



COMMON COUNCIL MEETING

Common Council Chambers
Monday, August 24, 2020
6:30 p.m.

I. ROLL CALL:

II. REVIEW OF MINUTES:

Common Council Meeting of July 6, 2020
Common Council Meeting of July 13, 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:

1. From Common Council LWRP Review Committee Co-Chairs, Councilmember Brannen and Councilmember Menist

VIII. MOTIONS AND RESOLUTIONS:

1. Resolution R20-68, approving the allocation of funds from Contracted Services Other to execute a professional service agreement with Kubi Ackerman.
2. Resolution R20-69, calling on Governor Cuomo to sign Senate Bill S8561A, establishing a New York Food Supply Working Group.
3. Resolution R20-67, introducing and setting a Public Hearing for a proposed Local Law, amending the Administrative Code of the City of Poughkeepsie for the purposes of establishing a Civilian Review Board.
4. Resolution R20-70, accepting a grant from FEMA's Fiscal Year 2019 Assistance to Firefighters Program.

5. Resolution R20-71, accepting a grant from the Dyson Foundation for the purchase and installation of new dugouts and basketball hoops at city parks.
6. Resolution R20-72, accepting a grant from TD Bank for the purchase of new tree plantings.

IX. ORDINANCES AND LOCAL LAWS:

1. Ordinance O-20-10, amending §13-192.2 of Chapter 13 of the City of Poughkeepsie Code of Ordinances entitled, "Motor Vehicles and Traffic", to add thirty-minute parking on a portion Parker Avenue and Fairview Avenue.

X. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM CITY ADMINISTRATOR NELSON**, a communication regarding the proposed property sale of a city owned lot located on Rinaldi Blvd.
2. **FROM CITY ADMINISTRATOR NELSON**, a communication regarding the proposed property sale of city owned lots located on Taylor Avenue.
3. **FROM BONDIB HOTELS INC.**, a notice of intent for the Poughkeepsie Grand, located at 40 Civic Center Plaza to renew their liquor license.
4. **FROM CAPT'N CLIFFY'S RIVER STATIONS RESTAURANT AND CATERING**, located at 1 North Water Street, a notice of intent to renew their liquor license.
5. **FROM TRUTH NEW YORK LLC**, a notice of intent for Truth, located at 307 Main Street to obtain their liquor license.
6. **FROM HELBRAUN/LEVY**, a notice of intent for Hive Market, LLC, located at 33 Academy Street to obtain a liquor license.
7. **FROM EVERETT MERRITT**, a notice of personal injuries sustained on July 3, 2020.

XI. UNFINISHED BUSINESS:

XII. NEW BUSINESS:

XIII. ADJOURNMENT:

**RESOLUTION
(R20-68)**

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 Kubi Ackerman in an amount not to exceed \$20,000 chargeable to line item 01.1010.7469- Contracted Services Other.

SECONDED BY COUNCILMEMBER _____.

RESOLUTION

R20-69

A NYS LOCALITY RESOLUTION OF THE CITY OF POUGHKEEPSIE COMMON COUNCIL CALLING ON GOVERNOR CUOMO TO SIGN SENATE BILL S8561A, ESTABLISHING A NEW YORK FOOD SUPPLY WORKING GROUP, SPONSORED BY NYS SENATOR METZGER(D-42) AND COSPONSORED BY NYS SENATORS HOYLMAN (D-27), AND MAY (D-53), INTO LAW.

SPONSORED BY CHAIR SALEM, VICE CHAIR BRANNEN, MAJORITY LEADER LORRAINE JOHNSON, MINORITY LEADER FLOWERS, COUNCILMEMBER MENIST, COUNCILMEMBER RANDALL JOHNSON:

WHEREAS, the City of Poughkeepsie exists within the Hudson Valley foodshed flush with local farms and agriculture; and

WHEREAS, more than 26% of City of Poughkeepsie residents are food insecure, or are uncertain when and if they will be able to access nutritionally adequate foods in socially acceptable ways on a consistent basis; and

WHEREAS, food insecurity and inefficiencies of our food supply chain including food shortages, food waste, and the inability to get New York farmed goods to markets and emergency food access centers have been exacerbated due to the spread of the Coronavirus pandemic; and

WHEREAS, the purpose of this bill is to strengthen New York's farm and food system to increase the long-term resiliency and self-reliance of the system to respond to emergencies such as the COVID-19 pandemic and maintain an adequate food supply to all New Yorkers in a manner that benefits New York farms, food businesses, workers, and consumers across all income levels;

NOW, THEREFORE

BE IT RESOLVED, that the City of Poughkeepsie Common Council calls on Governor Cuomo to swiftly sign and codify this piece of legislation so as not to send our food supply and system into further dysfunction and so that this working group can begin to provide advice, guidance, and recommendations on New York's food supply and related supply chain logistics in the wake of COVID-19;

BE IT FURTHER RESOLVED, that certified copies of this Resolution be delivered, by the City Chamberlain to the Hon. Andrew J. Cuomo, Governor, the Hon. Sue Serino., Senator for the 41ST District and the Hon. Jonathon G. Jacobson, Assemblyman for the 104TH District; and

BE IT FURTHER RESOLVED, that the aforesaid resolutions shall take effect immediately.

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R20-67)**

INTRODUCED BY CHAIR SALEM, VICE CHAIR SARAH BRANNEN, MAJORITY LEADER LORRAINE JOHNSON, AND COUNCILMEMBERS RANDALL JOHNSON II AND EVAN MENIST

BE IT RESOLVED, that an introductory Local Law, entitled “Local Law Amending the Administrative Code of the City of Poughkeepsie for the Purposes of the Creation of The Civilian Review Board of the City of Poughkeepsie”; and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

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

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 5:00 o’clock P.M., on September 21, 2020; and

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

SECONDED BY COUNCILMEMBER _____ .

LOCAL LAW AMENDING THE ADMINISTRATIVE CODE OF THE CITY OF
POUGHKEEPSIE FOR THE PURPOSES OF THE CREATION OF
THE CIVILIAN REVIEW BOARD OF THE CITY OF POUGHKEEPSIE

(L20-03)

INTRODUCED BY CHAIR SALEM, VICE CHAIR SARAH BRANNEN, MAJORITY LEADER
LORRAINE JOHNSON, AND COUNCILMEMBERS RANDALL JOHNSON II AND EVAN MENIST

Section 1. Administrative Code is amended by adding new section 15.39 to read as follows:

§ 15.39. Civilian Review Board; establishment.

(a) There is hereby established a civilian review board consisting of seven members of the public, who shall be residents of the City of Poughkeepsie and shall reflect the diversity of the city's population. Any resident of the city over the age of eighteen may apply to become a member. The members of the board shall be appointed from the pool of applicants as follows:

(i) four members shall be elected by the common council before January 31 following common council election years, with one member from wards one and three combined, one from wards two and six combined, one from wards four and eight combined, and one from wards five and seven combined. The council members shall nominate an applicant from the ward they represent or its paired ward as defined in this section, and the board members shall be elected by majority vote. If a ward is not represented on the common council at the time of election, the council chair shall nominate an applicant from that ward or the ward it is paired with;

(ii) one member with experience as a law enforcement professional shall be selected by the chief of police;

(iii) the remaining two members shall be selected by the mayor;

(iv) The mayor shall appoint one of the seven members to be chair, subject to approval by majority vote of the common council;

(b) No member of the board shall hold any other public office or employment. No members, except those designated by the chief of police, shall have experience as law enforcement professionals. No members shall be former employees of the City of Poughkeepsie police department. For the purposes of this section, experience as a law enforcement professional shall include experience as a police officer, criminal investigator, special agent, or a managerial or supervisory employee who exercised substantial policy discretion on law enforcement matters, in a federal, state, or local law enforcement agency, other than experience as an attorney in a prosecutorial agency. If the appointee of the chief of police does not qualify pursuant to the definitions and procedures provided in this section, the common council shall review the applicants to see if any qualify and make recommendations. Where a previous appointee by the chief of police does not meet qualifications, the new appointee, who may be the same as the previous, must be confirmed by majority vote of the common council. Any appointee requiring confirmation may not serve as chair of the board;

(c) The members shall remain in office until January 31 following

common council election years. They may be appointed for no more than two consecutive terms, regardless of who appoints them;

- (d) In the event of a vacancy on the board during the term of office of a member for any reason, a successor shall be chosen in the same manner as the original appointment. A member appointed to fill a vacancy shall serve for the balance of the unexpired term.

Section 2. Administrative Code is amended by adding new section 15.40 to read as follows:

§ 15.40. Civilian Review Board; complaints.

- (a) Any person, regardless of age, citizenship, residency, or employment, including persons employed by the city or appointed to the board, may file a complaint with the civilian review board.

Section 3. Administrative Code is amended by adding new section 15.41 as follows:

§ 15.41. Civilian Review Board; powers and duties.

- (a) The board shall have the power and duty to receive, investigate, hear, make findings and recommend action in a timely manner upon complaints by members of the public against employees of the police department that allege misconduct including but not limited to any legal offense, or for the neglect of duty, including but not limited to acting with deliberate indifference to a substantial risk of harm to persons in custody, failure to intervene or purposefully allow a fellow officer to violate a victim's constitutional rights, turning off a body camera when interacting with the public or failing to identify themselves or supply a business card pursuant to code of ordinances chapter seven article eight § 1-5 known as The Right To Know Act, or violation of the rules and regulations of the department, or for absence without leave, or any conduct injurious to the public peace or welfare, including but not limited to excessive use of force, coerced false confession, intimidation, harassment, false arrest, false imprisonment, falsification of evidence, corruption, unwarranted surveillance, unwarranted searches or unwarranted seizure of property, or immoral conduct, including but not unlimited to abuse of power or sexual contact procured by force or threat of force or coercion, or any conduct unbecoming an officer, including but not limited to discourtesy or offensive use of language including but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability. or other breach of discipline. The findings and recommendations of the board, and the basis therefore, shall be submitted to the chief of police. No finding or recommendation shall be based solely upon an unsworn complaint or statement, nor shall prior unsubstantiated, unfounded or withdrawn complaints be the basis for any such finding or recommendation;
- (b) The chair of the civilian review board or an attorney representing the board may prefer charges against any employee of the police department, other than the chief of police, including but not limited to charges related to any legal offense, neglect of duty, violation of the rules and regulations of the department, absence without leave, any conduct injurious to the public peace or welfare, immoral conduct, any conduct unbecoming an officer, or any other breach of discipline, pursuant to § 10.05(c-d), this

section, and rules and regulations promulgated from this section. When complaints of use of excessive force are substantiated by the board's investigation, charges shall be preferred against the offending employee or employees of the police department, and in the case of any substantiated complaint, charges may be preferred by a majority vote of board membership. In all cases of charges being preferred a hearing by the trial commission pursuant to § 10.05(c-d) shall commence in a timely manner;

- (c) The board shall promulgate rules, regulations, and procedures in accordance with this section, including rules that prescribe the manner in which investigations are to be conducted, rules that prescribe when and how recommendations shall be made, rules that prescribe the manner in which charges shall or may be preferred that are left undefined by this section, the manner by which a member of the public is to be informed of the status of his or her complaint. These rules, regulations and procedures, and any amendments thereto, shall be approved by majority vote of the membership of the board;
- (d) In the event of a board member's absence at any special or regular meeting, another member shall be permitted to vote by proxy on any and all matters, and this power shall be delegated through written consent in each instance;
- (e) A quorum shall consist of a majority of current board members;
- (f) The board, by majority vote, may compel the attendance of witnesses and require the production of such records and other materials as are necessary for the investigation of complaints submitted pursuant to this section;
- (g) The board shall establish a mediation program pursuant to which a complainant may voluntarily choose to resolve a complaint by means of informal conciliation;
- (h) The board is authorized to appoint such employees as are necessary to exercise its powers and fulfill its duties, to prescribe training for its members and employees, and to procure resources as deemed necessary, and the city shall provide an appropriation therefore. The board shall employ civilian investigators to investigate all complaints;
- (i) The board shall issue to the mayor and the city council a semi-annual public report which shall describe its activities and summarize its actions;
- (j) The board shall have the responsibility of informing the public about the board and its duties, and shall develop and administer an on-going program for the education of the public regarding the provisions of this section.

Section 4. Administrative Code is amended by adding new section 15.42 as follows:

§ 15.42. Subpoena, Oath-administering Power of Civilian Review Board. The civilian review board shall have power to issue a summons to any person to appear and testify or to produce books and papers before it in respect to any matter pending or referred to it. Such summons may be served at any place within the state, in the same manner as subpoenas for witnesses in cases pending in the supreme court of the state, and the person shall be paid the same fees and mileage. The chair of the civilian review board or any attorney employed by the board shall have power to administer any oath, or take any affidavit or testimony, in respect to any matter pending before the board. Any person who may be required to take any oath or affirmation, or give testimony under or by

virtue of any provision of this act, who shall under such oath or affirmation, in any such statement or affidavit or otherwise, willfully swear falsely as to any material matter of fact, shall be guilty of perjury. A person examined under oath pursuant to this section shall have the right to be accompanied by counsel who shall advise the person of his or her rights subject to reasonable limitations to prevent obstruction of, or interference with, the orderly conduct of the examination.

Section 5. Administrative Code is amended by adding new section 15.43 as follows:

§ 15.43. Commitment of Person Refusing to Attend and Testify in Obedience to Summons issued by the Civilian Review Board.

Any person who shall refuse to attend or to be sworn or affirmed, or to answer any proper or pertinent question, or to produce such books, accounts, vouchers, documents or records in obedience to any such summons may, subject to state law, be arrested by an order of attachment, which may be issued by the civilian review board or a city judge, upon proof of the service of such summons and of such refusal, and committed to the county jail until he shall appear and testify as required. Such witness, so refusing to attend, may also be fined and imprisoned for disobedience to such summons by a city judge, in the same manner and to the same extent as witnesses refusing to attend in obedience to a subpoena duly issued in accordance with law. Whenever any person summoned as a witness before said civilian review board, shall refuse to be sworn or affirmed, or to answer any pertinent and proper question, or to produce any book or paper under his control and which he shall have been summoned to produce, the chair of the board or any attorney employed by the board may forthwith seek commitment of such person to the county jail for a period not exceeding twenty days, or until he shall give testimony or answer such questions. Such commitment shall be made by warrant, granted by a court and directed to the sheriff of the county or other officer having the place of detention in charge, and shall recite the cause of such commitment, and such officer shall keep such person in close confinement until discharged.

Section 6. Administrative Code is amended to add section 10.14 to read as follows:

§ 10.14. Cooperation with the Civilian Review Board.

- (a) It shall be the duty of the police department to provide such assistance as the board may reasonably request, to cooperate fully with investigations by the board, and to provide to the board upon request records and other materials which are necessary for the investigation of complaints submitted pursuant to § 15.40-41, except such records or materials that cannot be disclosed by law;
- (b) The chief of police shall ensure that officers and employees of the police department appear before and respond to inquiries of the board and its civilian investigators in connection with the investigation of complaints submitted pursuant to this section, provided that such inquiries are conducted in accordance with department procedures for interrogation of members. Persons coming before the board shall have the right to counsel;
- (c) The chief of police shall report to the board on any action taken in cases in which the board submitted a finding or recommendation

- to the chief of police with respect to a complaint;
- (d) Any complaint made to the civilian review board about a police department employee, along with its findings, shall be kept permanently on that employee's personnel file;
 - (e) Any business card given by employees of the department to members of the public shall have contact information for the board displayed as prominently, or more so, as contact information for the department, and shall clearly inform the public that the board receives and investigates complaints against the department.

Section 7. Administrative Code is amended to add section 10.15 to read as follows:

§ 10.15. Whistleblower Protection.

- (a) Any employee of the police department may file a complaint with the civilian review board against the department or any of its employees, including but not limited to knowledge of excessive use of force, abuse of authority, discourtesy, use of offensive language, including but not limited to, slurs relating to race, ethnicity, religion, gender, sexual orientation and disability, or general policy or specific orders believed to be unlawful or of a discriminatory, persecutory, or abusive nature;
- (b) The city and the department shall not dismiss or take other disciplinary or adverse personnel action against an employee for filing a complaint pursuant to this section;
- (c) If such a complaint is filed and the employee wishes to keep their identity from the public, the release of their identity by any member or employee of the civilian review board shall be punishable by a fine of no more than one thousand dollars and confinement in jail for no more than thirty days.

Section 8. Administrative Code § 10.05(c) is amended to read as follows:

§ 10.05(c). Every member of the police department other than the chief of police shall hold office during good behavior, or while competent to perform the duties of such office, and may be removed only upon written charges to be served upon him. All such members of the police department shall have the right to counsel upon the trial of any charge preferred against him. Such charges shall be made in writing by the ~~city administrator~~ chair of the civilian review board or an attorney representing the board and shall be heard and determined by a commission composed of five commissioners to be appointed by the mayor with the approval of the common council by majority vote for each commissioner. The first member of the commission appointed pursuant to the provisions of this article shall serve for a term of four years; the second person so appointed for a term of three years; the third person so appointed for a term of two years; and the fourth person so appointed for a term of one year; and thereafter the terms of each and every commissioner appointed shall be for a term of four years. In the event of a vacancy in the commission, the same shall be filled by the appointment of the mayor with the approval of the common council for the duration of the term for that position. No member of the commission may serve on it for more than two full terms. The commissioners may be removed from the board at any time, for cause after a hearing before the common council. A two-thirds vote of the entire common council shall be necessary to effectuate a removal for cause. Said commission is to be known as the trial commission and the

mayor may designate an appointee to be a chairman thereof. Three members of the commission shall constitute a quorum for the transaction of any business.

Section 9. Administrative Code § 10.05(d) is amended to read as follows:

§ 10.05(d). The trial commission shall have the right to punish any member of the police force or fire department on conviction of any legal offense, or for the neglect of duty, including but not limited to acting with deliberate indifference to a substantial risk of harm to persons in custody, failure to intervene or purposefully allow a fellow officer to violate a victim's constitutional rights, turning off a body camera when interacting with the public or failing to identify themselves or supply a business card pursuant to code of ordinances chapter seven article eight § 1-5 known as The Right To Know Act, or violation of the rules and regulations of the department, or for absence without leave, or any conduct injurious to the public peace or welfare, including but not limited to excessive use of force, coerced false confession, intimidation, harassment, false arrest, false imprisonment, falsification of evidence, corruption, unwarranted surveillance, unwarranted searches or unwarranted seizure of property, or immoral conduct, including but not unlimited to abuse of power or sexual contact procured by force or threat of force or coercion, or any conduct unbecoming an officer, including but not limited to discourtesy or offensive use of language as defined in § 15.41 and the rules and regulations of the department, or other breach of discipline, by reprimand, by forfeiting or withholding pay for a period not in excess of thirty days for any one offense, or by dismissal from the police force or fire department.

Section 10. This act shall take effect ninety days after it shall have become a law.

RESOLUTION
(R20-70)

INTRODUCED BY COUNCILMEMBER PETSAS

WHEREAS, the City of Poughkeepsie applied for a grant from through FEMA's Fiscal Year 2019 Assistance to Firefighters program for the purchase of thermal imaging cameras to replace old and outdated equipment; and

WHEREAS, these thermal imaging cameras are instrumental in fire suppression and safety, and will increase the efficiency of the City of Poughkeepsie Fire Department; and

WHEREAS, the City of Poughkeepsie Fire Department has been notified of a grant award from FEMA in the amount of \$33,181.82, which funds will be used to purchase new thermal imaging cameras; and

WHEREAS, it is the intent of the Common Council to accept these funds on behalf of the City of Poughkeepsie; and

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council accepts the grant from FEMA in the amount of \$33,181.82; and be it further

RESOLVED, that the Mayor and City Administrator are authorized to execute a grant agreement or other documents necessary to give effect to this resolution and take all steps necessary to process and receive such grant.

SECONDED BY COUNCILMEMBER _____.

RESOLUTION
(R20-71)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the Dyson Foundation has approved a grant to the City of Poughkeepsie in the amount of \$150,000 to be used toward the purchase and installation of new dugouts and basketball hoops at City parks; and

WHEREAS, the Dyson Foundation requires a grant agreement be signed as a condition of accepting such grant; and

WHEREAS, the Common Council is desirous of accepting such grant to be used for the cost and installation of the new equipment and entering into an agreement; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby accepts a grant in the amount of \$150,000 which funds shall be used for the purchase and installation of new dugouts and basketball hoops for City parks; and

RESOLVED, that the Mayor and City Administrator are authorized to execute a grant agreement or other documents necessary to give effect to this resolution and take all steps necessary to process and receive such grant.

SECONDED BY COUNCILMEMBER_____.

RESOLUTION
(R20-72)

INTRODUCED BY COUNCILMEMBER MENIST

WHEREAS, the City of Poughkeepsie applied for a grant from through TD Bank's 2020 TD Tree Days grant program for the purchase of new trees to be planted in the City of Poughkeepsie; and

WHEREAS, healthy and vibrant tree plantings provide environmental, social and economic benefits in urban areas such as the City of Poughkeepsie; and

WHEREAS, the City of Poughkeepsie identified certain areas in need of new tree plantings which meet the criteria of the grant program; and

WHEREAS, the City of Poughkeepsie has been notified of a grant award from TD Bank in the amount of \$14,000, which funds will be used to purchase new trees to be planted in the Liberty Street Lot and areas designated in the attached map; and

WHEREAS, it is the intent of the Common Council to accept these funds on behalf of the City of Poughkeepsie; and

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council accepts the grant from TD Bank in the amount of \$14,000; and be it further

RESOLVED, that the Mayor and City Administrator are authorized to execute a grant agreement or other documents necessary to give effect to this resolution and take all steps necessary to process and receive such grant.

