers do not, de facto, demonstrate interest, competence or knowledge of historic preservation. By Nelson's recent reckoning, a pig in a poke would qualify for a seat on the Historic District and Landmarks Preservation Commission (HDLPC) as long as it came from a heritage breed. Same for councilmembers who misrepresent statements and events in order to defend themselves and their friends, while throwing shade on the public. These are the same councilmembers who don't or won't hold Ward meetings, and who characterize constituent comments and requests for Ward meetings as “trolling”, while blocking, hiding, or deleting questions and comments to their social media. Anyone who watched the recent HDLPC meeting could see the burden of appropriate and knowledgeable questions to, and exchanges with, applicants being carried by Elisa Li and John Bartelstone,

while Corporation Counsel Rebecca Valk slyly substituted her questioning to make it look as if the meeting was being chaired by Tim McQueen. In the case of Commissioners on the HDLPC, Nelson wants us to believe that the unqualified majority of commissioners meet preservation qualifications that they don't. Not only that, but Nelson terminated a qualified, existing Commissioner to further influence voting outcomes. The HDLPC's April agenda did not include a line item for public comment.

In order to bring a Certificate of Appropriateness vote back to the HDLPC and rig the results of the HDLPC's vote on the Stipulation of Settlement between Pelton Partners, LLC, and the City of Poughkeepsie and the City of Poughkeepsie Historic District and Landmark Preservation Commission, Valk and Stenger manufactured a so-called "stain" on the judicial process regarding a letter written by Ken Stier, yet have kept their silence about a much earlier letter to the Council written by Frank Castella. Could it be that Stenger's law firm being "Of Counsel" to Castella's organization, the Dutchess County Regional Chamber of Commerce, played no part in that decision.

This Council sat silent at their last meeting while Chris Petsas broke actual council rules and decorum with his made-for-Mid-Hudson-News attack and profanity during public comments. Yet this Council and others have become fond of applying the word "decorum" as code whenever they seek to selectively censor and silence comments, questions and voices shedding light on wrongdoing and government lack of accountability and transparency.

The City has recently taken to asserting the need for 60- and 90-day delays in reply to some Freedom of Information requests. They've done this despite repeatedly being notified of the NYS Committee on Open Government's advisory that: "§84 of FOIL, the "Legislative declaration" [Public Officers Law, Article 6], clearly indicates the intent of that statute and provides in part that "It is incumbent upon the state and its localities to extend public accountability wherever and whenever feasible". Based on that direction, it has been consistently advised that there may be no supportable or valid reason for delaying disclosure of records that are clearly public and readily retrievable." One is left to ask, what is the City seeking to cover up and/or accomplish within the time frame of their delays, that would otherwise be brought to light if the documents were produced in a timely fashion? As always, three minutes for public comment is three minutes too few.

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Brown: I'll be brief. First, I would like to thank my colleagues and the county legislatures Barrington Atkins, Craig Brendli and Randy Johnson for joining us for this joint public hearing. We continue we will continue to have more public hearings. I just found it ironic because the county pulled the resolution at 537 and Mid-Hudson News text me at 5:38 and let me know that. And did I have a comment to that is very interesting. I just wanted that out there. But it does go to show that they are listening. So we need to take advantage of that and try to identify ways that can benefit not only our city but also the homeless people as well.

I think many of you spoke and said the same thing, that even people in a jail or a forum, which is a jail, is a jail, even if it is remodeled or not, still a jail, you know, is not the answer. I said earlier that my colleagues and I, as the majority of the council now all have some concerns around the HDLPC meeting that happened a couple of weeks ago. And we I will be prepared to give a response at our next council meeting.

Anyone that knows me, all these years I've been in office, I've always been very thoughtful with what I say and not just quick to jump off the handle. I have to do my own research, and especially when it comes to things of legality. I am no attorney, so I am not qualified to make determinations without reaching out to legal.

Let me see. What else? Oh, happy belated birthday to Councilmember Flowers, who celebrated her 39th birthday yesterday. Big shout out to Councilmember Grant and his successful opening day of Babe Ruth, is it Babe Ruth or COP? I keep getting confused.

Councilmember Grant: It's City of Poughkeepsie Youth Baseball League.

Chairwoman Brown: Yes. So I think we have over 100 kids playing and listen and in the last few years and Laurel Spewer left, but she'd be happy to hear this league getting kids involved in baseball. The numbers were dwindling. And now, like almost all the teams are full. I believe Councilmember Grant said only like one girl's team needs a couple of players. But it is great to see all the kids.

Also shout out to Greg Charter and Tamoya Norwood and Jamar Richardson. Flag Football just launched very successfully. That is also full.

And again, that Councilmember Flowers, a Tyrel Bitterman for SABP. Seeing all these children getting involved in sports is just, it's just great because. That just shows that the interest in in our city is coming back for a lot.

For couple of years, parents were pulling kids out and now they're putting them back in. So it just makes my heart happy. And of course, Saturday Morning Lights and all the community partners.

