



COMMON COUNCIL MEETING

Monday, July 3, 2023
Common Council Chambers

6:30 p.m.

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Meeting – June 20, 2023

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

IV. PUBLIC PARTICIPATION

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS

VI. MAYOR'S COMMENTS

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

VIII. REPORTS OF COMMITTEES AND BOARDS:

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

X. ORDINANCES AND LOCAL LAWS:

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

1. **R-23-54**, Resolution in support for the Family Partnership funding application to New York State for Phase 2 of the Facilities Restoration Project.

XII. ORDINANCES AND LOCAL LAWS:

1. **LL-23-06**, Local Law Amending Section 14.35 of the Administrative Code of the City of Poughkeepsie Entitled "Taxes – Partial Exemption Granted; Conditions"

XIII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM MR. JOSEPH CARPIO**, a notice of personal injury sustained on June 1, 2023
2. **FROM CHARLES KESSLER**, a notice of property damage that occurred on June 2, 2023.

XIV. ADJOURNMENT:

RESOLUTION

R-23-54

INTRODUCED BY COUNCILWOMAN BROWN:

Resolution by the City of Poughkeepsie Common Council approving and endorsing Family Services in its application to NYS Homes and Community Renewal (NYSOHCR) for funding under the New York Main Street Program.

WHEREAS, Family Services desires to apply for up to \$500,000 in financial assistance through the 2023 Consolidated Funding Application (CFA) under the NYSOHCR New York Main Street Program for the Family Partnership Center Community Facilities Restoration Project - Phase 2, and

WHEREAS, the application proposes funding to assist property owners to complete building renovations to downtown “main street” buildings on or around Main Street and

WHEREAS, the proposed funding will contribute to ongoing community revitalization efforts and

WHEREAS, the grant application requires that the applicant obtain the approval and endorsement of the governing body of the municipality in which the project will be located.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Poughkeepsie approves and endorses the 2023 CFA Application to NYSOHCR for assistance prepared and to be submitted by Family Services

SECONDED BY COUNCILMEMBER_____:

LOCAL LAW AMENDING SECTION 14.35 OF THE ADMINISTRATIVE CODE OF THE CITY OF
POUGHKEEPSIE ENTITLED "TAXES – PARTIAL EXEMPTION GRANTED;
CONDITIONS" (LL-23-06)

INTRODUCED BY COUNCILMEMBER MENIST :

SECTION 1. BE IT ENACTED, by the Common Council of the City of Poughkeepsie, a local law amending Chapter 14.35 of the Administrative Code of the City of Poughkeepsie entitled Taxes – Partial Exemption Granted; Conditions, to provide as follows:

~~STRIKETHROUGH INDICATES DELETION~~
BOLD and UNDERLINE INDICATES ADDED LANGUAGE

Section 14.35 **Taxes — partial exemption granted; conditions.**

Real property owned by persons sixty-five (65) years of age or over shall be exempt from city taxes up to the maximum amount of fifty (50) per centum of the assessed valuation subject to the following conditions and pursuant to Subsection (f) hereof:

- (a) The owner or all of the owners must file an application annually in the assessor's office on or before the appropriate taxable status date or such other time as may be hereafter fixed by law. At least sixty (60) days prior to the appropriate taxable status date, the assessing authority shall mail to each person who was granted an exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to be granted. Failure to mail any such application form and notice or the failure of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.
- (b) In the event the owner, or all of the owners, of property which has received an exemption pursuant to this section on the preceding assessment roll fail to file the application required pursuant to this section on or before the taxable status date, such owner or owners may file the application, executed as if such application had been filed on or before the taxable status date, with the Assessor on or before the date for the hearing of complaints. The Assessor shall approve or deny such application as if it had been filed on or before the taxable status date.
- (c) The income of the owner or the combined income of the owners of the property must not exceed ~~twenty-nine thousand dollars (\$29,000)~~ **fifty thousand dollars (\$50,000.00)** for the income tax year immediately preceding the date of making application for exemption. Where the title is vested in either the husband or wife, their combined income must not exceed the sum of **fifty thousand dollars (\$50,000.00)** ~~twenty-nine thousand dollars (\$29,000.)~~.
- (d) Title to the property must be vested in the owner or, if more than one (1), in all the owners for at least twenty-four (24) consecutive months prior to the date of making application for exemption.
- (e) The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners, and constitute the legal residence of the owners.