SECONDED BY COUNCILMEMBER: _____

2020 TD Tree Days Grant Program Application

Contact Information

Select/Create **two** contacts (one primary contact and one secondary contact) to be associated with this application. The primary contact and secondary contact must be two different people within your organization. The primary contact for the application needs to act as the project lead and have the approval and authority to undertake the project.

***First Name**

Natalie

***Email Address**

nquinn@cityofpoughkeepsie.com

***Last Name**

Quinn

***Telephone**

845.451.4047

Title

Planning Director

***Contact Type**

Primary Contact

***First Name**

Chris

***Email Address**

cgent@cityofpoughkeepsie.com

***Last Name**

Gent

***Telephone**

845.451.4000

Title

Commissioner of Public Works

***Contact Type**

Secondary Contact

Organization Information

Official Name

City of Poughkeepsie

Instructions:

- Name associated with specific tax ID in the IRS business master file or name associated with school/school district in NCES data

***Organization Name**

City of Poughkeepsie

Instructions:

- If your organization is known by any name other than your Legal Name noted above, please enter it here.

AKA Name

N/A

***Organization Address**

62 Civic Center Plaza

***Organization City**

Poughkeepsie

Organization State

New York

Organization Zip/Postal Code

12601

***Website Address**

www.cityofpoughkeepsie.com (official)

www.poughkeepsiego.com (marketing)

***Main Telephone**

(845)451-4062

Year Established

1799

***Mission Statement and History**

It is the mission of the City of Poughkeepsie government to serve tax payers' interests while providing the highest possible quality of life for residents, businesses and visitors. The City of

Instructions:

- Objective of organization and brief summary of the organization since its founding

Poughkeepsie is dedicated to maintaining and growing its urban forest for the environmental, social, and economic benefits it bestows upon our community.

***Organization Background**

The City of Poughkeepsie is a municipal government located in Dutchess County, NY, approximately 75 miles north of New York City. The city provides typical government services to residents and businesses such as police and fire services, water and sewer systems, sidewalk and road maintenance, park and street tree maintenance, and household waste removal and recycling among others.

The City of Poughkeepsie has a population of just over 30,000 residents, and is the governmental seat and economic hub of Dutchess County. City residents are diverse in both age, income and ethnicity. Twenty-seven percent (27%) of the city's residents are 18 years old or younger, while fifteen percent (15%) are over the age of 65 years. The demographic split of the community is generally as follows: 17% Hispanic or Latino, 38% Black or African American, and 40% White. The median household income of Poughkeepsie is just over \$42k a year and approximately 20% of the population currently lives below the poverty line, prior to the Coronavirus pandemic.

Social Media Accounts

Facebook @Cityofpoughkeepsie
Instagram @cityofpoughkeepsie
Twitter @cityofpok

*** IRS 501(c)3 Determination Letter**
N/A

Instructions:

- Brief summary of different types of programs offered by organization and clientele supported

Instructions:

- Please provide your social media accounts. Please include all that apply (i.e. Twitter, Facebook, Instagram) along with your handle (i.e. @ TDFEF)

Instructions:

- Please upload your organization's 501(c)3 determination letter if applicable.

Tree Advisor Information

The Tree Advisor is a subject matter expert, i.e. arborist, who will give the tree planting 101 demonstration

***Is the Tree Advisor Contact the same as the Primary Contact?**
(Yes/No)

Tree Advisor Name

George Profous, Senior Forester

Tree Advisor Email

george.profous@dec.ny.gov

Tree Advisor Phone Number

845.256.3082

Tree Advisor Organization

NYC DEC Stewardship Forester

Event Facilitation Organization

Yes

Instructions:

- Is the Project Contact/Organization the same one delivering the TD Tree Days event?

Name of Event Facilitation Organization

City of Poughkeepsie

Instructions:

- What is the name of the Organization responsible for delivering the project in the community?

***Organization TD Tree Day Experience**
No

Instructions:

- Has the organization previously held a TD Tree Days event?

***Staff Support**

The City of Poughkeepsie Planning Department, and lead contact Natalie Quinn, will support the event by coordinating all TD Bank, Arbor Day Foundation, volunteer, and Department of Public Works activities and logistics as they pertain to the event.

The City of Poughkeepsie Department of Public Works will be responsible for securing all "Dig Safely" permits for each planting site prior to the event, procurement of planting materials, and quality control of the planting and post-event maintenance.

DEC Forester George Profous, in coordination with and supported by the City of Poughkeepsie DPW Tree Division, will support the event by providing tree planting demonstrations.

Instructions:

- What staff will support the event and lead the technical aspects of the planting?
- *Note: Technical aspects of the planting include securing permits, procurement of materials, delivery of tree planting demonstrations, quality control of the planting and post-event maintenance.

Planting Site Information

*Site Name

Liberty Street Parking Lot & Scattered Sites

*Address Latitude/Longitude

41°42'09.7"N 73°55'40.6"W

*Site Address

23-29 Cannon Street

*Site City

Poughkeepsie

*Site Province

New York

*Site Zipcode

12601

Program County (US)

Instructions:

- For instructions to find the coordinates of your site [click here](#)

Instructions:

- Your organization may serve multiple counties or states. However, for this request, you must select the one county that most benefits from this grant.

Site Description

(Paragraph)(4000 character maximum)

Instructions:

- (ex. former agricultural field, woodlot, walking path, grass, etc.)

Site 1: Scattered site tree pits across city (all in low and LMI census tracts)

62 Civic Center Plaza

Site 2: Liberty Street Parking Lot, Downtown Poughkeepsie (moderate LMI tract)

23-29 Cannon Street

Instructions:

- Why does this site need trees/shrubs?

The project area includes two sites and approximately 50 planting sites /trees. Site 1 includes up to 30 vacant planting tree lawns and tree pits in the public right-of-way within the city's four norther census tracts, which are classified as "Low" in terms of LMI (site 1). Upon awarding of the grant, City of Poughkeepsie planning staff will work with TD Bank and the Arbor Day Foundation to identify one to two clusters of vacant planting sites for the event. To maximize the social and environmental benefits that trees provide to our community, vacant planting sites have been prioritized based on their location within (1) areas with lower household incomes and/or property values and (2) CSO catchment areas to reduce peak loads by providing rainfall capture and stormwater diversion.

The northern half of the City of Poughkeepsie is identified as a potential Environmental Justice (EJ) community. The northern portion of the city has been historically under-served and impacted by low household incomes, high unemployment rates, and a significant number of vacant buildings. Census Block Groups within the potential EJ community area have received priority within the site selection of our proposed planting plan. Through the proposed plantings the city seeks to maintain and improve the health of the urban forest on the northside to improve air quality, safety, and quality of life for residents living there.

The project area will also include the Liberty Street parking lot, the city's most utilized parking facility located in the middle of Poughkeepsie's central business district (site 2). Funded through EFC's Green Innovation Grant Program, Liberty Street lot will be renovated Summer/Fall 2020 to incorporate green infrastructure such as permeable pavers and bioswales. Funding through the TD Tree Day Grant Program will be utilized to supplement EFC funding through the purchase and planting of approximately 20 trees to within the improved parking lot.

The City of Poughkeepsie is served by TD Bank and is New York State's longest-running Tree City USA. All proposed project sites are located in low and moderate LMI areas.

***Need for Trees**

(Paragraph)(4000 character maximum)

Trees provide a host of environmental, social, and economic benefits in urban areas, such as the City of Poughkeepsie. When properly maintained, trees can reduce pollution, divert stormwater runoff, and lower energy costs. In addition to regular maintenance, tree planting is an important part of maintaining and cultivating a healthy urban forest. Adding new trees to the landscape is necessary to promote canopy growth, offset loss of trees due to natural mortality and other causes, and to increase biodiversity. A Tree Inventory completed in 2019 with support of the NYS DEC Community and Urban Forestry Program, identified that the City of Poughkeepsie currently has over 1,800 vacant planting sites across its 5 square mile jurisdiction. These sites, if planted, will increase the above referenced benefits for all city residents.

Furthermore, the proposed tree planting sites have been selected for their location within (1) low-to-moderate income census tracts, (2) commercial corridors used by all residents, and (3) combined sewer overflow ("CSO") catchment areas.

Selection Criteria 1: Proposed tree planting plan targets vacant tree planting sites in areas of the City that are show to have lower than average median household incomes. These areas are often associated with underserved or marginalized communities and low property values. Thus, the proposed project seeks to increase property values, promote public health improvements, and

Instructions:

- How does the project fit into the municipality's overall forestry plan?

improved quality of life for residents within these in areas of socio-economic distress.

Selection Criteria 2: Proposed tree plantings sites were further refined based on their ability to assist the city in advancing its efforts to revitalize the city's central business district along Main Street and the surrounding downtown area. The provided project map identifies roughly 30 planting sites within the City's Business District. Street trees will be planted at these sites to foster welcoming and inviting pedestrian environment, which is a key objective of the city's downtown revitalization plans as a means to support placemaking and encourage patronage to local businesses. The proposed street trees in this area will provide shade and aesthetic beauty to the city's main commercial corridor, encouraging residents and visitors to stroll, shop, and enjoy Poughkeepsie

Selection Criteria 3: The City of Poughkeepsie, like many older cities across the nation, is desperately trying to upgrade infrastructure to separate combined sewer and stormwater infrastructure, and in interim, drastically reduce the amount of stormwater runoff that enters the CSO catchment area. Strategic tree plantings in CSO catchment areas can have a positive impact on reducing peak loads by providing rainwater capture during large storms. This would have the effect of lowering the volume of water entering the pipes at time of concentration and lengthening the hydrograph time span at these critical points during the rain event, reducing the overall water volume that enters the CSO system. Over time, as the trees grow, they will be able to provide more and more benefit, intercepting rain before it even hits the ground and evapotranspiring water before it can enter the pipe system.

***Municipality Forestry Plan**

(Paragraph)(4000 character maximum)

In Nov. 2018 the NYS DEC awarded the City of Poughkeepsie \$50,000 through the Urban and Community Forestry Project for a comprehensive street tree inventory and management plan.

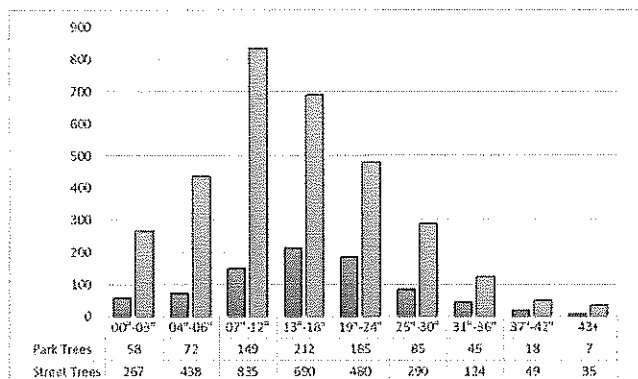
Following a request for proposals, the City contracted ArborPro Urban Tree Management to conduct the inventory and assist the City in creating a detailed management plan. ArborPro worked closely with the city's Planning Department, Department of Public Works, and Shade Tree Commission to complete the tree inventory (summer of 2019) and management plan (spring of 2020.)

The Summer 2019 tree inventory included trees and stumps within City parks as well as trees, stumps, and vacant sites along public street rights-of-way (ROW). A total of 8,517 sites were recorded during the inventory which included 6,368 trees (74.7%), 295 stumps (3.4%), and 1,854 vacant sites (21.7%). Of the inventoried sites, 5,066 (80.0%) are located along street ROWs and 1,302 (20.0%) are in City parks and open spaces.

During the inventory, a total of 1,854 vacant sites were recorded in areas that were suitable for planting new trees. Vacant sites were broken down into three categories based on the size of planting space.

- Small Vacant Site – 4' to 6' planting space or any vacant site under electric utilities
- Medium Vacant Site – 6' to 8' planting space
- Large Vacant Site – 8'+ planting space

Maintenance recommendations recorded during the tree inventory were removal (5.7%), pruning (69.1%), stump removal (3.5%), and planting (21.8%). This project will assist the City in addressing its planting needs, as identified within the management plan. Tree planting is an important part of a comprehensive tree management plan. Adding new trees to the landscape is necessary to promote canopy growth, offset loss of trees due to natural mortality and other causes, and to increase biodiversity.



Poughkeepsie has a desirable distribution of size classes throughout the City. However, the diameter distribution is somewhat skewed towards semi-mature trees. While this is not entirely ideal, planting new trees will alter the distribution to a more ideal pattern. These will grow over time to provide a healthy mature canopy, if properly managed. A key recommendation of the management plan is for the City to continue to plant new trees to further improve canopy cover and air quality.

Botanical Name	Common Name	Count	%
<i>Acer plantanoides</i>	Norway Maple	1722	27.0%
<i>Malus floribunda</i>	Crabapple Species	563	8.8%
<i>Prunus serrulata</i>	Japanese Flowering Cherry	440	6.9%
<i>Fraxinus pennsylvanica</i>	Green Ash	326	5.1%
<i>Pyrus calleryana</i>	Ornamental Pear	291	4.6%
<i>Gleditsia triacanthos</i>	Honey Locust	287	4.5%
<i>Quercus palustris</i>	Pin Oak	258	4.1%
<i>Tilia cordata</i>	Littleleaf Linden	230	3.6%
<i>Acer rubrum</i>	Red Maple	163	2.6%
<i>Acer saccharum</i>	Sugar Maple	146	2.3%

The City of Poughkeepsie maintains 110 distinct species of urban trees. The distribution of these trees across species, genus, and family trends toward ideal but could be improved over time. The City's management plan recommends discontinuation of planting of Norway maples as they exceed the recommended 10% threshold for a particular species. A list of recommended tree species for future plantings can be found in Appendix B of the management plan (and attached to this application).

Tree planting is only a worthwhile activity when trees are properly selected, properly planted, and properly cared for as they become established. If trees are not properly planted and cared for, they will become a

future problem and not provide the benefits associated with healthy, mature trees.

Thus, the city's management plan provides the following guidance for planting new trees:

- Assess the site conditions. Note any growth limitations or space requirements e.g., overhead utilities, proximity to buildings, existing tree canopy, etc.
- Select the best species for the site conditions.
- Ensure that the tree is properly planted and have a plan in place for follow-up tree care.
- Monitor and record how newly planted species react to the site conditions.

The Poughkeepsie Tree Management Plan also contains important tips for planting trees to ensure that newly planted trees will survive the planting process.

-

***Safety Consideration**

Yes

Instructions:

- Does the site have any safety considerations? Is the site near water (ponds, streams, ditches, etc.) or a road? Are there tripping or falling hazards (i.e. ditches, curbs or other unexpected obstacles), or poisonous plants (hogweed, poison ivy)?

Description of Safety Considerations (Paragraph)(4000 character maximum)

All proposed vacant planting sites are located in the public right-of-way and are immediately adjacent to residential streets (no arterials) and curbs.

***Ground Conditions**

Soft to moderate soil conditions exist on the proposed planting sites.

Instructions:

- What are the ground conditions like for digging? Is the ground relatively soft, moderate or very hard/rocky?

***Site Terrain**

(Paragraph)(4000 character maximum)

The site terrain is relatively flat and urban. The selected sites are largely devoid of tall grasses and shrubs to avoid tick and pest habitat.

Instructions:

- What is the site terrain like? Is the site relatively flat or on a hill – if so, how steep?

***Site Preparation**

Yes

Instructions:

- Will this site be prepared?
(e.g. tilled?)

Description of Site Preparation

The selected planting sites are in urban areas, which do not typically offer the best soil to plant trees as the soil is often compacted from construction and deficient of nutrients. The City of Poughkeepsie DPW tree division will prepare each site by loosening the soil using power equipment before planting. Organic matter can be added to the soil to replace nutrients.

Instructions:

- Explain how and why the site will be prepared.

***Public Parking Availability**

Yes

Instructions:

- Is there public parking?

Public Parking Location

Instructions:

- Where is the closest parking?

***Potable Water Availability**

No

Instructions:

- Is there potable water available?

Potable Water Location

N/A

Instructions:

- Where is the nearest source of drinking water?

***Public Bathroom Availability**

Public restrooms do not currently exist on site, but portable restrooms can be rented and provided if needed.

Instructions:

- Are there public bathrooms?

Public Bathroom Location

Yes, provided additional budget, portable restrooms may be placed onsite on adjacent public parking lots, on street parking spaces, or open public space. Portable restrooms can be placed in locations convenient to each site.

Instructions:

- Where are the closest facilities? If given additional budget, would you be able to have a portable toilet delivered onsite?

Additional Site Details

As noted above, the City has nearly 2,000 vacant planting sites. By prioritizing low-income neighborhoods and CSO catchment areas, we have been able to narrow the number of potential planting sites to approximately 125 sites. If we are awarded the grant, we would like to work TD to further refine that number by identifying 1-2 clusters of vacant planting sites so that the planting volunteers can still be located in a relatively close proximity and get the feeling of an "event" while still maintaining appropriate social distancing. This may take the form of planting on two neighboring blocks.

Instructions:

- Is there anything else we should know about the site that you are proposing or is there any other information that you would like to share with us?

Event Details

*Number of Trees/Shrubs

50+

Instructions:

- How many trees/shrubs could be planted in your community?

*Requested Amount

\$15,000

Instructions:

- Budget amount is up to \$20,000. A mix of smaller and larger budgets is preferred.

*Date Availability

September 12-17

We would prefer planting between September 12-17th, as the Liberty Street Lot project is slated to be completed by September 17th. We would like to coordinate the planting and media efforts for the EFC funded project and that of TD Tree Day.

Instructions:

- Are there any dates between September and mid November 2020 that you prefer, or you cannot accommodate? If so, please list them below and indicate if they are 'preferred dates' or 'dates that cannot be accommodated'.

Total Number of Project Volunteers

20-25

Instructions:

- How many volunteers will be involved with this project?

*List of Trees/Shrubs

Amur Maple
Serviceberry Varieties
American Hornbeam
Amur Maackia
Upright Flowering Crabapples
Canada Red Select Cherry
Columnar Oakleaf Mountain Ash
Japanese Tree Lilac
cornelian cherry dogwood
American hornbeam
Eastern redbud
Maclura pomifera 'White Shield'
Large Trees
Common Name

Instructions:

- Provide a preliminary list of native trees and shrubs to be planted at this site. Please note that we will only support the planting of **native trees and shrubs** through the program (i.e. herbaceous plants or non-native species will not be funded unless approved before their purchase by the TD Tree Days

Freeman Maple
 Red Maple
 Horsechestnut
 Horsechestnut
 European Hornbeam
 Northern Catalpa
 Hackberry
 Turkish Filbert
 Gingko
 Thornless Honeylocust
 Kentucky Coffeetree
 Tulip Tree
 American Hophornbeam (Ironwood)
 London Planetree
 Sargent Cherry
 Swamp White Oak
 Bur Oak
 Northern Red Oak
 Littleleaf Linden
 Large Trees
 American Elm Hybrids
 Dawn redwood
 Black tupelo
 White oak
 Scarlet oak
 Shingle oak
 Chinkapin oak
 Shumard oak
 English oak
 Bald cypress
 American linden
 Silver linden

Team). If your proposal is accepted, you will be asked to submit your final planting list before the end of August.

***Size of Trees/Shrubs**
(Checkbox List)

- Seedlings
- 1 Gallon
- 2 Gallon
- 3 Gallon
- 5 Gallon
- 7 Gallon

Instructions:

- What size of tree/shrubs are suitable for this site? Please note 1-5 gallon potted stock is preferred. If you would like to plant seedlings or caliper trees, please specify why.

- 10 Gallon
- 15 Gallon
- **Caliper**
- Other

Planting of Shrubs
(No)

Instructions:

- Will any shrubs be planted in this TD Tree Days event? Please note that other herbaceous plants may not be purchased with TD Tree Days funds.

Percentage of Shrubs
N/A

Instructions:

- What percentage of the overall plant number will be shrubs?

***Planting Equipment**

Shovels, wheel barrows and rakes. DPW employees will also have access to power equipment if needed. City can supply all types of soil from swamp to concrete.

Instructions:

- What equipment will you be able to provide to volunteers and in what quantities? Equipment means materials necessary for volunteers to complete the planting (gloves, shovels, wheelbarrows, shovels, etc.).

***Maintenance Plan**
4000 character maximum)

We will follow the City of Poughkeepsie Tree Maintenance Plan, including young tree training on a 3-year cycle and routine pruning on a 5-year cycle.

Routine Pruning Cycle

The routine pruning cycle includes all trees entered as a Routine Prune during the inventory. These trees pose little to no risk but could benefit from regular pruning to mitigate tree-related risk. By removing hazardous limbs, the City can reduce future storm damage clean-up; remove limb conflicts on sidewalks and roadways; improve the overall appearance of urban trees; and promote proper growth patterns in young trees.

The length of a routine pruning cycle depends on the size of the tree population. ArborPro recommends a five-year cycle for the trees included in this inventory, i.e. prune approximately one-fifth of the tree population each year. This number will fluctuate as the City removes trees and completes priority maintenance, and as young trees grow into maturity. This report and five-year maintenance plan will only consider trees in the Routine Prune category at the time of the inventory for the routine pruning cycle. As mentioned previously, while the City does not currently maintain its urban trees, it is important to understand the quantity and cost of maintaining the trees within public parks and street ROWs.