So I wanted I want to personally thank my colleagues because every single member of this council all has a passion for youth. And I don't think the council gets as much credit as they

deserve.

With a lot of these youth initiatives happening, everything from the establishment of the youth grant to the establishment of Karen Williams position, all these things came from the council and you all, we don't get credit for it and I don't need credit, but I want to give you all credit.

And I think that members of the public should give the council some credit because we kind of like get thrown by the wayside. So I'm going to clap for you all, you know, because I am. One body. Right? We're one body. And I found it necessary because this is a thankless job for the most part. And I know everyone up here does what they do from the heart, but it's always nice to show appreciation to people.

So, you know, I'm for the rest of my time up here. I'm going to make sure I do a more conscious effort to show you all how much I appreciate the hard work that you all do. Because of you. I wish next time you guys would stay through my comments. Yeah, thanks.

These meetings are the easy part for us, like some people think. You know, I heard earlier "Oh, you guys get paid to get a stipend". This is the easy part.

No one has any idea how many meetings, how many phone calls, how many emails that we deal with within those two weeks between council meetings. This really should be a full time position. So I just want to point that out that these meetings sitting here and doing this is the easy part.

The hard part is trying to do this balancing act and do what's best for the city while making everyone happy and trying to remain non-partisan because it's about the city without being non-partisan while staying true to yourself. That's no easy feat. You know, it's a real balancing act. So I'm going to add my comments there. We've had a robust public hearing. As promised, we will continue to have more public hearings. We're going to get out in front of this this homeless issue and provide some real, real substantial ideas to the county.

And when I look to my right, I want to thank Vice Chair Shook because our court program is going well. If some of you don't know this council as one of our ask in the budget, we added attorney tax to assist people who are being evicted because having very equal representation is a problem for underrepresented groups.

So we try to level the playing field and from what I understand, there's been some big wins so far. Yes, because when an attorney, you know, you have a better opportunity to come to a compromise as opposed to going independent to a landlord who has an attorney, a lot of times people are just kicked out. And I'm never a person who believes things should just be black and white. There's always a gray area. So I'm glad that you brought that to the council and I'm glad that the council supported it.

I'm going to move now to mayor's comments and then after mayor's comments, we'll move right into new and unfinished business.

VI. MAYOR'S COMMENTS

Mayor Nelson: Thank you, Chairwoman Brown and members of the council and good evening to the public and those watching at home.

Many, many events going on in the city. It's been a tremendous few weeks, a number of activities, really, dozens of them starting in the spring. And we expect continuing large numbers of events through a really busy summer.

I just wanted to report to everybody that I was able to attend the 40 under 40 recently. And I want to congratulate my colleague Christopher Grant, who was one of the awardees that night. And the place, I've got to tell you, it was packed at Change Point and I could probably spend 20 minutes talking about the folks who were recognized there, our City Chamberlain, Jasmin, who you all know was the co-chair of this year, so congratulations to her as well. It was a fun event.

My comments tonight want to, you know, turn to, you know, more, positive dialogue. I think we could all use that. You know, what we've seen lately is a return to the city of some of our stakeholders and outside partners that are really themselves doubling down on what's happening in the city.

You know, to me, as your mayor, one of the first indications of some success, some, you know, semblance of we're moving in the right direction is when others come forward and start saying, you know, we like what you're doing and we want to be a part of it. So I just want to thank the MHR Foundation for giving the city a grant which has been utilized and is being utilized to add lighting on circular drive proximate to Bartlett Park. I want to thank the Adult Women's Softball League. You'll see that's an item on tonight's agenda for the council to a vote on accepting a grant. I believe it's about \$8,000 for city for athletics. And, you know, I could go on. There's others as well.

I think we just saw come across my desk a grant for over \$200,000 from a state agency for electric vehicle charging stations. We are getting good news every other day.

And I think, frankly, we've got to do a better job of communicating that. I think sometimes I and I'll take the blame for this as much as anyone else. We get bogged down in the biggest challenges of our time and, you know, the quality of life issues that are very, very important.

I also think just, you know, speaking for myself, that it's helpful for all of us as public servants to just take a breath for a minute amidst all of the problems and crises that we deal with and say, you know what, there is good government going on in this building. We do have 360 city employees working very hard all week long from our police and public safety and firefighters.

I hear sirens outside my window all day as they're responding to accidents and emergency medical situations throughout the city. And really, you know, all of our city employees deserve just a moment of recognition. I am probably not as good as my good colleague and friend, Rob Rolison, taking time to thank everybody for the work that they're doing in fulfillment of their mission to serve the citizens and taxpayers of the city of Poughkeepsie.

So I'm not going to spend my time responding to continued comments about, you know, the Pelton thing from, you know, three months ago, other than to say once more for the record that I appointed an architect, a historian, a former Council person. And then I put back on the commission somebody that everybody thought I shouldn't have taken. I just don't understand how I could do anything more than what I've done. And to those who think that, I stacked the commission. One of the people I put on voted against the settlement. Another one just announced he's running for office against me, for mayor. And I could go on again.