- (f) The amount of the partial exemption shall be computed as follows:

Annual Income	Percentage of Assessed Valuation Exempt From Taxation
\$20,600 <u>\$50,000</u> or less	50
More than \$50,000 \$20,600 but less than \$21,600 <u>\$51,000</u>	45
\$21,600 <u>\$51,000</u> or more but less than \$22,600 <u>\$52,000</u>	40
\$22,600 <u>\$52,000</u> or more but less than \$23,600 <u>\$53,000</u>	35
\$23,600 <u>\$53,000</u> or more but less than \$24,500 <u>\$53,900</u>	30
\$24,500 <u>\$53,900</u> or more but less than \$25,400 <u>\$54,800</u>	25
\$25,400 <u>\$54,800</u> or more but less than \$26,300 <u>\$55,700</u>	20
\$26,300 <u>\$55,700</u> or more but less than \$27,200 <u>\$56,600</u>	15
\$27,200 <u>\$56,600</u> or more but less than \$28,100 <u>\$57,500</u>	10
\$28,100 <u>\$57,500</u> or more but less than \$29,000 <u>\$58,400</u>	<u>5</u>

- (g) Unreimbursed medical expenses shall be subtracted from the senior's income calculation.

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

SECONDED BY COUNCILMEMBER _____ :

BRANDON J. BRODERICK
ATTORNEY AT LAW
A Limited Liability Company

65 East Route 4, First Floor
RIVER EDGE, NEW JERSEY 07661
PHONE: 201-853-1505
FAX: 201-489-0878

June 19, 2023

City Of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601
Attn: Tort Claims Unit/Legal Dept
FedEx#: 7724 0531 4513
RRR#: 9414 8149 0225 0580 2873 13

City of Poughkeepsie Police Department
26 Howard Street
Poughkeepsie, NY 12601
Attn: Tort Claims Unit/Legal Dept
FedEx#: 7724 0536 4919
RRR#: 9414 8149 0225 0580 2873 20

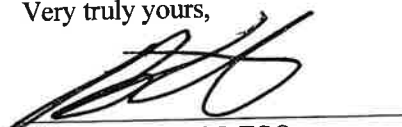
Re:	Accident Date:	06/01/2023
	My Client(s):	Ms. Joseph J. Carpio
	Location:	Intersection of Carnell Street and Main Street in the City of Poughkeepsie, Dutchess County NY

Dear Sir/Madam:

Please find enclosed notice to the City of Poughkeepsie and City of Poughkeepsie Police Department pursuant to the New York General Municipal Law.

Kindly turn this letter over to your insurance carrier and have them contact me.

Very truly yours,


BRUCE CANTIN, ESQ.

JAR/ar
Enclosure (s)