Young Tree Training Cycle

Although the City of Poughkeepsie has an adequate number of newly planted trees, planting additional trees will help promote a healthy urban forest for years to come. It is also important to remember that older, more mature trees provide the most benefits to the community. The City must promote tree preservation and proactive tree care to ensure older trees survive as long as possible. One of Poughkeepsie's objectives is to have an uneven-aged distribution of trees at the street,

Instructions:

- What is the maintenance plan for the trees/site? Our goal is to ensure the highest possible survival rate of the trees being planted through TD Tree Days. As such we ask the organization which is delivering the program in the community to agree to maintain the trees for a period of two years after the planting. If you are delegating maintenance to a third party, you may be asked for proof of that agreement.

neighborhood, and citywide levels. ArborPro recommends that Poughkeepsie support a strong planting and maintenance program to ensure that young, healthy trees are in place to fill gaps in tree canopy and provide for gradual succession of older trees. Tree planting and tree care will allow the distribution to normalize over time.

Trees included in the Young Tree Training Cycle are typically less than 8 inches DBH and will benefit from structural pruning. Young trees tend to have higher growth rate and therefore require a shorter pruning cycle than mature trees. For this reason, ArborPro recommends a three-year cycle for young tree training. Establishing a training cycle for young trees is equally important for Poughkeepsie's parks. A significant amount of money has been spent to plant new trees in many of the parks. Investing time and money to properly prune these trees will greatly reduce future structural problems and maintenance issues. The three-year Young Tree Training Cycle should begin on year four of the maintenance plan. For the sake of this management plan, it will only include existing young trees. One-third of young trees should be structurally pruned each year. In reality, the number of trees in the training cycle will fluctuate as new trees are planted and as older plantings become established and no longer require training. Therefore, the amount of money spent and the number of trees in the training cycle will not remain constant.

Additional Educational Modules

(4000 character maximum)

We could provide volunteers with a summary of the recently completed Poughkeepsie Tree Inventory and printed or digital copies of the 50 page Poughkeepsie Tree Management Plan.

Instructions:

- What additional educational modules and/or materials to further engage volunteers are you able to provide (above what Tree Advisors are required to deliver

as part of the orientation)? If you aren't able to provide any additional opportunities, please write "Not applicable".

Unique Components of Events

(Paragraph)(4000 character maximum)

The plantings at Liberty Street Lot will be the culmination of the larger renovations to turn the lot into the city's first municipal green infrastructure project, which will be heavily promoted by the City through all media outlets and the city's weekly newsletter.

Instructions:

- Please note any important or unique components of the event that could be highlighted in media stories. I.e., is it a special celebration? Will the planting protect endangered species habitat? Will the planting be engaging a diverse community of volunteers?

Diversity of Beneficiaries (Single-Select List)

- Low- to Moderate-Income Households

Instructions:

☐ Please select one option from the categories below to identify the people/community your initiative is primarily focused on benefitting. Select the one option that best describes your community of interest.

If your initiative is not focusing on any of the categories in particular, or if all are welcome, please select 'none of the above'. If your initiative is supporting beneficiary groups beyond the primary group you select here, you can enter additional groups in the question below, titled 'Additional Diversity.'

Additional Diversity

Downtown City of Poughkeepsie serves all residents, with a wide range of background and characteristics.

- LGBTQ2+ (Lesbian, Gay, Bisexual, Transgender, Queer, Two-Spirited) People

Instructions:

☐ Please enter any additional diversity groups from the list above that your initiative benefits, beyond the primary beneficiary group you already selected.

- Low- to Moderate-Income Households
- Persons with disabilities
- Recent Immigrants/Newcomers/Refugees (5 years or less in CAN/US)
- Seniors
- Women and Girls

**Beneficiary Ethnicities
(Single-Select List)**

- African American/Black

Instructions:

☐ Please select one option from the categories below to identify the people/communities your initiative is primarily focused on benefitting. Select the one option that best describes your community of interest.

If your initiative is primarily focusing on a community group that doesn't appear in the list above, please select 'other' and you will be given an opportunity to name the group. If your initiative is supporting ethnic groups beyond the primary group you select here, you can enter additional groups in the question below, titled 'Additional Beneficiary Ethnicities.'

**Additional Beneficiary Ethnicities
(Paragraph)(1000 character maximum)**

- Hispanic/Latino
- Two or More Races
- White

Instructions:

☐ Please enter any additional ethnic groups from the list above that your initiative benefits, beyond the primary beneficiary group you already selected.

**Beneficiary Outreach
(Paragraph)(2000 character maximum)**

Instructions:

We will utilize the city's weekly newsletter and social media accounts to promote the planting project and engage the community We can also consider posting flyers in the downtown and sending out mailers to residents whose homes are near planting sites.

☐ Please describe how you will ensure you engage the communities you selected above.

**Age Group Served
(Single-Select List)**

- General Population

Instructions:

☐ Select the primary age group served by this program.

**LMI Population Served
(Single-Select List)**

- Not applicable

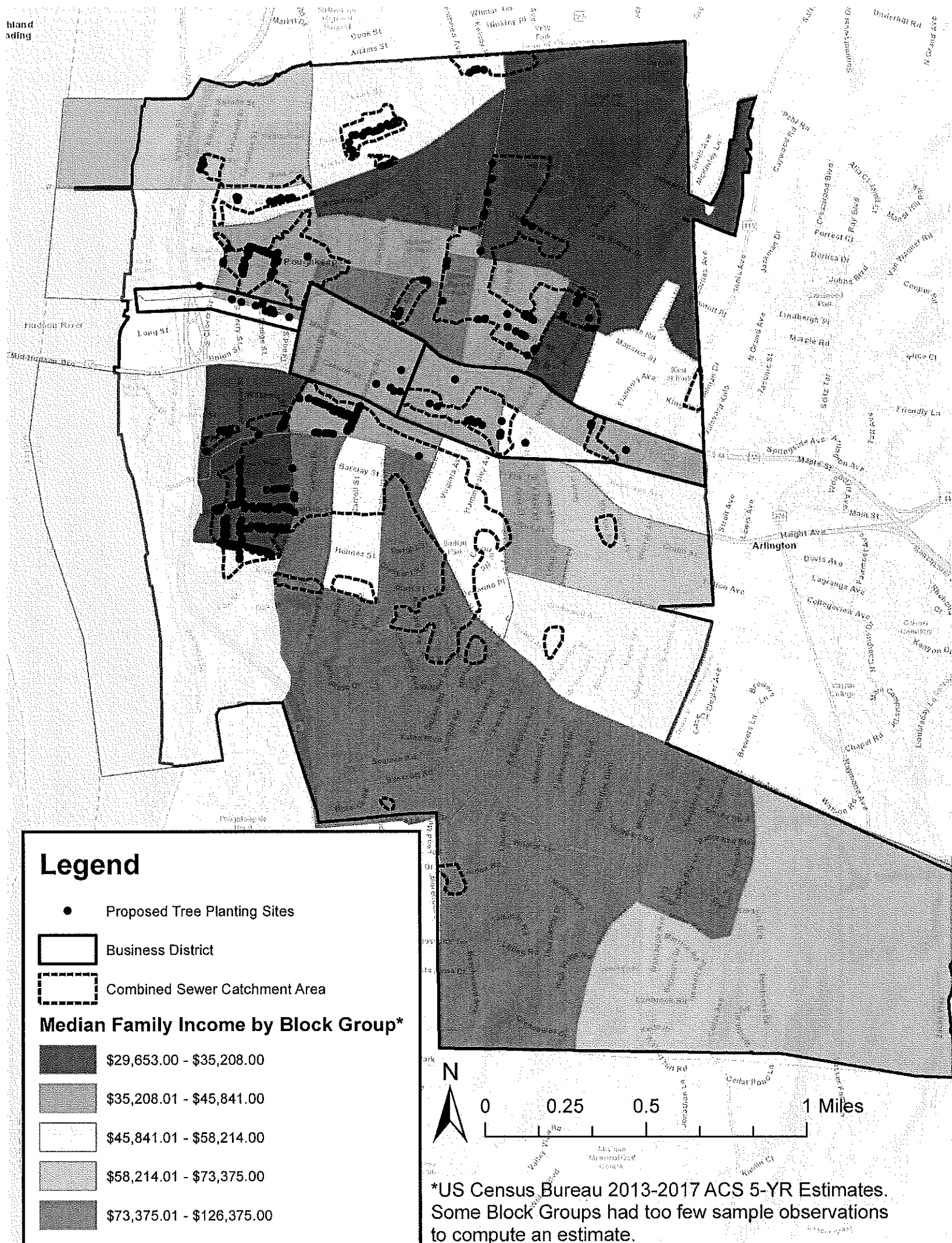
Instructions:

• As it pertains to the specific program for which you seeking funds, is 51% or more of the population to be served low- to moderate-income based on any of the following criteria? Please select applicable criteria below,if none select not applicable

**LMI Served?
(Yes)**

Instructions:

☐ Is 51% or more of the population to be served by your program low- to moderate-income?



**ORDINANCE AMENDING §13-192.2
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O20-10)

INTRODUCED BY COUNCILMEMBER FLOWERS:

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

SECTION 1: §13-192.2 is hereby amended by the following addition:

Section 13-192.2 Thirty-minute parking, 7:00 a.m. to 5:00 p.m., except Sunday and holidays.

Upon the erection of signs giving due notice thereof, the following areas shall be designated as Thirty-minute parking, 7:00 a.m. to 5:00 p.m., except Sunday and holidays.

Parker Ave., North Side, 20 feet east of Fairview Ave. continuing for 30 feet

Fairview Ave., East side, 20 feet north of Parker Ave. continuing for 30 feet

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by Underlining and Bold

The City of Poughkeepsie

New York

Property Acquisition & Disposition Committee

Eric Phillip
John Taylor
Erian Buckley-Falcon
Marc S. Nelson
Nancy L. B. Griffin



MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: PROPERTY ACQUISITION & DISPOSITION COMMITTEE
SUBJECT: Sale of City-Owned Undeveloped Lot located on Rinaldi Blvd 6062-83-789065
DATE: August 19, 2020
Cc: Paul Calogerakis, Director of Economic Development, Natalie Quinn, Planning Director, John Taylor, City Assessor.

The Property Acquisition & Disposition Committee (PAD), with the City's Economic Development and Planning Divisions, recommends the sale of a City owned parcel located along Rinaldi Blvd (Parcel Number 6062-83-789065).

The property was the subject of a comprehensive Request for Expressions of Interest ("RFEI") in 2018. At that time, there were no definitive and acceptable proposals received by the City. The current offer has been made by Mr. Berry Kohn, a well-known local developer with strong roots in the community. His other recent transactions in the City include the sale of a parcel of land on Parker Avenue which was recently purchased by Scenic Hudson; the purchase of 147 and 160 Union Street, with 160 Union currently being redeveloped as apartments; and the recent acquisition of 35 Main Street. Mr. Kohn's purchase of and development plans for 35 Main Street will create an additional need for parking, which is his stated plan for the Rinaldi parcel.

The City's estimation of property value is \$280,000 (see attached report of City Assessor, John Taylor), and the proposed sale price agreed-to is \$290,000.

The City having conducted due diligence, it is recommended that the Common Council approve the sale of this property to Mr. Kohn, as it supports the development of 35 Main Street and will have a positive impact on the neighborhood, both in terms of access to parking, and by strengthening the development of new apartment living in the lower-Main Street area of the First Ward.

Mr. Kohn has demonstrated the financial capacity to close. The sale of this parcel was not projected as part of the 2020 General Fund budget, and therefore the proposed sale represents an important source of revenue in the current fiscal year, which would help close the anticipated budget gap caused by the effects of COVID-19.

This sale will also move the property onto the active tax rolls of the City.

Thank you.

The City of Poughkeepsie

New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601

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

July 9, 2020

Re: Rinaldi Boulevard
6062-83-789065

Mr. Marc Nelson
City of Poughkeepsie Administrator

Mr. Nelson,

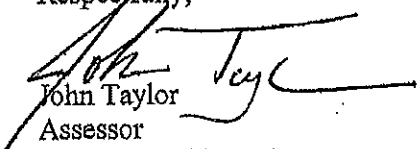
Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of marketing. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc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

The property is located on Rinaldi Blvd, City of Poughkeepsie and consists of one Urban Renewal (NYS Class 350) vacant parcel with a limited scope of functional utility totaling 2.12 acres. A physical field inspection has been made of the property. Additionally, it must be understood that no plans or survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value. The parcel is situated in the NYS Opportunity Zone.

To establish an opinion of market value, a Sales Approach was utilized based on sales of similar properties, within the subject general market area. In this approach, value is based on the transfer of properties considered to be similar in use and condition. Due to the lack of recent sales within the subject immediate neighborhood, it was necessary to expand the search into surrounding neighborhoods and utilize property with greater functional utility. 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 an estimated Market Value of the subject property, to be \$280,000.

Respectfully,


John Taylor
Assessor

City of Poughkeepsie

Letter of Intent to Purchase Real Property

July 7, 2020

City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

Subject: Letter of Intent Regarding Purchase of Rinaldi Blvd Parcel ID 6062-83-789065

Dear City Council,

Sumter Holding, LLC "Buyer" offers to purchase the Property Rinaldi Blvd with a parcel ID of #6062-83-789065

1 Seller. City of Poughkeepsie

2 Buyer. Sumter Holding, LLC

3 Property. The property is located at Rinaldi Blvd Parcel ID 6062-83-789065

4 Purchase Price. Two Hundred and Ninety Thousand dollars (\$290,000)

Buyer:



Sumter Holding, LLC



Bernard Kohn

07/07/2020

Date

The City of Poughkeepsie

New York

**Property Acquisition &
Disposition Committee**

Marc S. Nelson
Eric Philipp
John Taylor
Erian Buckley-Falcon
Nancy L. B. Griffin



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

July 22, 2020

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

Bernard Kohn
Sumter Holding LLC
Via Email to berry@chaibuilders.com

Re: Offer to Purchase City-Owned Property located along Rinaldi Boulevard

Dear Mr. Kohn:

The Property Acquisition & Disposition Committee ("PAD") has reviewed your offer to purchase the vacant land located along Rinaldi Boulevard for \$290,000.00. This offer is acceptable to the PAD.

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

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

Very truly yours,

CITY OF POUGHKEEPSIE
PROPERTY ACQUISITION &
DISPOSITION COMMITTEE

By: _____
Marc S. Nelson, City
Administrator, Member

MSN:nlbg

cc: Paul Calogerakis, Director of Economic Development
Councilman Christopher Petsas
Councilman Evan Menist

LONG ST

RINALDI BLVD

RINALDI BLVD

S CLOVER ST

ROUTE 9

GERALD

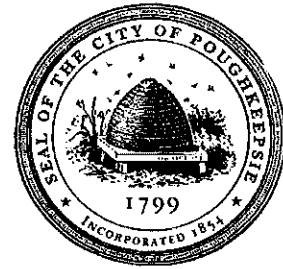


The City of Poughkeepsie

New York

Property Acquisition & Disposition Committee

Eric Phillip
John Taylor
Erian Buckley-Falcon
Marc S. Nelson
Nancy L. B. Griffin



MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL

FROM: PROPERTY ACQUISITION & DISPOSITION COMMITTEE

SUBJECT: Sale of City-Owned Undeveloped Lot located at 78 Taylor Ave (Parcel # 6162-54-176458 & 165446)

DATE: August 19, 2020

Cc: Paul Calogerakis, Director of Economic Development.

The Property Acquisition & Disposition Committee (PAD), with the City's Economic Development Department, recommends the sale of two adjacent city owned parcels located 78 Taylor Avenue.

After standard posting and advertising of these parcels for sale, the Committee has received two offers, and recommends the higher offer of \$267,900 that was submitted by Parkview Development & Construction, LLC (a Ken Kearney entity).

The developer proposes approximately of 70 units of mixed income housing, featuring an on-site affordable day care center which will serve not only the residents of the development, but the surrounding community. This state of the art technology-focused center will have flexible hours to mess with the work schedules of residents. Similar to other Kearney developments, they will both construct and manage the property long-term. The developer has committed to at least one, and probably two internship positions, to be filled from candidates from the local community, to work on the project in that capacity. The developer will also, to the extent practical, seek and employ City of Poughkeepsie residents on this project.

The developer has demonstrated the financial capacity to close. The sale of this parcel was not projected as part of the 2020 General Fund budget, and therefore the proposed sale represents an important source of revenue in the current fiscal year, which would help close the anticipated budget gap caused by the effects of COVID-19.

This sale will also move the property onto the active tax rolls of the City.

Thank you.

The City of Poughkeepsie

New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601

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

August 18, 2020

Re: 78 Taylor Avenue
6162-54-176458
Taylor Avenue
6162-54-165446

Mr. Marc Nelson
City of Poughkeepsie Administrator

Mr. Nelson,

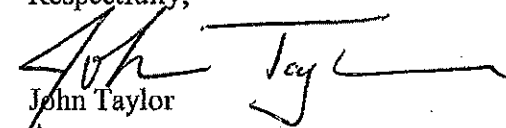
Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of marketing. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc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

The property is located at 78 Taylor Avenue and Taylor Avenue, City of Poughkeepsie and consists of two (2) Residential (NYS Class 311) vacant parcels totaling 1.52 acres. For the purpose of this valuation, the total acreage will be utilized. A physical field inspection has been made of the property. Additionally, it must be understood that no plans or survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

To establish an opinion of market value, a Sales Approach was utilized based on sales of similar properties, within the subject general market area. In this approach, value is based on the transfer of properties considered to be similar in use and condition. Due to the lack of recent sales within the subject immediate neighborhood, it was necessary to expand the search into surrounding neighborhoods and utilize property with similar functional utility. 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 an estimated Market Value of the subject property, to be \$275,000.

Respectfully,


John Taylor
Assessor

City of Poughkeepsie

CITY OWNED PROPERTY FOR SALE

78 Taylor Avenue



PROPERTY DESCRIPTION

S/B/L	6162-54-176458 6162-54-165446
Lot Size:	1.4 & 0.12 Acres
Condition:	Vacant Land
Zoning:	G-RM (Mixed-Use Residential)
Range of Value:	\$250,000-\$275,000
Assessed Value:	\$243,000



The City of Poughkeepsie is offering these two properties for sale, in "AS IS" condition. They are contiguous vacant lots, ideal for new construction -- which must conform to current zoning regulations.

Please do not enter property without prior authorization from the City.

Instructions and application available at cityofpoughkeepsie.com. For any other information regarding this property, please contact Nancy (see below).

OFFERS DUE BY CLOSE OF BUSINESS ON JUNE 16, 2020



City of Poughkeepsie • Property Acquisition & Disposition Committee
62 Civic Center Plaza, Poughkeepsie, New York 12601
c/o (845) 451-4065 ♦ Fax: (845) 451-4070
Contact: Nancy Griffin • ngriffin@cityofpoughkeepsie.com



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, July 6, 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, July 6, 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 July 6, 2020

CCM Minutes 6-15-2020						
☒ 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.

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

Official Minutes of the Common Council Meeting of July 6, 2020

Laurie Sandow comments, Common Council meeting, July 6, 2020 — Pg. 1 of 2

On tonight's agenda, we have a vote on landmarking 1-3 Grand, a vote that should have taken place weeks ago. The HDLPC has unanimously recommended that the Common Council approve this application. I fully support this designation and urge the Council to protect this property from carpetbagging developers who want to exploit and profit from Poughkeepsie's historic treasures without obligation or respect for the community.

I'd also like to bring the public's attention to the missing-in-action City of Poughkeepsie Ethics Committee. Their last meeting took place January 29, with a presentation to the Council on February 3. At both those meetings, committee members expressed their desire to publicly post completed policies and complaint forms by March 1. Instead, like so much else in this City, their efforts have died a quiet death in the hands of the Common Council. Of course, certain councilmembers, like Chris Petsas for example, have much to lose should the Ethics Committee ever get up and running. After all, the public would finally be able to file a complaint against a Councilmember who tells fellow members, and I quote: "please remember to use your official city email for official business ONLY — use your gmail or other accounts for all other stuff — stuff that you may not want to be open to the public for their review."

This Council continues to use the pandemic to hold portions of meetings in violation of the City Charter, the Council's own rules, and the New York State Constitution. Why is it that people are still notified to register to attend meetings via Zoom? Why does Sarah Salem have control of these registrations? Why does Sarah Salem have control of the Common Council's phony FB page, which posts only selective information at selective times?

Why does it take five days for a member of the public to receive a response to a request for information that should be readily available, a response reading in part: "This City Chamberlain's Office has received your FOIL, and will be sending your request to the appropriate parties. To the extent that the departments are in possession of documents responsive to your request, same will be provided within 30 days."

Laurie Sandow comments, Common Council meeting, July 6, 2020 — Pg. 2 of 2

What is the parcel under discussion at the recent Finance Committee meeting as well as tonight's Council agenda? Why is City Planner Natalie Quinn missing in action? Why is the public locked out of knowledge and commentary about potential purchases and sales that might powerfully affect this City's rapid gentrification and/or historic parcels? Why does 2nd Ward representative Menist claim ignorance about Baxter's land-grab in and around his so-called Hive, and his non-renewals, constructive evictions and violations of the warranty of habitability inside Luckey Platt? Why has the Council made no effort to make public the secret partners and investors behind the developer LLCs that are eating this City alive?

These are just a few of my comments and questions in the puny three minutes allotted for public comment.