So maybe we can move, maybe we could move beyond that issue. And let's just not forget that that that property sat vacant up there for ten years in the first ward, falling apart while restaurants and businesses all round it failed and went out of business. And we are not going to tolerate that. Thank you, Madam Chair.

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

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

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

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

- 1. R-23-39, Resolution Accepting Inter-Municipal Agreement with PCSD for Garbage & Recycling Collection**

**RESOLUTION
(R-23-39)**

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, Article 5-G of the New York State's General Municipal Law ("GML") provides the authority for "municipal corporations" to enter into agreements for the performance between themselves, or one for the other, of their respective functions, powers, and duties on a cooperative contract basis; and

WHEREAS, the Poughkeepsie City School District and the City of Poughkeepsie are each a "municipal corporation" as that term is defined by GML §119-n(a);

WHEREAS, the governing boards of the School District and the City have determined that it is in the mutual best interests of their respective municipal corporations, as well as the best interests of their common taxpayers and constituents, to share public resources for Garbage and Recycling Collection Services in accordance with the terms an Agreement attached hereto as Exhibit "A"; and

WHEREAS, as set forth in Exhibit A, the City will take title to a Garbage Collection Truck current owned by the School District in exchange for a three (3) year commitment on Garbage & Recycling Collection Services.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is authorized to execute a proposed Agreement with the Poughkeepsie City School District in the form attached hereto as Exhibit "A."

SECONDED BY COUNCILMEMBER _____

R-23-39- VOICE VOTE						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

2. R-23-40, Resolution Accepting a Donation from the Adult Women's Softball League

RESOLUTION

(R-23-40)

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, the former Adult Women’s Softball League has offered to donate the organization’s remaining funds in the amount of \$8,742.12 to the Every Kid Plays Project as set forth on correspondence from Brian C. Laffin, attached hereto as Exhibit “A;”

WHEREAS, pursuant to section 2.05(j) of the Administrative Code of the City of Poughkeepsie the Common Council is authorized to accept gifts on behalf of the City of Poughkeepsie; and

WHEREAS, the Common Council is desirous of accepting such donation; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby accepts the donation of \$8,742.12 from the former Adult Women’s Softball League to be used for the Every Kids Plays Project as set forth in the letter annexed hereto as Exhibit A; and

BE IT FURTHER RESOLVED, that the Mayor is authorized take all steps necessary to process and receive such donation.

SECONDED BY _____.

R-23-40- VOICE VOTE						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

3. **R-23-41**, Resolution Setting a Public Hearing on the Introductory Local Law Adding Section 19-4.23 “Short-Term Rental Regulations.”

**RESOLUTION
(R 23-41)**

RESOLUTION INTRODUCING A LOCAL LAW

ADDING SECTION 19-4.23 “SHORT-TERM RENTAL REGULATIONS.”

INTRODUCED BY COUNCILMEMBER MENIST _____ :

BE IT RESOLVED that an introductory Local Law adding Section 19-4.23 “Short-Term Rental Regulations” be and hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

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

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law to receive comment from the public on Monday, May 15, 2023 at 6:00 pm in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York;

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

SECONDED BY COUNCILMEMBER _____ .

R-23-41- VOICE VOTE						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

4. **R-23-42**, Resolution Approving an Amendment of the 2023 Adopted Budget Transfer from ARPA Contingency

**RESOLUTION
(R-23-42)**

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, the Common Council by resolution R-22-93 adopted a budget for the fiscal year 2023 (the “2023 Budget”); and

WHEREAS, the Common Council wishes to amend the 2023 Budget to remove transfer funding from the ARPA Contingency line to fund (1) the purchase of an ADA Compliant Lift for Summer Pool Use; and (2) Celebrating the African Spirit Event at College Hill Park; and

NOW, THEREFORE,

BE IT RESOLVED, that the 2023 Budget adopted by the Common Council as Resolution R-22-93 is amended as shown on Schedule A, annexed hereto and made a part hereof.

SECONDED BY _____.

R-23-42- VOICE VOTE						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

XI. ORDINANCES AND LOCAL LAWS:

ACTION AGENDA:

X. MOTIONS AND RESOLUTIONS:

XI. ORDINANCES AND LOCAL LAWS:

XII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

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

- 1. FROM AKIEN LYONS, a notice of personal injury sustained on or around March 15, 2023**
- 2. FROM DAYMON SUTTON, a notice of property damage sustained on or around February 20, 2023**

XIII. ADJOURNMENT:

A motion was made by Councilmember Long and seconded by Councilmember Johnson to adjourn the meeting at 8:26 PM.

Dated: May 8, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, May 1, 2023.

Respectfully submitted,

**Jasmin Nicole Davis
City Chamberlain**