2023 JUN 26 AM 9:29
CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

NOTICE OF CLAIM

1. **Name & Addresses:**
Mr. Joseph Carpio
27 Pershing Avenue
Poughkeepsie, NY 12601
2. **Date of Birth & Social Security No. of Claimant(s):**
DOB: 05-19-2007
SS#: To Be Provided
3. **Send all correspondence to:**
Brandon J. Broderick, Esq., LLC
Attorneys for the Claimant
65 East Route 4, First Floor
River Edge, New Jersey 07661
4. **Date of Incident:**
06/01/2023
5. **Place of Incident:**
Intersection of Carnell Street and Main Street in the City of Poughkeepsie, Dutchess County NY
6. **Description of Incident:**
The claimant, Mr. Joseph Carpio was riding his bicycle east on the north sidewalk when the vehicle owned and/or maintained by the City of Poughkeepsie and/or the City of Poughkeepsie Police Department, was attempting to turn right onto Main Street and struck him. (Please see attached photos).
7. **Name of Public entity causing injury and/or damage:**
City of Poughkeepsie and City of Poughkeepsie Police Department pursuant to the New York General Municipal Law pursuant to the New York General Municipal Law.
8. **Injuries Incurred:**
Injuries to claimant, Joseph Carpio include but are not limited to his right knee. Additional information to be provided due to ongoing treatment.
9. **Amount of Claim:**
\$1,000,000.00

Date: 06/19/2023


Bruce Cantin, Esq.
Attorney for and on the behalf of Mr. Joseph Carpio

ATTORNEY VERIFICATION

Bruce Cantin, Esq., an attorney duly admitted to practice law before the Courts of the State of New York, affirms the truth of the following matters under penalty of perjury:

I am associated with the law firm of BRANDON J. BRODERICK ESQ., Esq., LLC attorneys for the claimant in the within matter, and as such am fully familiar with facts and circumstances constituting the within action.

I have read the foregoing **Notice of Claim** and know the contents thereof to be true to my own knowledge, except as to those matters alleged therein upon information and belief, and as to those matters, I believe them to be true.

The sources of my belief as those matters alleged upon information and belief are as follows: conversations with my client, investigation, research, and review of the file in this matter.

The reason that this verification is being made by me and not the Claimant personally is that the Claimant is presently not within the county where I maintain my office for the practice of law.

Dated: New York, New York
June 21, 2023

BRUCE CANTIN, ESQ.,

By: 
Bruce Cantin, Esq.

Attorneys for Claimant
65 State Route 4, East
River Edge New Jersey 07661
Telephone: (201) 853-1505