V. MAYOR'S COMMENTS:

Mayor Rolison: As most of you know, tomorrow we will be entering phase four, which has some additional re-opening initiatives for our region; including low risk indoor and outdoor arts venues and some other things. 25 to 50 people now are in social gatherings. The Governor's guidance is out. We'll share it. I think probably phase four is the least of all the phases as we've gone through all four phases now. There are still some things that the governor is holding back on and that has to do with indoor malls and other large scale gatherings.

Tomorrow at 5:30 there is a forum being hosted on race relations by the County Executive, Congressman Sean Patrick Maloney, Dutchess County native Jay Johnson, President Obama's former homeland security director, is also participating, along with organizations such as the NAACP. It's nice to highlight that our own council person, Yvonne Flowers, is going to be one of the facilitators in tomorrow night's event. You can still sign up for it. You can go to the county website and just took a look in a minute or two ago. And you can sign up to or to participate in this important discussion.

On Thursday of this past week, just prior to the start of our holiday weekend, as was reported in various media outlets at 1:37 in the afternoon, an individual walked into police headquarters, into the lobby and said that there was an individual who was pointing a handgun at cars on Washington Street almost directly across from the police station. As officers were dispatched, there were two officers actually in the police station doing reports at that time who responded out and encountered the individual with a handgun, directly across from the police apron along the sidewalk in the Italian Center, and through their professionalism and courage. And in training, they were able to they were listening as this individual was pulling the trigger on this gun and realized that nothing. There wasn't anything in the chamber. And that was cause for both of those officers to reassess the situation. Did not have to use any deadly physical force at that point. And the off and then there was a foot pursuit. And within five minutes, the individual who still had this gun, which turned out to be an

imitation fake gun, was taken into custody without any injury to the individual who was carrying that gun, and to the officers who responded. All in five minutes. And that is a really good job by members of the City of Poughkeepsie Police Department and bringing that to a peaceful conclusion.

There is an article in the current issue of Chronogram, which just came out, which talks about the children's cabinet, which we established and talks about how Poughkeepsie, along with many other communities, are working through this pandemic when it comes to children's education and highlights the good work that the cabinet is doing and a chance it. It's a good read, not just for what the city of Poughkeepsie is doing, but many school districts throughout the region. As many of you may have seen, Scenic Hudson announced last Monday, a week ago today, that they have purchased the former Standard Gauge building, which has sat vacant for years and years on Parker Avenue across from that dirt parking lot, which is also part of the purchase. And I think another property or two right in the Park Avenue corridor, and they're going to be creating their new headquarters there. And that is going to be transformational to that neighborhood and is going to be also keeping jobs within the City of Poughkeepsie. Scenic Hudson think has approximate 50 plus jobs that will stay here in the city and in their advisory that they said there will be starting a community engagement process about what that property will be. And we're really excited and very thankful that our partners have seen it cuts in which do so much within the City of Poughkeepsie and throughout the region. But really, they're here in the city and they've made a big commitment to this city. And this is just another example of that, that commitment.

We've got 11 new benches that have been distributed to various parks within the city of Poughkeepsie that came from Poughkeepsie's Rotary. And there's discussions right now underway with some other non-profit organizations, service organizations, to help the park system. And we'll keep you updated on that.

As many of you may have seen, our basketball courts are back in action and we put the hoops back up. Last week, we were also in the process now of replacing many of the backboards on our basketball courts with brand new, state of the art, glass backboards.

And we are working with someone, a benefactor, who is helping us with that purchase, along with upgrades to all of the most of the dugouts in the City of Poughkeepsie, which now no longer can be used because of the COVID crisis and the way the dugouts are being constructed. And this was pre COVID is they're open air dugouts and we're now starting that process as well.

I'm just going to end on one thing tonight is and we talked a little bit about this and leadership and I appreciate the opportunity to have that discussion with you all is that, you know, one of the things that we're seeing throughout the country in certain states is that COVID cases are rising. And I think we could say alarming levels. And luckily, we have not seen that here locally within our region. But now we know that there is approximately 14 Fourteen and that number may be going up higher tonight of states that there's quarantine orders in place now from the state, that if you've traveled to these states when you come back, you have to quarantine for 14 days, which certainly is a whole other set of circumstances that that that is not good on a variety of levels.

So it's good for obviously two to four for the medical aspects of it. But obviously, it shows you how tenuous this situation is. And what I am concerned about is, always that we continue to do what we've been doing. And we've been doing a pretty darn successfully in the city of Poughkeepsie with social distancing and wearing masks and, you know, proper practice, you know, hygiene, washing our

hands and using hand sanitizers. And I know I know I'm sort of preaching to the group here.

But what I wanted to say is, is that we have had events that have taken place in the city of Poughkeepsie that under normal circumstances, I guess in the normal course of business, these are events that take place and they go through sort of the normal channels here at City Hall, where if you want to have something in a park, if you want to have something on a street, if you want to do something as a block party or whatever it may be, there are you know, there's ordinances, there are rules, there's guidelines that that that we need to follow so we can properly plan to have these safe and successful events. And what I'm saying to the individuals tonight who were listening in, and to my colleagues on the council in city government, is that it's very difficult to plan for something when you don't know about it, and you see it on social media. And no one let anybody know that this event was going to take place. And I'm just asking that, you know, if when we see these things, whether it's on social media, whether it's an email that we can forward that to here on the third floor. Liz Ruiz is sort of the event coordinator. She helped put this together along with the Clerk's Office and the various other departments. So we know what's going on. Is it allowed, and how we can make sure that we're properly in place with Department of Public Works, or the Fire Department, whether it's the Police Department, which combination of all of them, that these organizations and individuals can have these events because we want them, of course. But at the same time, we need to be smart about it. And we do need to make sure that we're following all the regulations that are coming down, you know, from the state, especially on the amount of the numbers for social gathering.

And that's my report tonight. Sure. Thank you.

CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Chair Salem: I'm gonna keep it short tonight. Last week we had a very successful special meeting. It was a long meeting but it was very successful, where we heard from the public and we heard from a number of presenters, their perspective on ways that they see change happening or ways that they see as having been successful and that have worked here in our community. Now, our community is a unique community. The City of Poughkeepsie is not like any other city in the world, I would say. I'm biased and I think it's one of the greatest city's and I'm sure a number of others on this call today would agree. I love this community and I know that there is no one single cookie-cutter solution to anything. To any of the issues, from the firework issue that we're dealing with to, you know, the issues that are happening across the country. You can't compare what occurs here in the City of Poughkeepsie, there's uniqueness. We are trying to move forward, I believe, honoring that. Honoring the Men, Women, Individuals, the People who exist here in this city, who put so much of their hard work into it. Whether it is in Law Enforcement, whether it is in nonprofit work, whether it is in education, in mental health, addiction recovery, whatever it is, DPW, there are a number of individuals that care a lot about this community and sometimes that care comes across differently. Sometimes it comes across as differences of opinions and that's ok. We're allowed to have differences of opinion. What we saw on Monday night, were a number of presentations that presented different paths forward. I take it upon myself, as one of my duties as the Chairperson At-Large, is to bring out those differences. To allow people a platform for their voices to be heard. We're not always going to agree all the time. I'm not always going to agree with my colleagues on the council, however, there's mutual respect and an understanding that people are putting out their opinions because they care and they want what's best for our community. That platform was allowed for on Monday. We're going to have a number of those kinds of discussions moving forward. We need to honor the works that's been done here and the work that's being done that's really hard right now.

There's a tension that exists in this country that I have never experienced in my 36 years of being alive and certainly not as somebody who serves the community, and I'm sure my colleagues can attest to that fact. We have so much to preserve, we have so much to protect. The individuals that are charged with that protection are feeling the tension, too. Everybody deserves the common courtesy and decency to have their voice heard and I always want to be that platform for individuals for whichever opinions from any end of the argument, whichever method you think is best, I wanna hear it. I want to collaborate, I want to communicate, I want to create a dialogue. I think that most of my colleagues would agree that we are trying to do and I know I'm trying to do. The other thing I'll say is that this weekend was July 4 weekend and I often think about, I like to put myself- I'm a history buff I don't if anyone can tell- but I like to put myself in that time period, back in 1776 when we found ourselves in a very precarious situation. We were in a revolution and we were fighting for freedom. Here we are in 2020 and we are still fighting for different kinds of freedoms, right. It's a very tense time and I think that I've been hearing a lot of different opinions from individuals that exist in the community and my myself, I've been thinking a lot about the ways that we can find these freedoms understanding that we won't achieve freedom until everybody is free, right, and although slavery, for instance, doesn't exist anymore there are still people in chains and now we have recent findings and reports that are being released on the racial inequalities of the Coronavirus and how there are certain members of our community that have been hit worse, even three times worse than other individuals in our community, this reporting of that has just been released today. We need to be caring and thoughtful and loving to each other and understand and empathetic and sympathetic and as the Chair of this body I just always try my best to put myself in other people's shoes and that's how I take the cue from my community and I hope to lead in that way and I hope that people can feel that in my leadership style. I'll just say one more thing, masks. Masks are important, Rob, I'm not going to belabor what you've already stated, we are still in the throes of a pandemic. Cases across the country are rising, luckily not here in our community, I feel very grateful for that, and I think it's because we are following advice that has been issued to us, and we're continuing to wear masks, which is a really great preventative measure against the Coronavirus. Chairperson Salem offered clarification on their July 4th comment; One of the things about July 4 that I think about, is that not everybody is free. There are still people that are living in chains, which is evidenced in the inequality that exists now, even through a pandemic where there are a number of people, Black and Brown community members, that are suffering at higher rates because of their lack of ability to access healthcare, to access food, to access income equality, right, we have a widening gap of income inequality and that is because of that fact, that not everybody is free in this country. Juneteenth is super significant, now a holiday, that we can celebrate moving forward. That will conclude my comments.

VI. REPORTS OF COMMITTEES AND BOARDS:

VII. MOTIONS AND RESOLUTIONS:

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

**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 BRANNEN

R20-58			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

**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 L. JOHNSON

R20-59						
☐ 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	☐	☒	☐	☐

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

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 BRANNEN

R20-60			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

**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 BRANNEN



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, #1259

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.

Official Minutes of the Common Council Meeting of July 6, 2020

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 Cmt. 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 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 (P)



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: 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: Pk 1-3 Grand LLC

Address: 93 Fourth Ave, #1289

City: New York, NY

State/Zip: 10076

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.

Official Minutes of the Common Council Meeting of July 6, 2020

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

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

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."

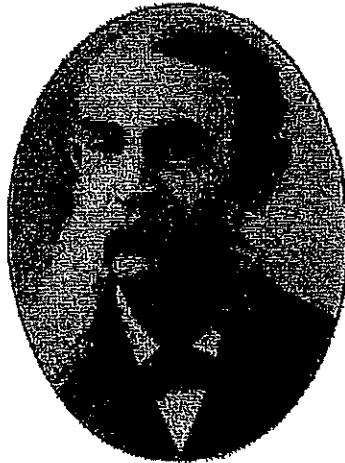
1 Grand Street is representative of the larger brick mansard residences scattered throughout the Union Street District built for upwardly mobile German immigrants like Zimmer who were able to break into the ranks of the middle class as self-employed small business owners, but who at least initially, 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.

Bibliography:

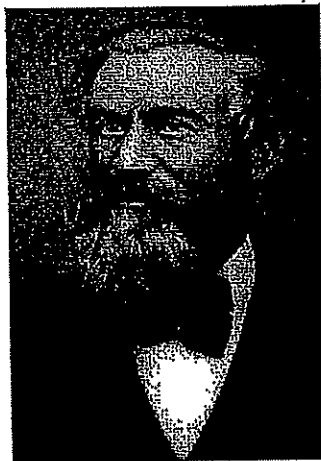
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Official Minutes of the Common Council Meeting of July 6, 2020

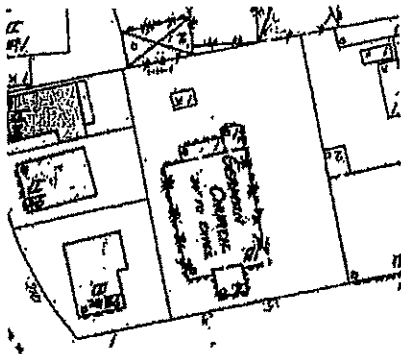
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"German Lutheran Now on Mill" Eagle News 1/29/1923



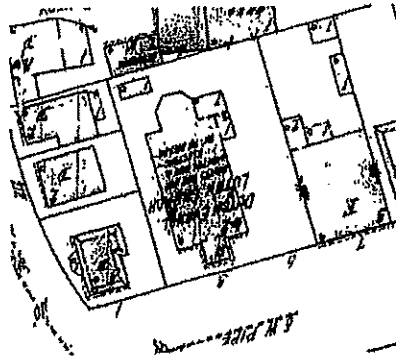
*Hubert Zimmer, German
Immigrant Jeweler*



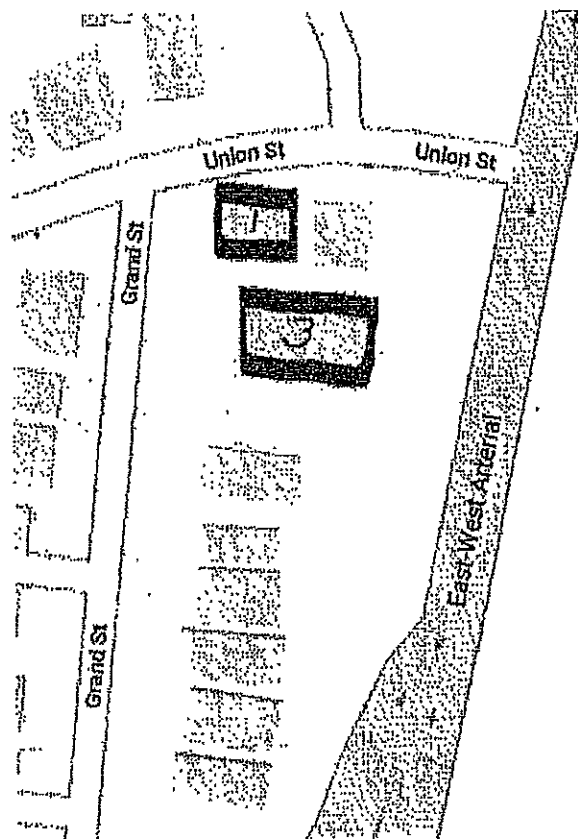
*William Harloe, Church builder, architect and
Mayor of Poughkeepsie*



German Lutheran, 1895 Sanborn Map

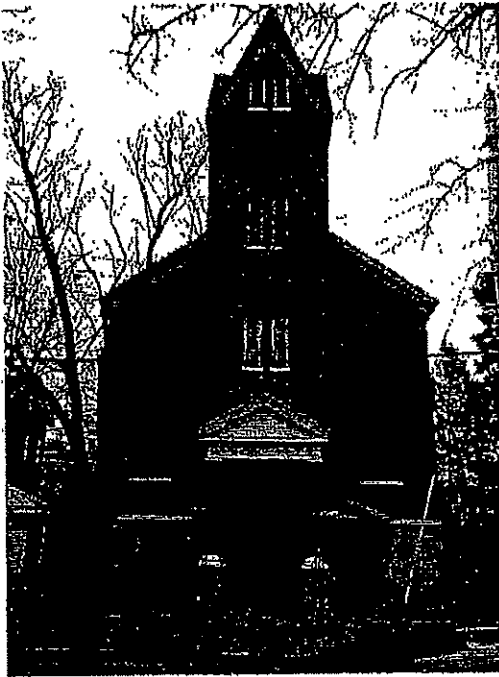


Expanded German Lutheran, 1913 Sanborn Map



1 and 3 Grand Street Map





West Façade

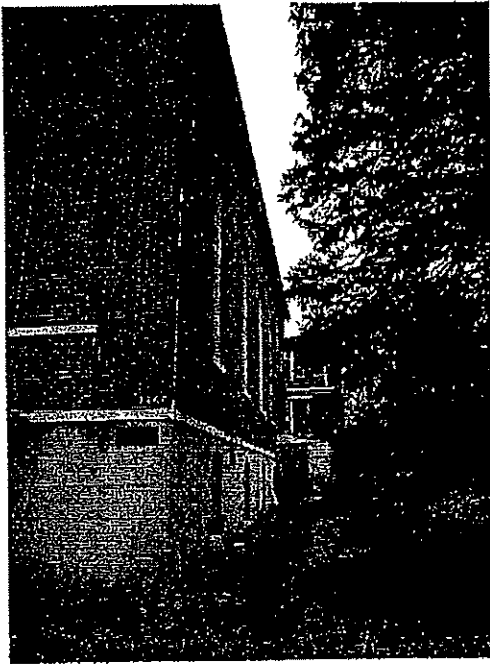


Tower

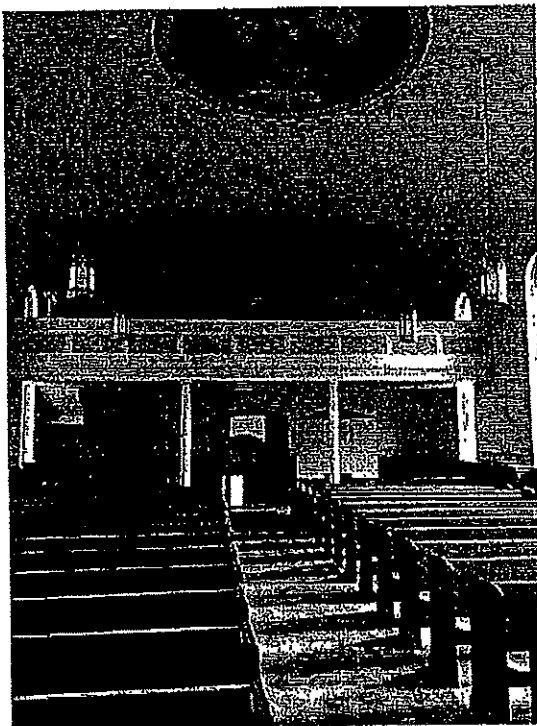
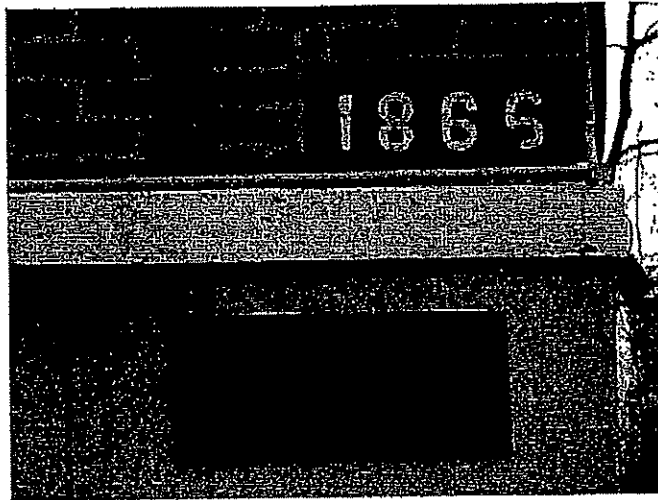


North Façade

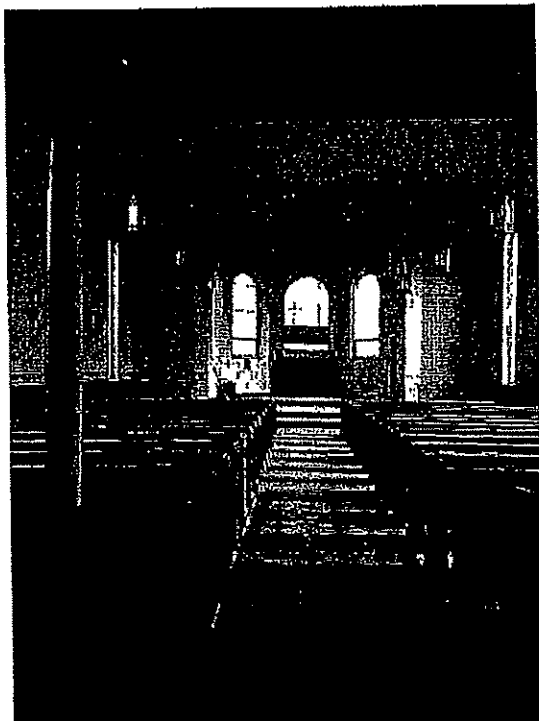




South Façade



Organ loft, west wall



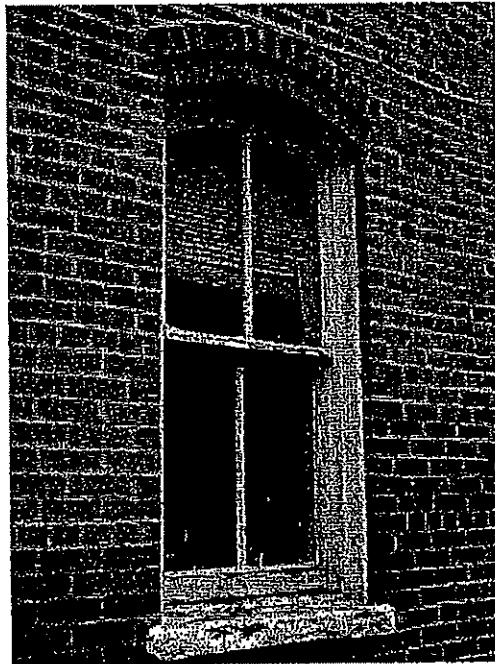
Domed Sanctuary, east wall



West Façade



East Façade

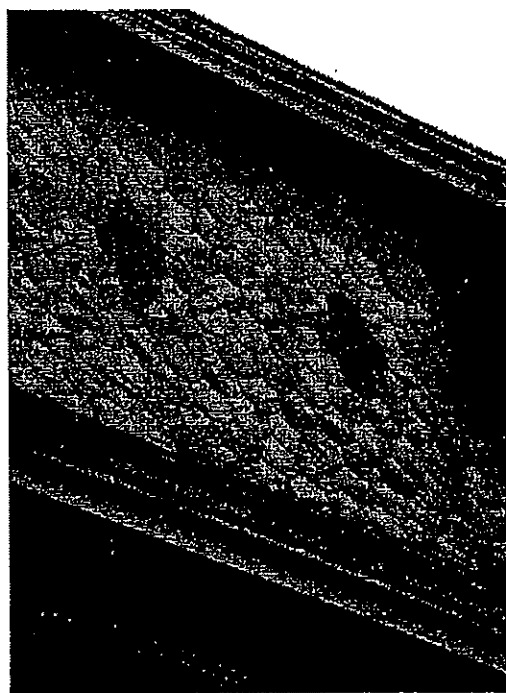




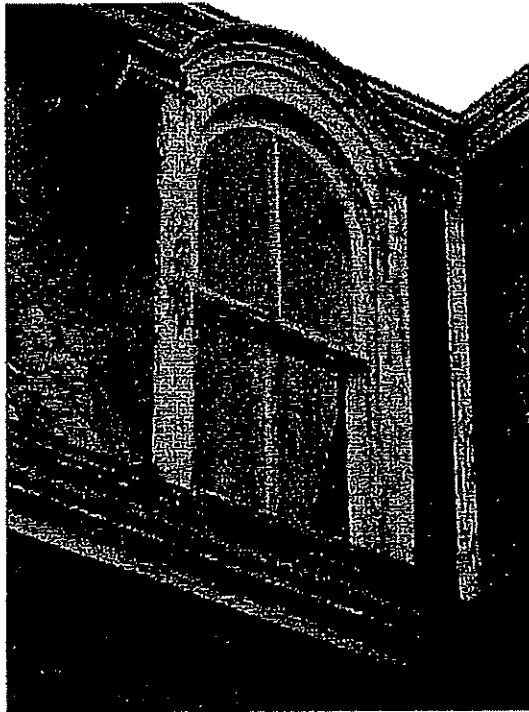
North Façade



South Façade



Mansard Slate with quatrefolfs



Round arch attic windows



Original double front door behind modern storm doors

R20-61						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

RESOLUTION

R20-62

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.

Official Minutes of the Common Council Meeting of July 6, 2020

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 Teleconference	
Councilmember Sarah Brannen	VIA Teleconference	
Councilmember Natasha Cherry	VIA Teleconference	
Councilmember Yvonne Flowers	VIA Teleconference	
Councilmember Lorraine Johnson	VIA Teleconference	
Councilmember Randall A. Johnson II	VIA Teleconference	
Councilmember Matthew McNamara	VIA Teleconference	
Councilmember Evan Menist	VIA Teleconference	
Councilmember Christopher D. Petsas	VIA Teleconference	

The following resolution was offered by Councilmember Petsas and McNamara, seconded by Councilmember Brannen, 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 Aye
Councilmember Sarah Brannen	VOTING Aye
Councilmember Natasha Cherry	VOTING Aye
Councilmember Yvonne Flowers	VOTING Aye
Councilmember Lorraine Johnson	VOTING Aye
Councilmember Randall A. Johnson II	VOTING Aye
Councilmember Matthew McNamara	VOTING Aye
Councilmember Evan Menist	VOTING Aye
Councilmember Christopher D. Petsas	VOTING Aye

The foregoing resolution was thereupon declared duly adopted.

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 7th day of July, 2020.

-SEAL-

Deanne Flynn
City Chamberlain

R20-62			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

**RESOLUTION
(R20-63)**

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 BRANNEN

Official Minutes of the Common Council Meeting of July 6, 2020

R20-63			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

1. First Read:

**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 BRANNEN

ADDITIONS denoted by **Underlining and Bold**

2. First Read:

**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 BRANNEN

ADDITIONS denoted by **Underlining and Bold**

3. First Read:

**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 BRANNEN

ADDITIONS denoted by Underlining and Bold

4. Frist Read:

**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 BRANNEN

ADDITIONS denoted by Underlining and Bold

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS

- 1. FROM CITY ADMINISTRATOR NELSON**, a communication regarding residential parking on Zimmer Avenue.

**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.

- 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. **Referred to Corporation Counsel**
- 4. FROM MACKEY BUTTS & WISE, LLC**, a notice of intent for Hudson & Packard, located at 29 Academy Street to obtain a Liquor License. **Referred to Corporation Counsel**
- 5. FROM MARIANO PEREZ**, a notice of property damage sustained. **Referred to Corporation Counsel**
- 6. FROM LORENZO ANGELINO, ESQ.**, a notice of intent for Goodnight Kenny to obtain a Liquor License. **Referred to Corporation Counsel**
- 7. FROM SALVATORE MESSINA NAD MELISA MESSINA**, a notice of personal injuries sustained. **Referred to Corporation Counsel**

Official Minutes of the Common Council Meeting of July 6, 2020

X. NEW BUSINESS:

XI. OLD BUSINESS:

X. ADJOURNMENT:

Councilmember Brannen made a motion to enter into Executive Session, **Councilmember Flowers** seconded the motion, at 9:18 p.m., the meeting was adjourned following the Executive Session.

Dated: August 13, 2020

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, July 6, 2020.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, July 13, 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, July 13, 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 July 13, 2020

Special CCM 6/29/2020						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☐	☐	☐	☒
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

ADD:

VIII. MOTIONS AND RESOLUTIONS:

3. Resolution R20-66, approving the allocation of funds from Contracted Services Other to execute a professional service agreement with Gary Beck.

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

Shannon Wong- New York Civil Liberties Union
 Rosania Squire
 Bill Rubin
 Darrett Roberts- Franklin Street
 Jonathan Bix-29 North Hamilton Street
 Jeffrey Schneider
 Laurie Sadow-South Grand Avenue

Official Minutes of the Common Council Meeting of July 13, 2020

Laurie Sandow comments, Common Council meeting, July 13, 2020 — Pg. 2 of 2

On tonight's Council agenda, we find Local Law 20-02, approving a Code of Ordinances amendment entitled, "City Officers and Employees" ("Right to Know" Act). Many of you who've registered are also here to speak about the possible creation of a Civilian Review Board, claiming to grant the community oversight of its Police Department, but instead actually delivering even more power to an abusive and already lawless Common Council. Enough of you are here to speak to those matters that I will address something different, though deeply intertwined.

I wonder, did those of you in the privileged Sarah Salem, Sarah Brannen pipeline notice that you received advance notice of these agenda items while—once again—Salem delayed in posting public notice to their phony Facebook page? Did those of you in the Sarah-squared pipeline notice the agenda item from last week: "Resolution R20-63, approving execution of a professional service agreement with Eric Pierson"? Did you notice that item never revealed what purpose the funds would be used toward? Nor did the actual resolution? Do you care that this Council's business is so cloaked in secrecy that it did not dare mention that the Council would be using funds to hire someone, qualifications unknown, to work on the Council's private, secretive LWRP (Local Waterfront Revitalization Program) initiative, at the very same time that this Council has been busy castrating the existing Waterfront Advisory Committee?

I wonder, how many of you in the Sarah-squared pipeline are aware of—or care—that this Council is currently in violation, and has made no effort to remedy, their obligation under the Charter to hold twice-yearly Special Informational meetings? That those Informational meetings are the rare bi-annual occasion requiring members of the common council, the mayor, the city administrator and the heads of all city departments and offices to be in attendance, and to respond to inquiries from the general public with regard to any aspect of city governance? The rare opportunity, for example, for the public to demand that light be shed on the developers who are eating this City alive?

Laurie Sandow comments, Common Council meeting, July 13, 2020 — Pg. 2 of 2

I wonder, how many of you in the Sarah-squared pipeline are aware of—or care—that Sarah Salem violated the Council's own rules, the City Charter, and the NYS Constitution when Salem used the pandemic to turn—and continue to maintain—attendance at public meetings into access via registration-only meetings and to eliminate public comments until threatened with having this violation brought to the attention of a higher NYState authority?

How many of you in the Sarah-squared pipeline received notice to show up and speak when this Council carved out an Innovation District devoid of requirement for affordable housing? How many of you in the Sarah-squared pipeline received notice to show up and speak when this Council just delivered a 40-year PILOT to a developer and his investors—a development that absolutely does NOT guarantee affordable housing to the majority of City residents; but delivers a PILOT greasing the wheels of the school-to-prison pipeline for the next four complete cradle-to-graduation generations? Now contrast that non-existent number to the number of pipeline members notified and recruited to speak about various memorializing resolutions, and most recently about the Right to Know Act and the trending proposal for a Civilian Review Board.

Have you not noticed, or do you not care, that this Council has disappeared the Ethics Committee from existence? that some councilmembers regularly collect paychecks for meetings they don't attend? I'm reminded of that old American Express tagline, which crowed, "membership has its privileges." So sad that members of this Council's various privileged pipelines gladly enjoy and defend their privilege at the expense of the rest of the City's population.

Geri Willmont

Brian Robinson

Earl Brown

Ezra Wiesmann

Kevin VanWagner-President of City of Poughkeepsie PBA

V. MAYOR'S COMMENTS:

Mayor Rolison: I want to let you know on a couple of things tonight. The first is that we have been going back out publicly and letting folks know that the youth grant funding that we had currently held off on earlier in the year because of the COVID crisis, we've notified by email all of the individuals and agencies that have inquired about it that that youth credit grant funding is going to become available again.

I also want to thank the Poughkeepsie High School and Poughkeepsie City School District. They held a successful graduation, sort of a trifecta where they had three events for the graduating seniors. First was responding everybody's house with an escort dropping off signs. The second was over several days in the auditorium, they actually conferred the graduation certificates to all of the graduates. And then on Thursday night of last week, they showed the movie that they actually they put together with from the ceremony. And they also had remarks from school board president Dr. Felicia Watson, Dr. Rick Rosser, the school Superintendent, and Kellyann Royce, the Poughkeepsie High School Principal. That was done at Overlook Drive in.

All in tonight, I want to share with a bit of somewhat new information. We have been discussing, not only with the 35 Montgomery Street Coalition, which was the group that came together with proposal and ideas for the YMCA site. Obviously those talks really were on hold during the during the COVID crisis, which I should say obviously is still a crisis, as we know. But we have been talking to that group, and also the Children's Cabinet. There has been discussion between the County Executive's office and us here on the 3rd floor, and the county as part of the coalition of 35 Montgomery Street Coalition. And we're going to be continuing those talks. And obviously, the council is going to be part of this discussion, on trying to find the funds to take the building down and to create a temporary green space there.

As the coalition sort of reenergizes and starts to look at what could possibly happen there. I can also say, the County Executive has said that he is prepared to go to the County Legislature, and propose a significant investment, more than what was originally proposed in the original discussions when the coalition came forward on funding to create a center at that location. So this is all just very preliminary, but I'll keep everybody in the loop. I did speak to Councilperson Menist today with exactly what I just said, and we'll keep him abreast as well so he can keep everyone else abreast of these discussions since that is in the second ward.

It's exciting news from the county wanting to commit much more in a significant way, financial resources for the establishment of a center at that location.

Thank you, Chair.

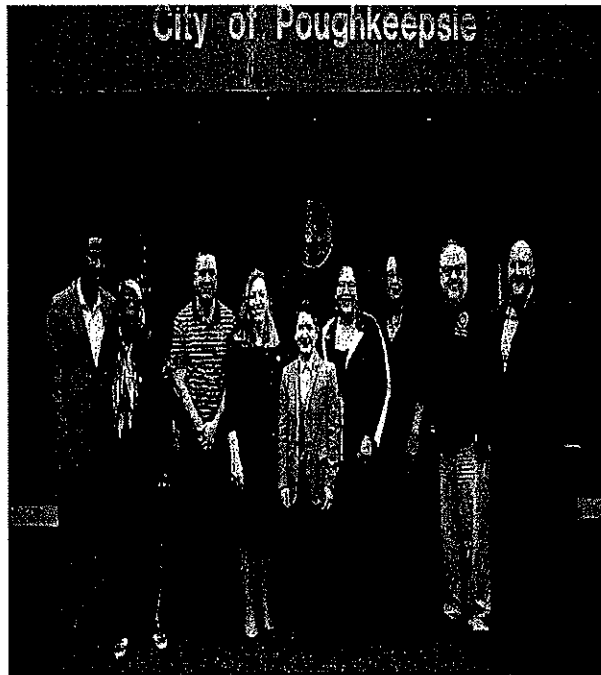
VI. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Chair Salem: Great. Thank you so much for that. That's exciting news, and it's good to hear that that is moving forward in some capacity. I have a few comments that I want to make about before that.

We, as a legislative body, as was stated, are entering a legislative break period of six weeks where we won't have council meetings unless we decide to schedule special meetings or whatever else. Now, it's called a break. I would prefer it to be called a pause because none of us are really taking a break.

Right. I'm sure all my colleagues have plans to not only continue to work their day jobs, but also plug in to some of the things they might not have an opportunity to have had the time to do, because it's kind of been back to back council meetings. We have all we have been working very hard in order to see ourselves up and meeting.

So I put together a little council recap from the first day that we took our seats on January 2nd. p until now, I don't want to take too, too much time, but I do want to present this to everyone tonight as a way for us to enter our break and to be proud of some of the accomplishments that we've seen through that through that period of time. So I'm going to pop in to present mode



2020/2021

City of Poughkeepsie Common Council

Selected legislative highlights over the last 6 months

January 2020

January 2, 2020-

Newly elected Common Council convenes for their Organizational Meeting, Council Chairperson Salem appoints **Councilmember Lorraine Johnson** as their **Majority Leader**, **Councilmember Yvonne Flowers** as their **Minority Leader**, and the Council elects **Councilmember Sarah Brannen** as **Vice Chair**.

Rules adopted, reports of Boards and Committees added as a council agenda item,
the Poughkeepsie Journal becomes the official paper.

January 6, 2020-

The Common Council passes a Locality Resolution in opposition to the proposed Danskammer Power Plant Build Out.

Council Chair Salem begins meeting with indigenous land acknowledgement.

Prepared by Sarah Salem

Why A Land Acknowledgment?

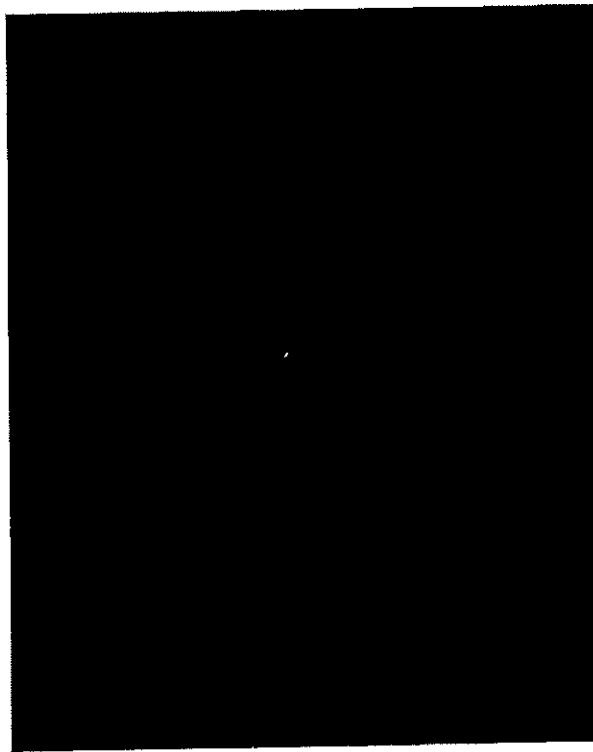
This is a formal statement, an expression of gratitude and appreciation, to recognize and offer respect to **Indigenous Peoples** as traditional stewards of this **land** and to the enduring relationship that exists between **Indigenous Peoples** and their traditional territories. It's also a way for us to understand the long-standing history that has brought us to this land.

This territory, where Poughkeepsie is now located, 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.



Prepared by Sarah Salem

What's in a Name?



Presented by Sarah Salem

January 2020

January 21, 2020-

Councilmember Chris Petsas introduced **Ordinance 0-20-01**, approving amendments to the Article XX, "Towing of Vehicles from Private Property".

With this Ordinance, the Council takes initiative to prevent predatory towing practices within the City of Poughkeepsie.

February 2020

February 3, 2020-

Ordinance O-20-01, **ending predatory towing practices**, passes with unanimous support.

The Council passes Resolution R20-13, approving an IMA with Dutchess County regarding categories of proposed action that shall be deemed of local concern for purposes of review under GML §239-M, to help **improve efficiencies** between the City and County planning offices.

The Council passes Resolution R20-14, a NYS Locality Resolution in support of **the Energy Innovation and Carbon Dividend Act of 2019**, H.R. 763.

Council Chair Salem is appointed to the Joint Water Board.

Prepared by Sarah Salem

February 2020

February 18, 2020 -

The Council approves Resolution R20-16, approving an Inter-municipal Agreement with Dutchess County for the 911 backup room, helping to **ease the process** on our City switchboard.

We pass Resolution R20-17, to approve an **Inter-municipal Agreement with Dutchess County for the creation of a Land Bank** to file Articles of Incorporation with New York State.

We pass Resolution R20-18, to approve an **Inter-municipal Agreement with the Poughkeepsie City School District for the Student Athletic Basketball Program.**

Prepared by Sarah Salem

City/County Land Bank Moves Forward

Poughkeepsie City Council Takes First Step Toward Land Bank Formation

Land banks have been an important tool in helping communities return vacant, abandoned and tax-delinquent properties to productive use. Under the New York State Land Bank Program, local municipalities can apply to create land bank not-for-profit corporations in their communities for purpose of acquiring real property parcels that are tax delinquent or foreclosed, vacant and/or abandoned, and utilize tools through the program to eliminate the harms and liabilities caused by such properties.

City of Poughkeepsie and Dutchess County officials, including representatives of the Common Council and the County Legislature, as well as City staff and County staff from the Departments of Finance, Law and Planning and Development, have been working for the past year to develop the process to form a City/County Land bank.

March 2020

March 2, 2020-

The Council approves a number of Bonding and Financial Resolutions to **improve City Services, Security, and Sanitation** including a bond resolution for a **new street sweeper**, a bond resolution for **citizen and data security** and for our first floor lobby customer windows, an amended financial plan for a **Sanitation Truck** and Ejector Trailer.

Additionally, the Council approves a bond resolution for **Library District bond refunding** and appoints **Ms. Blair Fahey** to our Board of Assessment Review.

March 2020

March 16, 2020-

Due to circumstances beyond their control, the fast and widespread outbreak of the Coronavirus, Chair Salem cancels the March 16 meeting of the Common Council.

Legislative bodies across the State and the Country are being advised not to gather in person.

There is one confirmed case of the Coronavirus reported in Dutchess County as of March 13, when the Chairperson made the determination to cancel the session.

March 2020

The Coronavirus spreads across the nation and cases rise through the Month of March and into April.

School children are sent home, colleges dismiss students, offices and retail businesses close, the only industries operating through the beginning of this community crisis and global health emergency are those that administer healthcare services, emergency services, or food.

By the end of March, more than 22,000 cases are reported across the country.

April 2020

April 6, 2020-

Thanks to guidance and an Executive Order issued by Governor Andrew Cuomo, Legislative Bodies are able to convene and get back to work using Videoconference Software. **We are up and meeting by April 6**, using GoToWebinar.

There are **592 confirmed positive cases** of the Coronavirus confirmed in Dutchess County.

The council passes Resolution R20-29, calling on the Attorney General to investigate instances of price gouging and Resolution R20-31, calling on New York State to increase staff for unemployment, both in response the the increased need and in order to support of community through the early stages of this crisis.

Thousands of New Yorkers file for unemployment after losing their jobs due to the virus.

April 2020 - July 2020

April 20, 2020-

GoToWebinar doesn't meet our needs, we switch to using **Zoom Webinar** to ensure a smooth legislative session and delivery of services.

We're up and meeting and allowing for our community to not only watch and listen to our meetings, but to comment during Public Participation.

There is no perfect or complete software for this purpose, however, we work with the technology available in order to continue to represent our constituency.

April 2020 - July 2020

Accomplishments;

Retained legal counsel to advise on the future use and redevelopment of the Delaval Property (Southern Waterfront)

Passed a Local Law, amending, Section 14.08 of the Administrative Code, "Entitled Taxes-Penalties, Interest on Unpaid Taxes" to allow for more flexibility in payments.

Reinvigorated a Parking Ticket Fine Amnesty Program.

Made appointments to our Finance Committee.

April 2020 - July 2020

Accomplishments;

We made important First Phase amendments to our City Budget in order to prepare for the predicted deficit brought on due to the Coronavirus.

We cut 20% from our Common Council budget, in preparation for the financial difficulties ahead.

We established a Common Council LWRP Review Committee.

We approved a PILOT Agreement with Ken Kearney for the Catherine Square Project.