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes
23-14164
Q30999GSQP7Z

☒ **AMENDED REPORT**

1	Accident Date Month: 6, Day: 1, Year: 2023	Day of Week THURSDAY	Military Time 13:18	No. of Vehicles 2	No. Injured 1	No. Killed 0	Not Investigated at Scene ☐	Left Scene ☐	Police Photos ☒ Yes ☐ No																																																																							
	VEHICLE 1				☒ VEHICLE 2 ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN																																																																											
2	VEHICLE 1 - Driver License ID Number: 311441720				VEHICLE 2 - Driver License ID Number: 853756339				State of Lic. NY																																																																							
14	Driver Name - exactly as printed on license CARPIO, JOSEPH J				Driver Name - exactly as printed on license GATELY, MICHAEL D																																																																											
	Address (Include Number and Street) 27 PERSHING AVE				Address (Include Number and Street) 62 CIVIC CENTER PLAZA				Apt. No.																																																																							
3	City or Town Poughkeepsie				City or Town Poughkeepsie				State NY Zip Code 12601																																																																							
1	Date of Birth Month: 5, Day: 19, Year: 2007				Date of Birth Month: 1, Day: 9, Year: 1996				Sex: M, Unlicensed: ☐																																																																							
	Name - exactly as printed on registration				Name - exactly as printed on registration CITY OF Poughkeepsie,				Sex: C, Date of Birth:																																																																							
4	Address (Include Number and Street)				Address (Include Number and Street) 26 HOWARD STREET				Apt. No.																																																																							
1	City or Town				City or Town Poughkeepsie				State NY Zip Code 12601																																																																							
5	Plate Number				Plate Number 214				State of Reg. NY																																																																							
1	Vehicle Year & Make BICY				Vehicle Year & Make 2020 FORD				Vehicle Type SUBN																																																																							
	Ticket/Arrest Number(s)				Ticket/Arrest Number(s)																																																																											
6	Violation Section(s)				Violation Section(s)																																																																											
1	Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit; ☐ operated with an overdimension permit.				Check if involved vehicle is: ☐ more than 95 inches wide; ☐ more than 34 feet long; ☐ operated with an overweight permit; ☐ operated with an overdimension permit.				Circle the diagram below that describes the accident, or draw your own diagram in space #9. Number the vehicles.																																																																							
7	VEHICLE 1 DAMAGE CODES Box 1 - Point of Impact: 2, 1, 2 Box 2 - Most Damage: 3, 4, 5				VEHICLE 2 DAMAGE CODES Box 1 - Point of Impact: 4, 1, 2 Box 2 - Most Damage: 3, 4, 5				ACCIDENT DIAGRAM See the last page of the MV-104A for the accident diagram.																																																																							
1	Vehicle By: Towed To:				Vehicle By: Towed To:				Cost of repairs to any one vehicle will be more than \$1000. ☐ Unknown/Unable to determine ☐ Yes ☒ No																																																																							
	VEHICLE DAMAGE CODING: 1-13 SEE DIAGRAM ON RIGHT.				Place Where Accident Occurred: County DUTCHESS ☒ City ☐ Village ☐ Town of Poughkeepsie Road on which accident occurred CRANNELL STREET (Route Number or Street Name) at 1) intersecting street MAIN STREET (Route Number or Street Name) or 2) _____ of _____ (Milepost, Nearest intersecting Route Number or Street Name)																																																																											
	Accident Description/Officer's notes Bicyclist (V1) stated he was riding east on the north sidewalk when V2 emerged from Crannell Bicyclist to turn right onto Main Street when the collision occurred. Operator of V2 stated he was turning right onto Main Street from Crannell Street, but didn't see the bicyclist due to his view being obstructed by the building to his right. No visible damage to either vehicle. Bicyclist did complain of pain in his right knee and was transported to VBH																																																																															
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;">8</td> <td style="width: 5%;">9</td> <td style="width: 5%;">10</td> <td style="width: 5%;">11</td> <td style="width: 5%;">12</td> <td style="width: 5%;">13</td> <td style="width: 5%;">14</td> <td style="width: 5%;">15</td> <td style="width: 5%;">16</td> <td style="width: 5%;">17 BY</td> </tr> <tr> <td>A</td> <td>B</td> <td>1</td> <td>1</td> <td>2</td> <td>16</td> <td>M</td> <td>11</td> <td>12</td> <td>6</td> </tr> <tr> <td>B</td> <td>2</td> <td>1</td> <td>4</td> <td>1</td> <td>27</td> <td>M</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>C</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>D</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>E</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>F</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>										8	9	10	11	12	13	14	15	16	17 BY	A	B	1	1	2	16	M	11	12	6	B	2	1	4	1	27	M	-	-	-	C										D										E										F									
8	9	10	11	12	13	14	15	16	17 BY																																																																							
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	Officer's Rank and Signature PATROLMAN <i>[Signature]</i>				Badge/ID No. 5617		NCIC No. 01302		Station/Beat TR																																																																							
	Print Name in Full ANTHONY MORRONE				NCIC No. 01302		Station/Beat TR		Reviewing Officer BADNER, WILLIAM																																																																							
									Date/Time Reviewed 6/14/2023 09:49																																																																							

ALL INVOLVED

New York State Department of Motor Vehicles

POLICE ACCIDENT REPORT

MV-104A (6/04)