April 2020 - July 2020

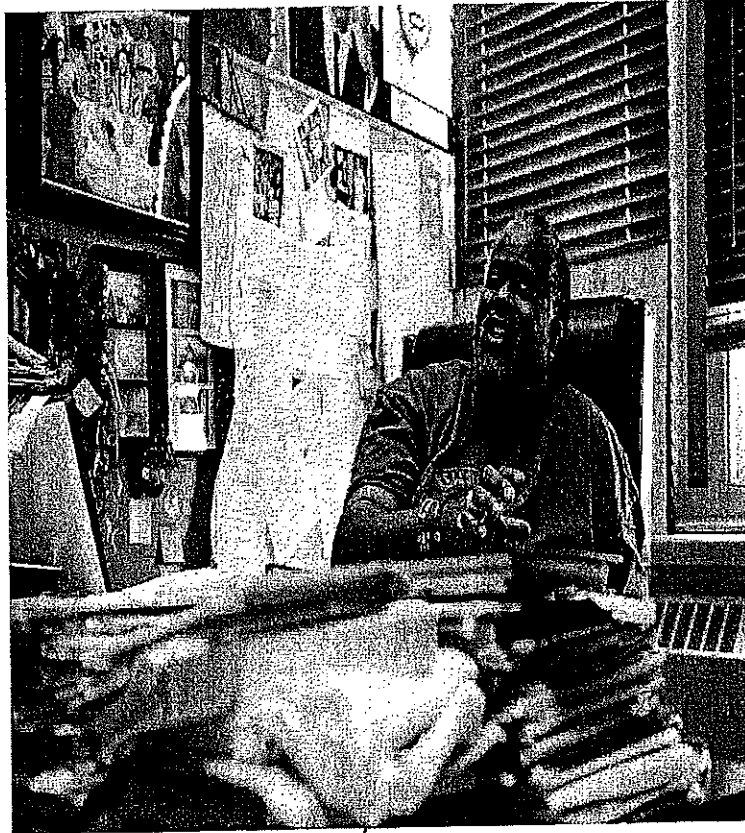
Accomplishments;

We appointed **Barrington Atkins** to fill the Vacancy left in the 10th district of the Dutchess County Legislature.

We held a Special meeting on **Policing Reform and Racial Justice** on June 29 and heard from a number of community stakeholders and members on possible paths forward.

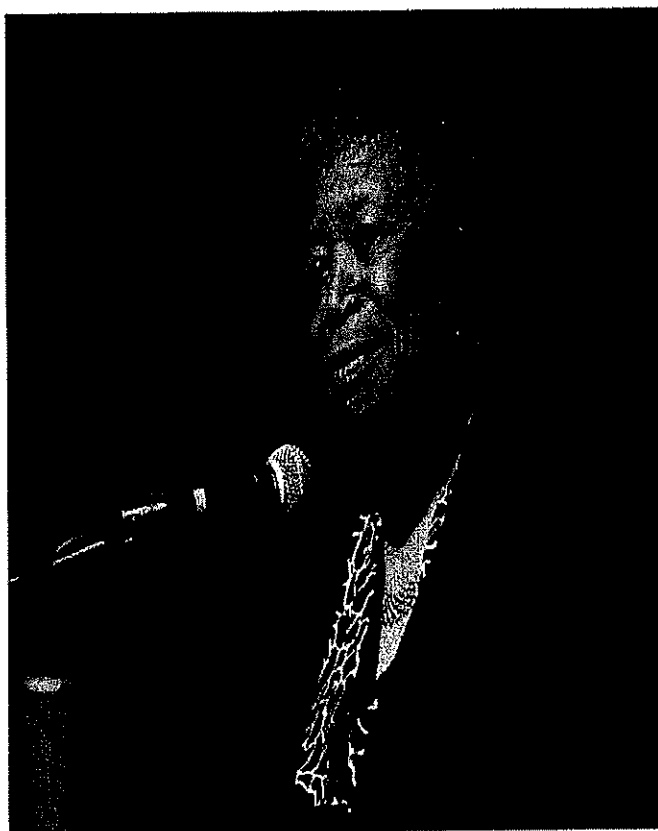
And much more...

Theodore "Tree" Arrington 1953-2020



Prepared by Sarah Salem

Barbara Jeter-Jackson 1938-2020



Prepared by Sarah Salem

George Floyd 1974-2020



Prepared by Sarah Salem

American Lives Lost to the Coronavirus

137,000

The Immeasurable Loss;
the collective trauma that can't be quantified.

What's Coming Up?

Next Council Meeting;
Monday, August 24/6:30 pm

Pelton Special Meetings;
Wednesday, September 2/6:30 pm
Wednesday, September 16/6:30 pm

Prepared by Sarah Salem

VII. REPORTS OF COMMITTEES AND BOARDS:

VIII. MOTIONS AND RESOLUTIONS:

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

R E S O L U T I O N **(R20-64)**

INTRODUCED BY CHAIR SALEM:

Fourth Ward Sewer Improvement Area agreement with the Culinary Institute of America and the City of Poughkeepsie

WHEREAS, the City of Poughkeepsie and the Fourth Ward Sewer Area (the "Sewer Area") of the Town of Poughkeepsie have previously entered into an inter-municipal agreement dated March 15,

1998 making certain provisions for the ownership of the Joint Sewer Plant and the pre-treatment of industrial waste by users of the Sewer Area collection lines; and

WHEREAS, pursuant to Section 198.1(f) of the Town Law and Section 20(7) of the General City Law the parties entered into an agreement with the Culinary Institute of America to provide for connection to the Sewer Area; and

WHEREAS, the Culinary Institute of America has requested an increase in capacity from 175,000 gallons per day, average flow, to 195,000 gallons per day, average flow, which the Town of Poughkeepsie has sufficient capacity; and

WHEREAS, the agreement will also provide a formal enforcement role to the City which includes the right to monitor and sample the effluent generated at the Culinary Institute of America for compliance with pre-treatment standards and

WHEREAS, the Common Council of the City of Poughkeepsie has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617.5(c)(26) and (27), and

NOW THEREFORE,

BE IT RESOLVED, The Common Council of the City of Poughkeepsie, New York does hereby authorize the Mayor to execute the Fourth Ward Sewer Agreement between the Culinary Institute of America, the Fourth Ward Sewer Area and the City of Poughkeepsie, a copy of which is attached hereto.

SECONDED BY COUNCILMEMBER BRANNEN

**AGREEMENT BETWEEN
FOURTH WARD SEWER IMPROVEMENT AREA,
CITY OF POUGHKEEPSIE, and
CULINARY INSTITUTE OF AMERICA**

THIS AGREEMENT ("Agreement") made on this ____ day of _____, 2020 ("Effective Date") between and among the CULINARY INSITUTE OF AMERICA, an educational institution of the State of New York, having its principal place of business at 1946 Campus Drive, Hyde Park, New York ("CIA"), the FOURTH WARD SEWER IMPROVEMENT AREA OF THE TOWN OF POUGHKEEPSIE by the Town Board of the Town of Poughkeepsie, having its principal place of business at One Overocker Road, Poughkeepsie, New York ("Fourth Ward"), and the CITY OF POUGHKEEPSIE, having its principal place of business at 62 Civic Center Plaza, Poughkeepsie, New York ("City"). Together, the CIA, Fourth Ward and City will be referred to herein as the "Parties."

WITNESSETH:

WHEREAS, the Parties previously entered into three (3) agreements for the transmission and treatment of wastewater discharge by the CIA into the Fourth Ward transmission lines ("Transmission Lines") and wastewater treatment facility jointly owned by the Fourth Ward and City located at Water Road or its predecessor ("WWTF"), which previous agreements were entered into on or about January 1, 1972, November 10, 1993, and November 2, 2010; and

WHEREAS, the Fourth Ward and City entered into an intermunicipal agreement dated March 15, 1998, governing joint ownership of the WWTF and making certain provisions for pre-treatment of industrial waste by users of the Transmission Lines; and

WHEREAS, the Fourth Ward desires, pursuant to Section 198.1(f) of the New York State Town Law ("Town Law") and Section 20(7) of the New York State General City Law, to provide for a continuation of the services and to amend the terms of the prior agreements, to among other things, increase the permitted quantity of wastewater to be allocated to the CIA hereunder from the current 175,000 gpd to 195,000 gpd as hereinafter provided; and

WHEREAS, the City is a signatory to this Agreement to the extent required under the aforementioned applicable Agreements,

NOW, THEREFORE, in consideration of the following terms and conditions, it is hereby agreed, as follows:

1. CIA may deliver wastewater to the WWTF for treatment and disposal by utilization of the Transmission Lines, which are maintained by the Town of Poughkeepsie ("Town") Sewer Department and the New York State Office of Mental Hygiene on behalf of the Fourth Ward, as well as the transmission lines maintained by the CIA and the New York State Office of Mental Hygiene.

2. The quantity of wastewater to be transported through the Transmission Lines shall be limited to that resulting from the CIA's operation of its educational facilities as it currently exists, as well as the anticipated private hotel/conference center to be developed on the CIA campus, in an amount not to exceed 195,000 gallons per day ("gpd"), or an increase of 20,000 gpd over the current allotted 175,000 gpd (the "Additional Capacity"). Said Additional Capacity shall be allocated pursuant to the Fourth Ward's permitted discharge pursuant to the Town's and City's current allocated capacity agreement, and shall become effective ("Effective Date") upon the earlier of (i) the hotel developer receiving a Certificate of Occupancy for the hotel/conference center hereunder or (ii) the CIA providing notice in writing to the Fourth Ward that it intends to exercise its option to utilize said Additional Capacity, but in no event after the expiration of the Option period provided for in paragraph 3 below. Upon obtaining a Certificate of Occupancy for the hotel/conference center, the CIA shall provide the Town and City engineers with record drawings of any new improvements to the campus sewer system pursuant to the Additional Capacity hereunder, and a professional engineer shall provide certification that the completed improvements conform with applicable federal, state and local construction standards for separate sanitary collection facilities. Any increase in quantity in excess of 195,000 gpd must receive the prior approval of the Town Board of the Town ("Town Board") and the Common Council of the City ("Common Council").

3. Reservation of Capacity and Option.

In consideration of the payments to be made by the CIA hereunder to it, the Fourth Ward reserves for the CIA, for a period of five (5) years from date of execution of this Agreement by the Town, City and CIA the option to receive the 20,000 gallons of additional capacity. All parties shall diligently and cooperatively pursue execution by the others. As consideration for this option and reservation of capacity, CIA shall make non-refundable option payments to the Fourth Ward of \$.50 per gallon per year (\$10,000), the first payment being due three (3) months after the execution of this Agreement by the City, Fourth Ward and CIA, provided that all parties shall have diligently and cooperatively pursued execution by the others, and thereafter on or before the yearly anniversary of that date through the earlier of the execution or termination of this Agreement or the expiration or termination of this agreement or the expiration of the Option. Any extension of the term of Reservation of Capacity and Option shall be at the sole discretion of the Fourth Ward.

4. Expenses.

a. For treatment services, CIA shall continue to pay to the Fourth Ward quarterly an adjusted operation and maintenance (O&M) rate equal to one hundred twenty-five percent (125%) of the then current unadjusted rate (unadjusted rate equals current charge to users in the Fourth Ward) that it otherwise would pay if it were within the geographic area of the Fourth Ward, times the volume of wastewater of the CIA, as measured by a meter installed and maintained by the CIA at its own cost and expense. The current unadjusted Fourth Ward O&M rate is \$2.50/100 cubic feet of wastewater.

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b. If the Fourth Ward or City incurs additional capital expenses during any one year during the term of this Agreement in excess of \$100,000.00 as adjusted annually by the Consumer Price Index as published by the United States Department of Commerce, or any subsequent substituted index of that agency, for which additional debt obligations are incurred pursuant to the Local Finance Law or if Town funds are utilized, and the cost of payment of the debt service is a charge generally paid by property owners within the Fourth Ward, then, in that event, CIA shall, in addition, pay annually or otherwise a prorated share of the annual debt service. Said prorated share shall be an annual amount equal to the ratio of usage by the CIA to the total Fourth Ward treatment flow on an average basis during said year.

c. Commencing on the Effective Date of the Additional Capacity the CIA shall begin payment of a Capital Recovery Fee to the Fourth Ward in the amount of \$15.00 per gallon of Additional Capacity, totaling \$300,000.00. Payments of such Fee shall be made in equal installments to the Fourth Ward of \$60,000.00 annually over a five (5) year period.

5. Term. The term of this Agreement shall be forty (40) years from the date of execution by all parties as to the current 175,000 gpd capacity, and if the option for Additional Capacity has been timely exercised it shall be forty (40) years from the Effective Date as to the full 195,000 gpd capacity unless otherwise terminated pursuant to separate provisions of this Agreement. The term of this Agreement can only be extended upon the request of the CIA and affirmative action, which shall not unreasonably be withheld, of the Town Board and the Common Council prior to the termination of this Agreement. If the Town Board or Common Council does not take any affirmative action to extend this Agreement, then said Agreement shall terminate.

6. WWTF and Transmission Line Capacity. For the purpose of this Agreement, surplus capacity is defined as the amount of the waste water treatment capacity allocated to the Fourth Ward under the intermunicipal agreement governing joint ownership of the WWTF, i.e., 35% of the wastewater treatment flow permitted by the SPDES permit issued by the Department of Environmental Conservation for this WWTF, less the actual flow attributable to the Fourth Ward.

a. In the event that either the WWTF or Transmission Lines no longer have any surplus capacity for treatment allocated to the Fourth Ward or transmission of the wastewater discharge of the CIA, then the CIA may request that the WWTF or Transmission Lines be expanded to accommodate any additional flow requested by the CIA over and above the 195,000 gpd authorized hereunder. Consent for such expansion shall not be unreasonably withheld by the Town Board and/or Common Council. If consent is not given in the sole discretion of the Town Board and Common Council, then the expansion would not occur.

b. In the event that the expansion contemplated in subparagraph 6(a) is approved, the CIA shall compensate the Fourth Ward for the full cost of such expansion including all costs associated with the planning, bonding, permit application, engineering,

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design, SEQRA process and capital construction, to the extent attributable, to the allowed additional flow of the CIA. Such payments shall be made to the Fourth Ward as the obligations become due as determined by the Fourth Ward in its plan of financing as adopted pursuant to the Local Finance Law, including but not limited to engineering and consulting expenses. The Town Board, on behalf of the Fourth Ward, reserves the right under this Agreement to request lump sum payments so that public funds are not used to finance any improvement on behalf of the proposed expansion for the exclusive benefit of the CIA.

c. In the event the capacity of the WWTF or Transmission Lines are expanded to provide capacity to the CIA and the CIA pays the full costs of the same as described in subparagraph 6(b) above, then such capacity shall be allocated to the CIA for the useful life of such capital improvements as established by the Local Finance Law, unless the CIA waives its right to such allocation. Any benefit assessment otherwise payable by the CIA shall also be reduced by the same ratio as the allocated capacity to the total daily average flow of wastewater transmitted for treatment by the Fourth Ward as determined by the prior year's billing.

7. Samples. Upon the written request of the Fourth Ward, the CIA shall at its own cost and expense provide samples of the wastewater being delivered to the WWTF. The Town, its agents, servants or representatives, shall have the unilateral right to enter on the CIA campus to take its own samples upon one (1) business day advance notice to the Facilities Department of the CIA, absent emergency conditions. The CIA shall bear the reasonable costs of sampling done by the Fourth Ward.

8. Lien. As to any payments, if any, is due and not paid, the Fourth Ward and City shall have a continuing lien for the payment of the monies due under this Agreement on the real property of the CIA and such lien shall be enforceable in the same manner as an unpaid sewer rent as provided in the Town of Poughkeepsie Town Code, Chapter 168, or any successor law, and the General Municipal Law ("GML"), or, alternatively, as an unpaid special district tax bill due to the Town on behalf of the Fourth Ward. The provisions of Town Code and GML are incorporated by reference as amended from time to time, it being the intent of the parties that the Town should, by this contractual lien, have the same rights to enforce as would inure to its benefit if the real property of the CIA was within the Fourth Ward. If an action is commenced by the Town on behalf of the Fourth Ward to obtain payment of any unpaid bills or to enforce its lien in addition to any remedies provided by the Town Law, the Town Code, or any successor law it shall be entitled to compensation for the reasonable cost of its legal expenses.

The CIA as owners of the fee of the parcels or real property comprising its campus, executes this Agreement for the purpose of consenting to the lien provisions contained in this Paragraph 8, acknowledges that the obligations to pay for this sewage treatment and/or transmission shall be deemed sewer rent as that term is defined in the Town Law and GML as such provisions are amended from time to time and separately consents to the creation of a lien upon said real property described herein in the same manner as provided for sewer rents in the

GML, with said lien to be enforceable in the same manner as provided in the GML, the provision of which are incorporated herein by reference.

9. The CIA shall be solely responsible for obtaining permission for use of any intervening sanitary waste transmission lines not owned by the Fourth Ward that may be necessary to deliver its wastewater to the WWTF, and for the maintenance and repair of such line(s). This Agreement shall be subject to the continuing observance by the CIA of the terms of any separate agreement(s) related to the collection of the wastewater being transmitted through the intervening sanitary waste transmission lines and a default in any separate agreement(s) may be grounds for termination of this Agreement in the manner provided in Paragraph 14(b).

10. Applicable Laws. Excepting the manner of compensation for transmission and treatment of the wastewater of CIA, the CIA shall be subject to the same local laws, ordinances and rules and regulations relative to its use of the WWTF and Transmission Lines, including Chapter 168 of the Town Code and, if applicable, the City of Poughkeepsie's Ordinances ("City's Ordinances"), as it would be if the real property of the CIA and its use of the WWTF were within the geographic area of the Fourth Ward. Chapter 168 of the Town Code, as amended from time to time during the term of this Agreement, shall be deemed an integral element of this Agreement and shall define the standards for use of the WWTF and Transmission Lines. To the extent the City's Ordinances governing discharges into sewer lines are inconsistent with, or more stringent than the Fourth Ward, the City's standards shall also be complied with.

11. Except as provided in this Paragraph 11, CIA shall not permit any third party to use its sanitary wastewater facilities or permit any third party to discharge sanitary waste into lines the CIA uses and maintains for transmission of wastewater to the WWTF without the written consent of the Fourth Ward and City. The Fourth Ward and City hereby consent to the treatment of wastewater from a hotel/conference-center facility to be located on the CIA campus and ground leased to a private operator subject to the right of the Fourth Ward to review the record drawings of the campus sewer system and inspect as provided below.

12. Surcharge.

a. The wastewater volume purchased hereunder is based on average daily flow, as computed from monthly wastewater meter readings. In the event that the average daily flow, calculated on the basis of a monthly reading exceeds the allowed amount of 175,000 or 195,000 gallons of wastewater, then the CIA shall pay an additional surcharge, based on the gallonage consumed in excess of the allowed average daily monthly flow during that period, of 200% of the CIA's then adjusted O&M rate.

b. In addition to the surcharge rate for each exceedance, if the CIA exceeds the allowed monthly average volume four (4) times within any twelve (12) month period the Fourth Ward may terminate this Agreement on one year's notice, provided the parties shall first cooperate and make a good faith effort to explore the possibility of the CIA, in addition to paying the surcharge, actually purchasing said reserve capacity at the going rates in accordance with the

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terms and conditions set forth herein or devising measures to cure such exceedances in a timely and reasonable manner, provided further that if the exceedance totals more than fifteen percent (15%) of the allowed amount of capacity hereunder then the Fourth Ward may give its consent to the purchase of the amount of the exceedance as set forth herein in its sole discretion.

13. Inspection.

a. The CIA shall provide the Town Engineering and Sewer Departments with copies of all proposed wastewater plans for the hotel/conference center connection for their review and approval. Prior to the Fourth Ward's acceptance of wastewater from the CIA pursuant to this Agreement for use at the hotel/conference center, the CIA shall at its own cost and expense have its transmission line from the proposed hotel/conference center to its existing transmission line inspected and pressure and deflection tested, and it shall demonstrate that they meet the Town Engineering Department's performance criteria and the 10 State Standards. The Town Engineer and the Sewer Department shall be given advance notice of and be permitted to inspect and observe all hotel/conference center connections and all related wastewater construction and testing. CIA shall provide the Fourth Ward and the Town with an engineering certification of the foregoing test and performance results. CIA agrees to make all repair and corrections to the hotel/conference center transmission line and connections as may be reasonably recommended by the Town Engineer based on such testing results, all at the CIA's own cost and expense.

b. During the term of this Agreement the Town of Poughkeepsie, Engineering and Sewer Departments shall have the right to inspect the CIA's collection and transmission facilities and equipment which flow into the Fourth Ward system and WWTF for the purpose of assuring compliance with the provisions of this Agreement, Chapter 168 of the Town Code, Chapter 14 ½ of the Code of Ordinances of the City of Poughkeepsie, the applicable Town, County, State and Federal discharge standards, and the 10 State Standards (including as to inflow and infiltration), all as they may be amended from time to time. The right to inspect shall however not place the Town in a place of responsibility for maintaining the CIA's system or making any repairs to it. The purpose of these inspections is to protect the Fourth Ward system and the City-Town Joint Sewer Treatment Plant.

c. The CIA will reimburse the Town for its engineering review and inspection fees relating to this Agreement, and will on execution deposit and thereafter maintain with the Town the sum of \$3,500.00 to be used for those services through the acceptable completion of the hotel connection. The deposit shall be replenished when the net amount is less than \$500.00 and upon demand of the Town.