Local Codes
23-14164
Q30999GSQP7Z

☐ AMENDED REPORT

1	Accident Date Month <u>6</u> Day <u>1</u> Year <u>2023</u>	Day of Week <u>THURSDAY</u>	Military Time <u>13:18</u>	No. of Vehicles <u>2</u>	No. Injured <u>1</u>	No. Killed <u>0</u>	Not Investigated at Scene ☐ Left Scene ☐ Accident Reconstructed ☐ Police Photos ☒ Yes ☐ No	19
	VEHICLE ☐ VEHICLE ☐ BICYCLIST ☐ PEDESTRIAN ☐ OTHER PEDESTRIAN						20	
2	VEHICLE - Driver License ID Number Driver Name - exactly as printed on license Address (Include Number and Street) City or Town State Zip Code			VEHICLE - Driver License ID Number Driver Name - exactly as printed on license Address (Include Number and Street) City or Town State Zip Code			21	
3	Date of Birth Month Day Year Sex Unlicensed No. of Occupants Public Property Damaged			Date of Birth Month Day Year Sex Unlicensed No. of Occupants Public Property Damaged			22	
4	Name - exactly as printed on registration Sex Date of Birth Month Day Year			Name - exactly as printed on registration Sex Date of Birth Month Day Year			23	
5	Address (Include Number and Street) Apt. No. Haz. Mat. Code Released			Address (Include Number and Street) Apt. No. Haz. Mat. Code Released			24	
6	Plate Number State of Reg. Vehicle Year & Make Vehicle Type Ins. Code			Plate Number State of Reg. Vehicle Year & Make Vehicle Type Ins. Code			25	
7	Ticket/Arrest Number(s)			Violation Section(s)			26	
8	Check if involved vehicle is: more than 95 inches wide; more than 34 feet long; operated with an overweight permit; operated with an overdimension permit.			Check if involved vehicle is: more than 95 inches wide; more than 34 feet long; operated with an overweight permit; operated with an overdimension permit.			27	
9	VEHICLE DAMAGE CODES Box 1 - Point of Impact Box 2 - Most Damage Enter up to three more damage codes Vehicle By: Towed To:			VEHICLE DAMAGE CODES Box 1 - Point of Impact Box 2 - Most Damage Enter up to three more damage codes Vehicle By: Towed To:			28	
10	VEHICLE DAMAGE CODING: 1-13 SEE DIAGRAM ON RIGHT. 14. UNDERCARRIAGE 17. DEMOLISHED 15. TRAILER 18. NO DAMAGE 16. OVERTURNED 19. OTHER			ACCIDENT DIAGRAM 9. Cost of repairs to any one vehicle will be more than \$1000. ☐ Unknown/Unable to determine ☐ Yes ☐ No			29	
11	Reference Marker Coordinates (if available) Latitude/Northing Longitude/Easting			Place Where Accident Occurred: County <u>DUTCHESS</u> ☐ City ☐ Village ☐ Town of _____ Road on which accident occurred _____ (Route Number or Street Name) at 1) intersecting street _____ (Route Number or Street Name) or 2) _____ feet _____ miles ☐ N ☐ S of _____ (Milepost, Nearest intersecting Route Number or Street Name) ☐ E ☐ W			30	
12	Accident Description/Officer's notes for medical evaluation.						31	

ALL INVOLVED	8	9	10	11	12	13	14	15	16	17 BY
A										
B										
C										
D										
E										
F										
Officer's Rank and Signature	PATROLMAN <i>Anthony Morrone</i>				Badge/ID No.	NCIC No.	Precinct/Post Troop/Zone	Station/Beat Sector	Reviewing Officer	Date/Time Reviewed
Print Name in Full	ANTHONY MORRONE				5617	01302	TR		BADNER, WILLIAM	6/14/2023 09:49

POLICE ACCIDENT REPORT

MV-104A (6/04)

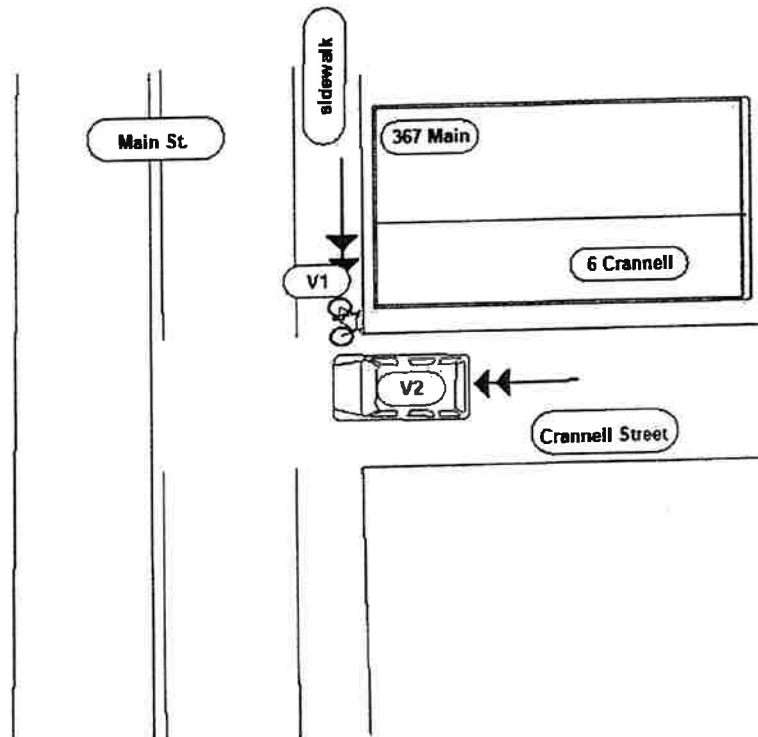
Local Codes

23-14164

Q30999GSQP7Z

☐ AMENDED REPORT

Accident Date			Day of Week	Military Time	No. of Vehicles	No. Injured	No. Killed	Not Investigated at Scene	Left Scene	Police Photos
Month	Day	Year						Accident Reconstructed		☒ Yes ☐ No
6	1	2023	THURSDAY	13:18	2	1	0		☐	



PLEASE PRINT OR TYPE FORM CLEARLY

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

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 6/24/2023

NAME AND ADDRESS OF EACH CLAIMANT:

Charles Kessler

111 Hudson Harbour Drive Poughkeepsie, NY 12601

TELEPHONE NUMBER: 845-337-5005

NAME AND ADDRESS OF ATTORNEY (IF ANY):

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2023 JUN 30 PM 1:15

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

piece of Cement from roof of parking garage hit my car on P3. It happened on June 2nd 2023 at 12:30 pm. Happened on P3 in parking garage. My deductible through insurance is \$100.00. That is what I would like claimed, my \$100.00 deductible

ITEMS DAMAGED OR INJURIES SUSTAINED:

Roof of car damaged. Scratched and dented in multiple spots

Charles Kessler

Signature of Claimant

Signature of Claimant

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

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

Signature of Claimant

Signature of Claimant

Sworn to before me this
24 day of June, 2023

[Signature]
Notary Public



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



HUDSON VIEW AUTOBODY

hudsonviewauto@outlook.com
1 OAKDALE AVE, POUGHKEEPSIE, NY 12601
Phone: (845) 454-5540
FAX: (845) 454-8062

Lic

Preliminary Supplement 1 with Summary

Customer: KESSLER, CHARLES

Written By: Darren Hummel, IA-950106
Adjuster: Team, Express, (855) 341-8184 Business

Insured: KESSLER, CHARLES
Type of Loss: Collision
Point of Impact: 27 Roof

Policy #:
Date of Loss: 6/2/2023 1:30 PM

Claim #:
Days to Repair

Owner:
KESSLER, CHARLES
111 HUDSON HARBOUR DR
POUGHKEEPSIE, NY 12601-5305
(845) 337-5005 Cell
(845) 337-5005 Other

Inspection Location:
HUDSON VIEW AUTOBODY
1 OAKDALE AVE
POUGHKEEPSIE, NY 12601
Repair Facility
(845) 454-5540 Business
Date Inspected: 6/8/2023