14. Termination.

a. CIA Termination: This Agreement may be terminated by CIA upon six (6) months prior written notice, and upon it demonstrating to the satisfaction of the Fourth Ward that it has disabled the connection of transmission lines to those having access to the lines of the Fourth Ward.

b. Fourth Ward and City Termination: This Agreement may be terminated by the Fourth Ward and/or City upon the following events:

i. The failure of the CIA to remit payment of any monetary obligation it has under this Agreement within thirty (30) days of billing and after its failure to pay that amount within ten (10) days after notice of such default;

ii. The failure to follow the Specified Maintenance Procedures set forth in Schedule A (items 1, 2, 4, 5, 6, 7 and 8), provided, however, that the CIA shall be given a written notice of default specifying the violation and further specifying the corrective steps the Fourth Ward deems necessary to cure the same, and ten (10) business days to cure unless it is an emergency situation or unless additional time is reasonably necessary as determined by the Fourth Ward;

iii. Subject to the provisions of Paragraph 6(a), the determination by the Fourth Ward that the WWTF and/or Transmission Lines no longer have sufficient surplus to permit the continuation of such service;

iv. The failure of the CIA, except as to those defaults listed in Paragraph 12(b)(Surcharge) as to which the Fourth Ward may exercise its rights thereunder, to cure any non-monetary default including, but not limited to, violations of Section 10 of this Agreement within thirty (30) days of written notice thereof or such reasonable time as may be necessary under the circumstances if more than thirty (30) days is necessary for correction, as determined by the Fourth Ward; or

v. If the CIA knowingly engages in a pattern of conduct that results in repeated violations of Chapter 168 of the Town Code, or the City's Ordinances, if applicable, and fails to implement remedies satisfactory to the Town after being given a reasonable opportunity to implement such remedies, and upon one years' notice of termination.

If because of the failure of the CIA to implement the Required Maintenance Procedures in accordance with subparagraph 14(b)(ii) or because of violations of the Town Code or City's Ordinances, it is necessary for Fourth Ward or City to take steps to preserve the integrity of its WWTF or Transmission Lines, the Fourth Ward or City, upon notice to the CIA of the steps it is taking, shall be entitled to recover the reasonable costs of its actions taken for such purpose.

15. Notice. Notice to the CIA shall be given to its Facilities Department at Route 9, Hyde Park, New York. Notice to the Fourth Ward shall be given to the Town Sewer Department and the Town Board. Notice to the City shall be given to the City Engineer.

16. CIA Monitoring Requirements.

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a. The CIA has a meter installed at its lift station located on its campus. It shall maintain said meter and replace it as necessary. The Fourth Ward, for billing purposes, shall use the readings provided by this meter but offset by any third-party flows which pass through the same lift station meter.

b. The existing CIA pump station contains an odor control system. The pump station shall continue to implement an odor control system to mitigate transmission of nuisance odors offsite from the CIA pumping station.

17. Reasonable Fees. If an action is commenced by the Fourth Ward or City to enforce the provisions of this Agreement or to obtain payment of any sums due, the Fourth Ward or City shall also be entitled to recover its reasonable costs, including reasonable attorneys' fees.

18. Entire Agreement. This Agreement sets forth the entire agreement and understanding of the Parties with respect to its subject matter. This Agreement supersedes any prior agreement(s) between the Parties to the extent that this Agreement's provisions are inconsistent with any prior agreement(s).

IN WITNESS WHEREOF, the Parties have executed this Agreement on the date and year first above written.

CULINARY INSTITUTE OF AMERICA

By:

Title:

CITY OF POUGHKEEPSIE

By:

Title:

FOURTH WARD SEWER IMPROVEMENT AREA, BY THE TOWN OF POUGHKEEPSIE:

JON JAY BAISLEY, SUPERVISOR

MICHAEL CIFONE, COUNCILMAN

JEFF RENIHAN, COUNCILMAN

MATTHEW WOOLEVER, COUNCILMAN

Official Minutes of the Common Council Meeting of July 13, 2020

WILLIAM CARLOS, COUNCILMAN ANN SHERSHIN, COUNCILWOMAN

JESSICA LOPEZ, COUNCILWOMAN

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

On the _____ day of _____ in the year 2020 before me, the undersigned, a Notary Public in and for said state, personally appeared _____, of the Culinary Institute of America, 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/she executed the same in his/her capacity, and that by him/her 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, the undersigned, a Notary Public in and for said state, personally appeared ROB ROLISON, Mayor of the City of Poughkeepsie, 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/she executed the same in his/her capacity, and that by him/her signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC

[illegible]

On the _____ day of _____ in the year 2020 before me, the undersigned, a Notary Public in and for said state, personally appeared JON JAY BAISLEY, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is

Official Minutes of the Common Council Meeting of July 13, 2020

subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by him/her 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, the undersigned, a Notary Public in and for said state, personally appeared JEFF RENIHAN, 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/she executed the same in his/her capacity, and that by him/her 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, the undersigned, a Notary Public in and for said state, personally appeared WILLIAM CARLOS, 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/she executed the same in his/her capacity, and that by him/her 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, the undersigned, a Notary Public in and for said state, personally appeared JESSICA LOPEZ, 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/she executed the same in his/her capacity, and that by him/her signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC

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

On the _____ day of _____ in the year 2020 before me, the undersigned, a Notary Public in and for said state, personally appeared MICHAEL CIFONE, 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/she executed the same in his/her capacity, and that by him/her 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, the undersigned, a Notary Public in and for said state, personally appeared MATTHEW WOOLEVER, 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/she executed the same in his/her capacity, and that by him/her 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, the undersigned, a Notary Public in and for said state, personally appeared ANN SHERSHIN, 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/she executed the same in his/her capacity, and that by him/her signature on the instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

NOTARY PUBLIC

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Official Minutes of the Common Council Meeting of July 13, 2020

R20-64			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

R- E- S- O- L- U- T- I- O- N
(R-20-65)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, an application for historic designation pursuant to Section 19-4.5(3) of the Code of Ordinances has been received by the Historic District and Landmark Preservation Commission for the property known as 360 Main Street; and

WHEREAS, on March 12, 2020 the Historic District and Landmarks Preservation Commission duly convened and voted to recommend the Common Council approve the application and designate 370 Main Street as a local historic site; and

WHEREAS, the pursuant to Section 19-4.5(e) of the Code of Ordinances, the Common Council duly held a public hearing within Sixty (60) days of the decision of the Historic District and Landmark Preservation Commission; and

NOW, THEREFORE,

BE IT RESOLVED, that pursuant to Section 19-4.5(f) of the Code of Ordinances, the Council hereby approves the designation of 370 Main Street as a local landmark site; and

BE IT FURTHER RESOLVED the Building Inspector shall immediately cause such property to be so designated on the Landmark and Historic District Map and the Zoning Map of the City of Poughkeepsie.

SECONDED BY COUNCILMEMBER BRANNEN



CITY OF POUGHKEEPSIE, NEW YORK
BUILDING DEPARTMENT

(845) 451-4006 (FAX)

(845) 451-4007

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): Frank's Penny Shop

Other Names (if any): Kid's Market, Book Market

CLASSIFICATION

Ownership of Property

Private

Owner:

Address: 370 Main Street

City:

State/Zip: New York NY 12620

Public

Owner:

Address:

City:

State/Zip:

Category of Property

Buildings

Structure

Site

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 pattern 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 District and Landmark Preservation Commission

Organization: City of Long Beach HDLP

Street: 82 Civic Center Plaza

City/State/Zip: Long Beach, 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 19-15(3) of the Zoning Ordinance.

Motion: Paul J. Kell

Second: Scott M. Mader

Votes: 5 8 0
Ayes Nays Abstentions

Paul J. Kell

Signature of Chairman

Date:

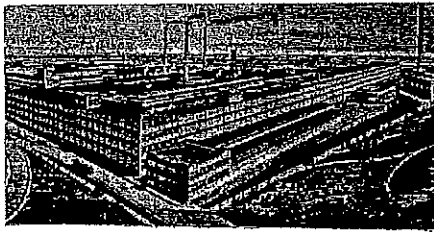
Local Register Nomination: 370 Main St. (French Pastry Shop Building)

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.)



THIS HERSEY CHOCOLATE COMPANY'S MODERN DAYLIGHT FACTORY
IS A LIES OF PLOON SEACE. 8000 ACRES OF FARM.

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.

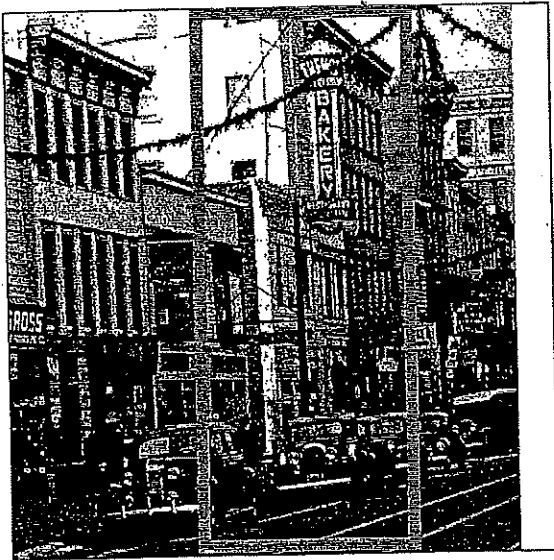
After serving stateside in World War I, Frangk returned to Poughkeepsie and moved his bakery in 1919 into leased space closer to the heart of downtown at 368 Main. By 1920, he had become a U.S. citizen and by 1922 he had changed the name of his store from "The Pastry Shop" to the more sophisticated sounding "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.

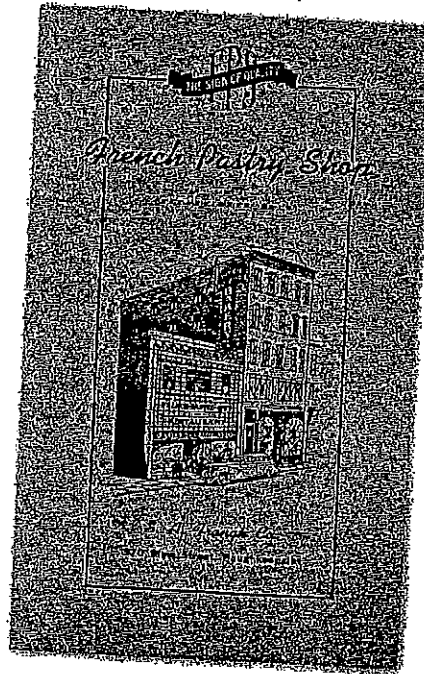


The "Old Southwick Building" on the left in 1918 demolished by Frangk in 1929

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.



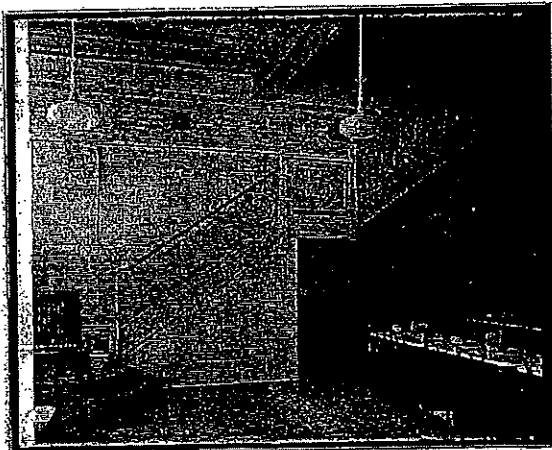
French Pastry Shop in 1939 under its large neon sign; (at right) Menu cover from the French Pastry Shop c. 1939



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

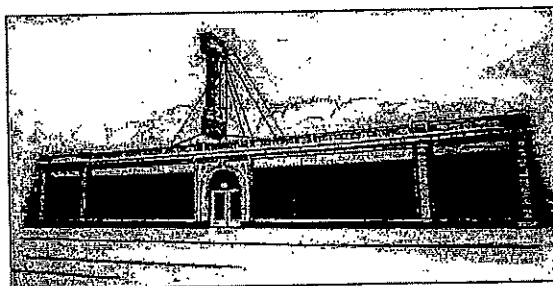
shine shoes at the local Greek-owned "bootblack parlor." Stelio Frangk had taken control of Main Street property long owned by Poughkeepsie's oldest families with British names like Booth and Southwick. Now new names, like Frangk, Pappas, Birdas, Kustas, Labrinos, Christakos, Maroulis, Chamberas, Kokenos,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

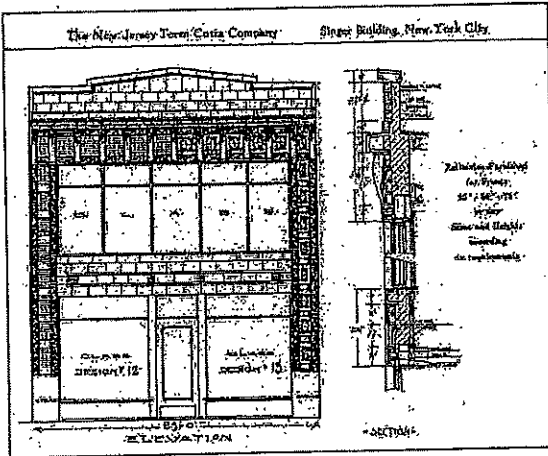
Frangk retired in 1947 after 35 years as a confectioner and baker. The French Pastry Shop was sold to Jewish bakers who continued the store under the same name until 1960 when the building was transformed into Karl Ehmer's Meat Market. At Frangk's death in 1956, the full extent of his business success 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 Stello 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.

2. Property embodies distinguishing characteristics of an architectural style

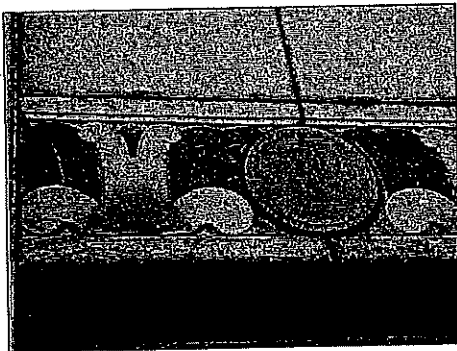
The French Pastry Shop presents a commercial Art Deco façade unusual in Poughkeepsie and one of only three such examples known to have been built in the city. Architect Edward C. Smith designed the Art Deco home of Patterson Auto Sales at 534-536 Main in 1929 as well as the Art Deco "Church Building" 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-



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-

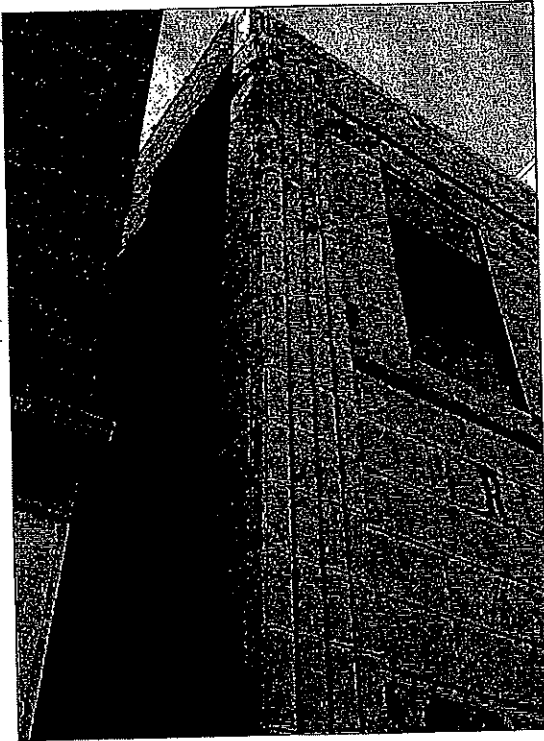
rates 370 Main from its neighbor to the east. A party wall is shared with its neighbor to the west.

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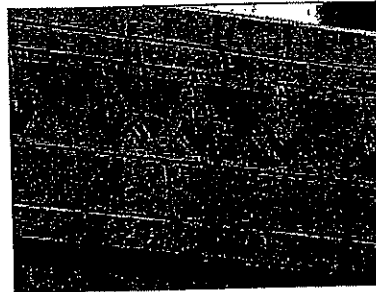
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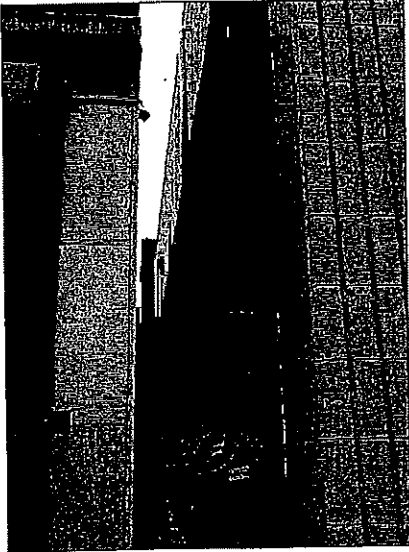
Front (north) facade



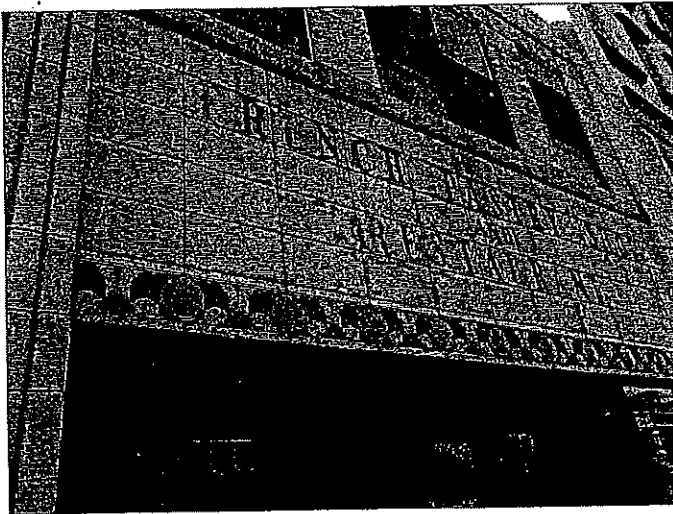
Corner pilaster with ridged texture meeting brick side wall



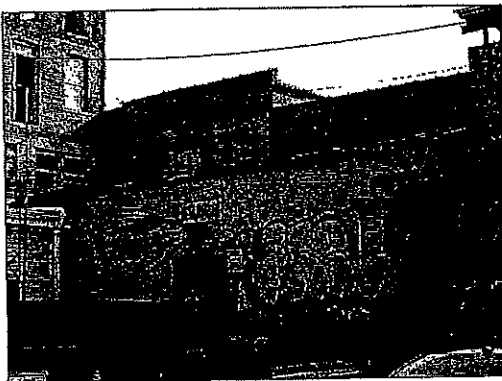
Above: Chevron detail and letter "R" of signage



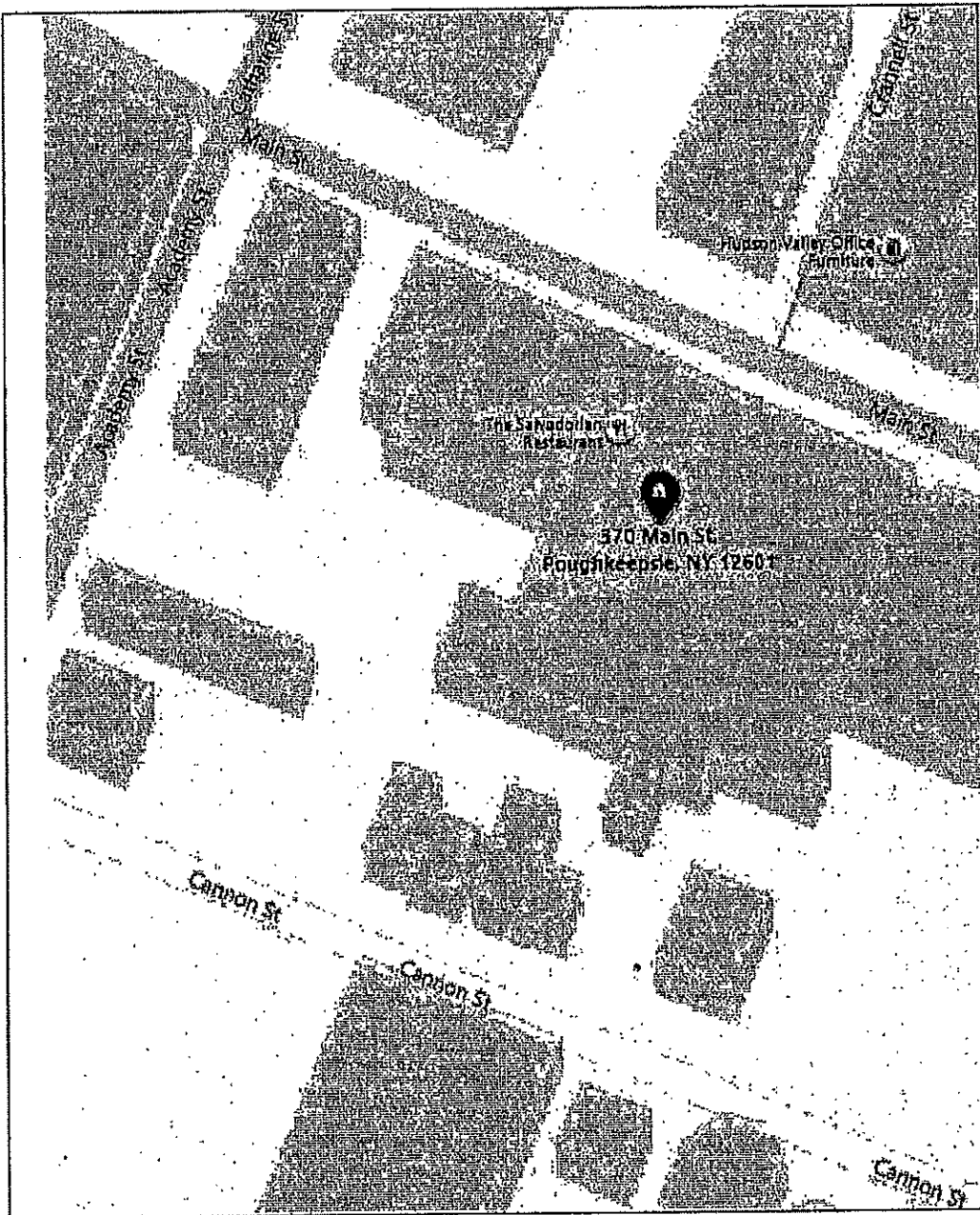
Alleyway along east facade



Signage and polychrome terra cotta band over modern storefront



West facade extending along shared wall with 368 Main



R20-65						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☐	☒	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☒	☐	☐
	Councilmember Brannen	Voter	☐	☒	☐	☐
	Chair Salem	Voter	☐	☒	☐	☐

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

**RESOLUTION
(R20-66)**

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 in an amount not to exceed chargeable to line item 01.1010.7469- Contracted Services Other.