Insurance Co
STATE FARM IN
STATE FARM -
MALTA

HUDSON VIEW AUTOMOBILE REPAIR
1 OAKDALE AVE
POUGHKEEPSIE NY 12601
845-454-5540

Terminal ID: *****710
6/23/23
VISA DEBIT - INSERT
AID: A0000000031010
ACCT #: *****0116

***4
4:20 PM

CREDIT SALE

UID: 317417870869 REF #: 7019
BATCH #: 931 AUTH #: 348877
AMOUNT \$1329.50

APPROVED

ARQC - 43EBF998C14AC303
CUSTOMER COPY

VEHICLE

2020 HOND Civic Hatchback Sport w/Continuously Variable Transmission 4D H/B 4-1.5L Turbocharged Gasoline Gasoline Direct Injection Blue

VIN: SHHFK7H43LU423325
License: KFZ6976
State: NY

Interior Color:
Exterior Color: Blue
Production Date:

Mileage In: 39,068
Mileage Out:
Condition:

Vehicle Out:
Job #:

TRANSMISSION

Automatic Transmission

POWER

Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors

DECOR

Dual Mirrors
Tinted Glass
Console/Storage

CONVENIENCE

Air Conditioning

Intermittent Wipers

Tilt Wheel

Cruise Control

Rear Defogger

Keyless Entry

Alarm

Message Center

Steering Wheel Touch Controls

Rear Window Wiper

Telescopic Wheel

Climate Control

Backup Camera

Intelligent Cruise

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

Auxiliary Audio Connection

SAFETY

Drivers Side Air Bag

Passenger Air Bag

Anti-Lock Brakes (4)

4 Wheel Disc Brakes

Front Side Impact Air Bags

Head/Curtain Air Bags

Hands Free Device

Lane Departure Warning

SEATS

Cloth Seats

Bucket Seats

Reclining/Lounge Seats

WHEELS

Aluminum/Alloy Wheels

PAINT

Clear Coat Paint

OTHER

Fog Lamps

Traction Control

Stability Control

Rear Spoiler

Preliminary Supplement 1 with Summary

Customer: KESSLER, CHARLES

Job Number:

2020 HOND Civic Hatchback Sport w/Continuously Variable Transmission 4D H/B 4-1.5L Turbocharged Gasoline Gasoline Direct Injection Blue

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			142.75
Body Labor	12.7 hrs @	\$ 57.00 /hr	723.90
Paint Labor	7.5 hrs @	\$ 57.00 /hr	427.50
Feather Prime and Block	0.5 hrs @	\$ 57.00 /hr	28.50
Paint Supplies	7.5 hrs @	\$ 40.00 /hr	300.00
Miscellaneous			255.00
Other Charges			5.00
Subtotal			1,882.65
Grand Total			1,882.65
Deductible			100.00
CUSTOMER PAY			100.00
INSURANCE PAY			1,782.65



THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING MINUTES

Tuesday, June 20, 2023, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is Tuesday, June 20, 2023, and the time is 6:30 pm.

I. ROLL CALL: 8 Present, 1 Absent (Councilmember Long)

II. REVIEW OF MINUTES:

Common Council Meeting – June 5, 2023

Motion to accept the minutes: Councilmember Shook, Seconded by Councilmember Deichler

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

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

-NONE-

Per Chairwoman Brown, item #2 under X. Consent and Local Laws, LL-23-06 has been removed from the Consent Agenda and moved to the Action Agenda.