SECONDED BY COUNCILMEMBER BRANNEN

R20-66						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter		☒	☐	☐
	Councilmember McNamara	Voter	☒	☒	☐	☐
	Councilmember Cherry	Voter	☒	☒	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☒	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

IX. ORDINANCES AND LOCAL LAWS:

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

**LOCAL LAW AMENDING CHAPTER 7
OF THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED "CITY OFFICERS AND EMPLOYEES" IN COORDINATION WITH THE
RIGHT TO KNOW ACT.**

(L20-02)

INTRODUCED BY CHAIR SALEM, COUNCILMEMBERS PETSAS, MENIST, LORRAINE JOHNSON, BRANNEN, FLOWERS, CHERRY:

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

Section 1. DECLARATION OF LEGISLATIVE INTENT AND FINDINGS

It is the intent of this Local Law to amend Chapter 7 of the City of Poughkeepsie Code of Ordinances entitled "Officers and Employees" and to add Article VIII entitled "Police Department." The Council finds that the people of the City of Poughkeepsie are in great debt to the hard work and dedication of police officers in their daily duties. The Council further finds that mistrust of law enforcement officers based on real or perceived discrimination hinders law enforcement efforts and is

a threat to public safety. In adopting this law, it is the intent of the Council to increase transparency in police practices and to continue to build trust between police officers and members of the public by providing the public with information on the names of officers with whom they interact, a notice of the reasons behind their encounters with the police, and a written record of their interactions with the police in situations that do not result in an arrest, summons, or ticket. The proposed amendments reflect desired changes to policies related to police identification.

Section 2. AUTHORITY

This local law is adopted pursuant to provisions of the Municipal Home Rule Law and § 2.04 of the Administrative Code of the City of Poughkeepsie.

Section 3. Chapter 7 of the Code of Ordinances of the City of Poughkeepsie entitled “Officers and Employees” shall be amended to add Article VIII entitled “Police Department” to read as follows:

Article VIII, Section 1-2 Authority and purpose.
[L.L. No. 02-2020, § 1]

- (a) This article is adopted under the authority of the Municipal Home Rule Law and § 2.04 of the Administrative Code of the City of Poughkeepsie.
- (b) This article is intended to provide a framework for the City of Poughkeepsie to implement policies and procedures specifically related to City of Poughkeepsie police officers. Specifically, the intent of § 1 is to establish police identification policies to increase transparency in police practices and to build trust between police officers and members of the public by providing the public with information on the names of officers with whom they interact, a notice of the reasons behind their encounters with the police, and a written record of their interactions with the police in situations that do not result in an arrest, summons, or ticket

Article VIII, Section 1-3 Applicability.
[L.L. No. 02-2020, § 1]

All boards, departments, offices, other bodies or officers of the City of Poughkeepsie are responsible for the implementation of Chapter 7, Article VIII within the bounds of their jurisdiction and must comply with this chapter to the extent applicable.

Article VIII, Section 1-4 Definitions.
[L.L. No. 02-2020, § 1]

As used in this Article, the following terms shall have the meanings indicated:

DEPARTMENT

The term “department” shall mean the police department of the City of Poughkeepsie.

LAW ENFORCEMENT ACTIVITY

The term “law enforcement activity” shall mean any of the following activities when conducted by officers:

- (1) noncustodial questioning of individuals;

- (2) stops where an officer has individualized, reasonable suspicion that the person stopped has committed, is committing, or is about to commit a crime and where a reasonable person would not feel free to end the encounter at will;
- (3) frisks;
- (4) searches of persons, property, or possessions, including but not limited to searches of homes and vehicles;
- (5) traffic stops;
- (6) roadblock or checkpoint stops;
- (7) investigatory questioning of potential victims of and witnesses to crimes.

NONCUSTODIAL QUESTIONING

The term “noncustodial questioning” shall mean the questioning of an individual during an investigation where such individual has not been detained and is free to end the encounter at will.

OFFICER

The term “officer” means a police officer or peace officer employed by the department.

Article VIII, Section 1-5 Duties of Officers to Identify Themselves.

[L.L. No. 02-2020, § 1]

- (a) Upon initiation of law enforcement activity, an officer shall:
 - (1) Identify thyself to the person who is the subject of such law enforcement activity by providing the officer’s full name, rank and command; and
 - (2) Provide to such person an explanation of the reason for such law enforcement activity.
- (b) At the conclusion of a law enforcement activity that does not result in an arrest, summons, or ticket, the officer shall offer to such person the officer’s business card.
- (c) An officer shall not be required to comply with this section where such officer is engaged in an approved undercover activity or operation, and where law enforcement activity is taken pursuant to such undercover activity or operation.
- (d) Any business cards used by an officer to identify thyself to a person who is the subject of law enforcement activity shall be pre-printed and shall, at a minimum, include the following:
 - (1) The name, rank, shield number, and department of the officer; and
 - (2) Information on how the subject of the law enforcement activity may submit feedback about the encounter, including the telephone numbers and website address of the City of Poughkeepsie Police Department.

Section 4. SEVERABILITY

If any provision of this bill or any other provision of this local law, or any amendments thereto, shall be held invalid or ineffective in whole or in part or inapplicable to any person or situation, such holding shall not affect, impair or invalidate any portion of or the remainder of this local law, and all other provisions thereof shall nevertheless be separately and fully effective and the application of any such provision to other persons or situations shall not be affected.

Section 5. **EFFECTIVE DATE**

This local law shall take effect ninety (90) days after its enactment into law.

SECONDED BY COUNCILMEMBER BRANNEN

R20-60						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

**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 BRANNEN

ADDITIONS denoted by **Underlining and Bold**

R20-60						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

**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 BRANNEN

ADDITIONS denoted by **Underlining and Bold**

R20-60						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

**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 BRANNEN

ADDITIONS denoted by **Underlining and Bold**

R20-60						
☒ 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	☒	☐	☐	☐

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

**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 BRANNEN

ADDITIONS denoted by **Underlining and Bold**

R20-60						
☒ 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	☒	☐	☐	☐

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS

1. **FROM CITY 15**, a communication regarding “We Rise”, a celebration of the 100th anniversary of women’s right to vote.

XI. OLD BUSINESS:

X. ADJOURNMENT:

A motion was made by Councilmember Brannen and seconded by Councilmember Lorraine Johnson to adjourn the meeting at 9:19 p.m.

Dated: August 18, 2020

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, July 13, 2020.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain

☐ Original☐ Amended

Date _____

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

1. Date Notice was Sent: 07/20/20201a. Delivered by: Certified Mail Return Receipt Requested

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

☐ 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 dateFor **Renewal** applicants, answer all questionsFor **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)For **Corporate Change** applicants, attach a list of the current and proposed corporate principalsFor **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocationFor **Class Change** applicants, attach a statement detailing your current license type and your proposed license typeFor **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: City of Poughkeepsie**Applicant/Licensee Information:**4. Licensee Serial Number (if applicable): 2126440Expiration Date (if applicable): 08/31/20205. Applicant or Licensee Name: Bondib Hotels Inc.6. Trade Name (if any): Poughkeepsie Grand Hotel7. Street Address of Establishment: 40 Civic Center Plaza8. City, Town or Village: Poughkeepsie

, NY

Zip Code: 126019. Business Telephone Number of Applicant/Licensee: (845) 485-530010. Business E-mail of Applicant/Licensee: swacker@pokgrand.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 minimum13. Type of Establishment: Hotel (requires full restaurant open to the public on premises)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): _____

OFFICE USE ONLY

☐ Original☐ Amended

Date _____

49

16. List the floor(s) of the building that the establishment is located on: 1st Floor17. List the room number(s) the establishment is located in within the building, if appropriate: 1st Floor18. 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:

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: Bonura & DiBrizzi Inc.23. Building Owner's Street Address: 2975 Rte 9W24. City, Town or Village: New WindsorState: NYZip Code: 1255325. Business Telephone Number of Building Owner: (845) 565-4210Representative or Attorney Representing the Applicant in Connection with the
Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice26. Representative/Attorney's Full Name: n/a

27. Representative/Attorney's Street Address: _____

28. City, Town or Village: _____

State: _____

Zip Code: _____

29. Business Telephone Number of Representative/Attorney: _____

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

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

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

31. Printed Principal Name: Joseph BonuraTitle: President

Principal Signature:

**CAPT'N CLIFFY'S
RIVER STATION RESTAURANT
AND
CATERING**

THE ANCHOR OF POUGHKEEPSIES WATERFRONT
FOR OVER 35 YEARS
1 N. WATER STREET, POUGHKEEPSIE, NY 12601

PHONE: 845-452-9207 FAX: 845-452-9240

WEBSITE: WWW.RIVERSTATIONREST.COM EMAIL: RIVERSTATION@VERIZON.NET

MA JUL 22 AM 8:16

July 16, 2020

City of Chamberlain
62 Civic Center
Poughkeepsie, NY 12601

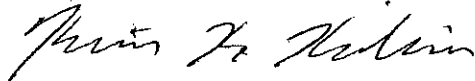
Liquor License No. 2005501 and 2156012

Dear Municipality/Community Board,

I am applying for a renewal liquor license for the above listed license numbers for the main bar and the second bar for the same location of 1 N. Water Street, Poughkeepsie, NY 12601. I am required to notify you the minimum of 30 Days prior to sending the renewal papers.

If you have any questions or concerns, please contact me at 845-452-9207.

Thank you,



Kevin K. Kihlmire

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

1. Date Notice was Sent: _____

1a. Delivered by: _____

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

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: _____

Truth NewYork LLC

6. Trade Name (if any): _____

Truth

7. Street Address of Establishment: _____

307 Main Street

8. City, Town or Village: _____

Poughkeepsie

, NY

Zip Code: _____

12601

9. Business Telephone Number of Applicant/Licensee: _____

(530) 618-7884

10. Business E-mail of Applicant/Licensee: _____

truthny307@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): _____

16. List the floor(s) of the building that the establishment is located on: **1st Floor and Basement (Storage)**

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: **Shwartz Building LLC**

23. Building Owner's Street Address: **1 Civic Center Plaza, Suite 500**

24. City, Town or Village: **Poughkeepsie** State: **New York** Zip Code: **12601**

25. Business Telephone Number of Building Owner: **(845) 380-4733**

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: **Steven F. Nesheiwat, Esq.**

27. Representative/Attorney's Street Address: **224 Church Street**

28. City, Town or Village: **Poughkeepsie** State: **New York** Zip Code: **12601**

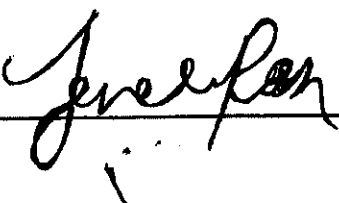
29. Business Telephone Number of Representative/Attorney: **(845) 452-7528**

30. Business E-mail Address of Representative/Attorney: **steven@nesheiwatlaw.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: **Frankee Ryan** Title: **President**

Principal Signature: 

HELBRAUN || LEVEY

July 1, 2020

CITY OF POUGHKEEPSIE

City Clerk

62 Civic Center Plaza

Poughkeepsie, NY 12601

RE: Hive Market LLC

33 Academy Street

Poughkeepsie, NY

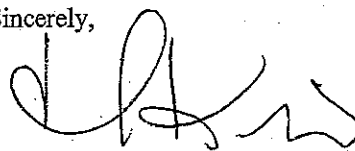
Dear Bob Gormley

I am writing to you on behalf of my client in the subject of this letter. Our client's intention is to apply to the New York State Liquor Authority for an on-premise liquor license.

As you are aware, part of the licensing process requires that the Local Municipality or Community Board be notified to be given an opportunity to comment on the application. Please consider this letter notification of our intent to apply to the New York State Liquor Authority for the above referenced license.

Please forward any meeting notification information and/or documentation requirements to Heather Kirk in our Licensing Department; at the address indicated in my letterhead below, or to heather@helbraunlevey.com.

Sincerely,





**State Liquor
Authority**

OFFICE USE ONLY
☐ Original ☐ Amended Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a
Local Municipality or Community Board**
 (Page 1 of 2 of Form)

1. Date Notice Was Sent: 7/1/2020

1a. Delivered by: Certified 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

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

For **Renewal** applicants, set forth your approved Method of Operation only.

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.

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. License Serial Number, if Applicable: Pending

Expiration Date, if Applicable: N/A

5. Applicant or Licensee Name: HIVE MARKET LLC

6. Trade Name (if any): PENDING

7. Street Address of Establishment: 33 Academy Street

8. City, Town or Village: Poughkeepsie

,NY Zip Code: 12601

9. Business Telephone Number of Applicant/Licensee: Pending

10. Business Fax Number of Applicant/Licensee: N/A

11. Business E-mail of Applicant/Licensee: C/O HEATHER@HELBRAUNLEVEY.COM

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

13. 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

14. Type of Establishment: MARKET/EVENT SPACE

15. 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): N/A

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

☐ Sidewalk Cafe ☒ Other (specify): COURTYARD



**State Liquor
Authority**

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

**Standardized NOTICE FORM for Providing 30-Day Advanced Notice to a
Local Municipality or Community Board**
(Page 2 of 2 of Form)

17. List the floor(s) of the building that the establishment is located on: GROUND FLOOR AND SECOND FLOOR
18. List the room number(s) the establishment is located in within the building, if appropriate: N/A
19. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
20. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
21. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee.
N/A
22. 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

23. Building Owner's Full Name: _____
24. Building Owner's Street Address: _____
25. City, Town or Village: _____ State: _____ Zip Code: _____
26. Business Telephone Number of Building Owner: N/A

**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**

27. Representative/Attorney's Full Name: JOSEPH LEVEY
28. Street Address: 110 WILLIAM STREET, SUITE 1410
29. City, Town or Village: NEW YORK State: NY Zip Code: 10038
30. Business Telephone Number of Representative/Attorney: 212-219-1193
31. Business Email Address: C/O HEATHER@HELBRAUNLEVEY.COM

I am the applicant or hold the license or am 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.

32. Printed Name: JOSEPH LEVEY

Title: ATTORNEY

Signature: X

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

2020 AUG 12 AM 11:38

NOTICE OF CLAIM

In the Matter of the Claim of

EVERETT MERRITT,

Claimant,

- against -

THE CITY OF POUGHKEEPSIE and THE
COUNTY OF DUTCHESS,

Respondents.

TO: THE CITY OF POUGHKEEPSIE
62 Civic Center Plaza
Poughkeepsie, NY 12601

THE COUNTY OF DUTCHESS
22 Market Street
Poughkeepsie, NY 12601

RECEIVED CITY COURT
POUGHKEEPSIE
2020 AUG 10 PM 3:02

PLEASE TAKE NOTICE that the undersigned claimant hereby makes claim and demands against you as follows:

1. Name and post office address of each claimant and claimant's attorneys is:

Claimant

Everett Merritt
22 Montgomery Street
Poughkeepsie, NY 12601

Attorney for Claimant

Worby Vecchio Edelman LLP
11 Martine Avenue
White Plains, NY 10606
(914) 686-3700

2. Nature of Claim: The nature of the claim is for severe and permanent personal injuries sustained by Claimant EVERETT MERRITT, and all other damages allowed by statute and caselaw as a result of the negligence, carelessness, recklessness and gross negligence of the CITY OF POUGHKEEPSIE and THE COUNTY OF DUTCHESS, their agents, servants, licensees, contractors, subcontractors, employees and other affiliates agencies and departments, without any comparative negligence on the part of the Claimant.

3. The time when, the place where and the manner in which the claim arose: The accident arose on July 3, 2020, at approximately 6:30 PM of that date, on the public sidewalk in front of the premises at 453 Main Street, Poughkeepsie, NY. The Claimant parked his vehicle in front of

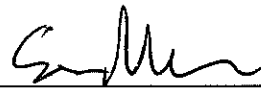
the aforementioned address and was walking from the curb to the sidewalk, when he was caused to trip and fall over a cut/broken metal pole which was raised approximately 10 inches out of the ground; upon information and belief, the pole had formerly held a 25 M.P.H. speed limit/No U-turn street sign, as shown in a computerized picture by Google Maps which was taken in October 2019; a copy of that picture is marked **Exhibit A** to this Notice of Claim. At the time of the Claimant's accident, the pole was broken, and was approximately ten inches in height off the ground, as shown in the pictures marked **Exhibit B** to this Notice of Claim.

The incident occurred as a result of the negligence, carelessness, recklessness and gross negligence of THE CITY OF POUGHKEEPSIE and THE COUNTY OF DUTCHESS, its agents, servants, employees, licensees contractors, subcontractors, employees and other affiliates agencies and departments, and those acting under their direction, behest, permission and control in the ownership, operation, designing, creating, management, maintenance, contacting, subcontracting, supervision, authorizing use and control of the sidewalk identified above, in front of 453 Main Street, Poughkeepsie, New York, Dutchess County, and more particularly, that portion of the premises identified above, in causing, allowing and permitting the sidewalk at the place above-mentioned to be, become and remain for a period of time after notice, either actual or constructive, in a dangerous and/or hazardous condition; in failing to properly and adequately inspect the sidewalk for defects; in failing to timely, adequately and properly repair the metal obstruction raised from the sidewalk; in improperly removing the street sign pole; in causing, allowing and permitting a trap to exist at the location; in failing to maintain the sidewalk in a reasonably safe and proper condition; in causing, allowing and permitting an obstruction to Claimant's safe passage at the location; in causing, allowing and permitting the existence of a condition which constituted a trap, nuisance, menace and danger to lawful pedestrians; in failing to have taken necessary steps and measures to have prevented the above mentioned location from being used while in a dangerous condition; in failing to give Plaintiff adequate and timely signal, notice or warning of the condition; in negligently, recklessly and carelessly causing and permitting the above sidewalk to be and remain in a dangerous condition for an unreasonable length of time, resulting in a hazard to the Claimant and others; in failing to take suitable and proper precautions for the safety of persons on and using the sidewalk; in that the Respondents created the condition; in failing to avoid the aforesaid accident which was foreseeable; and in being otherwise negligent, careless, reckless in the premises.

4. Claimant EVERETT MERRITT sustained severe permanent personal injuries, the full extent of which are not presently known, including but not limited to, upon information and belief, injuries to the left knee and wrist, including fractures of the left knee patella and left wrist, and other serious personal injuries, as well as hospital, physician and other medical expenses, pain and suffering, loss of quality and/or enjoyment of life, for a sum in excess of the jurisdictional limits of all lower courts which would otherwise have jurisdiction of this action.

Said claim and demand is hereby presented for adjustment and payment. You are hereby notified that unless it is adjusted and paid within the time provided by law from the date of presentation to you, the Claimant intends to commence an action in this claim.

Dated: White Plains, New York
August 7, 2020



EVERETT MERRITT

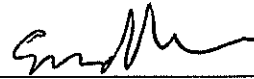
VERIFICATION

STATE OF NEW YORK

ss.:

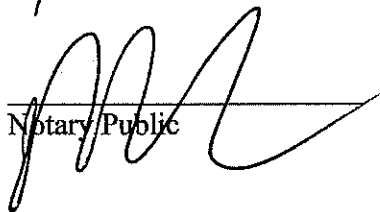
COUNTY OF DUTCHESS

EVERETT MERRITT, being duly sworn, deposes and says that Deponent is the above-named Claimant; Deponent has reviewed the foregoing NOTICE OF CLAIM and knows its contents; the same is true to Deponent's knowledge, except as to those matters stated to be alleged upon information and belief, and as to those matters Deponent believes it to be true.



EVERETT MERRITT

Sworn to before me this
4 day of August, 2020



Notary Public

PAUL J. CAMPSON
Notary Public, State of New York
No. 02CA4989530
Qualified in Westchester County
Commission Expires March 8, 2022

WORBY VECCHIO EDELMAN LLP

Attorneys for Claimant

EVERETT MERRITT

11 Martine Avenue

White Plains, New York 10606

(914) 686-3700

7/7/2020

459 Main St - Google Maps

Google Maps 459 Main St

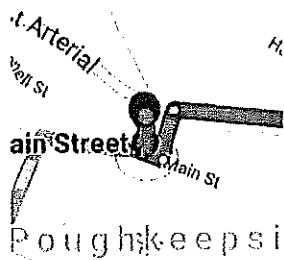


Image capture: Oct 2019 © 2020 Google

• Poughkeepsie, New York

Google

Street View



SAME Pole 10/2019