IV. PUBLIC PARTICIPATION

- 1. Kevin Van Wagner, President of City of Poughkeepsie PBA ***
- 2. Holly Wahlberg – 35 Garfield Place**
- 3. Ken Stickle – Catharine St.**
- 4. Gus Kazolias ***
- 5. Laurie Sandow – S. Grand Ave. ***
- 6. Doug Nobiletti***
- 7. Kenneth Kelley – Rose St.**
- 8. Barrington Atkins – Shipyard Rd.**
- 9. Suprina Troche – 3 Delafield**
- 10. Daniel Atonna – 16 College Ave (For the Many)**

*** Submitted Written Comments**

Current Police Department Numbers

- 84 Current sworn members which includes the chief and two captains
 - o 81 sworn members
 - o 5 members out on restricted duty
 - o 1 member in police academy
 - o 75 total members working on the street
- 24 employees are eligible to retire at any point
- 33 employees have 17 years or more on = 41% of your work force
- 34 employees have 6 years or less on = 42% of your work force

Civil Service Exam

- September 9, 2023 a civil service exam will be given for the county
- From the time that a candidate takes the test until the time that they will be working on the street will be January 2025
 - o Test results
 - o PT test
 - o Interview
 - o Psychological Exam
 - o Polygraph Exam
 - o Background Check
 - o Academy
 - o Field Training
- Currently 539 candidates received letters from the current eligible list
 - o 93 candidates accepted the invitation to the PT test
 - o 88 candidates showed up to take the test
 - o 45 candidates passed the PT test
 - 10 of those candidates have already gone through the hiring process with neighboring agencies in the county
 - 6% viable candidates from 539

New York State police

- canvassed 7,000 candidates
- 700 candidates responded
- 300 candidates passed = 4% viable candidates from 7,000

The MOA you have before you highlights the fact that we're losing police officers at an alarming rate while struggling to fill their positions with newly hired officers. Since 2017 the department has lost 50 police officers through retirement, lateral transfers to other agencies and resignations.

10
AN ARTICLE IN THE MID-HUDSON NEWS
REGARDING THE VACATED COUNTY JAIL ~~FOR~~ ^{SPEAKING BY}
SOMEONE WHO WAS INVOLVED DURING THE
COUNTY RESOLUTION FOR THE NEW COUNTY. THE
HOMELESS AND OTHERS. THE SPOKESMAN FOR THE
THE PROJECT IS A LOCAL ARCHITECT. WHO RAISED
THE FACT THE VACANT JAIL HAS LESS THAN THE 80
SF AREA STATE SPECS. BY PRESENT STANDARD
DOES ^{NOT} MEET THE 100SF ^{SPACE} REQUIREMENT FOR
BOTH STATE/COUNTY. I TALKED WITH A VERY
KNOWLEDGABLE PERSON, WHEN I ASKED HIM, WHY ^{NOT}
EXPAND ~~THE~~ TO MEET THE 100SF. DURING THIS
DISCUSSION HE MENTIONED THE 80SF EXISTING
OLDS JAIL WITH DEMOLITION AND THE
CONSTRUCTION TO 100SF. NEW JAIL TO BE MORE
COST EFFECTED. THIS NEW HOMELESS SHELTER
WILL BE FOR 125 BEDS AND AFTER 90 DAYS A
DIFFERENT GROUP WOULD MOVE IN. YES EVEN
THOSE FROM SANTURY. NYC, SAME AS
POUGHKEEPSIE, BULOAD OF ILLIGALS RESIDE ON
THE NORTHSIDE AT MAPLEWOOD. READ. CLASS
REDING IN COLLEGE 1984, MANY WORDS WERE
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HOMELESS SHELTER AS TEMPORARY! WELCOME TO
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PERMANENT.

It's now 15 weeks since the March 6th Informational meeting, and I still have no written replies from unelected Mayor Nelson, Chairwoman Brown, Chamberlain Davis, and others. I've raised this repeatedly ever since, and am still waiting for answers: how many weeks and months will I have to waste my first 30 seconds at Council meetings keeping count of the refusal to reply to questions they're sworn to answer? This is not an exception to the rule in the City of Poughkeepsie—lack of transparency, accountability and non-responsiveness *is* the rule.

At the last meeting, I also asked for public confirmation or denial from Chamberlain Davis about whether she keeps a separate binder exclusively for my Freedom of Information (FOIL) requests. That concern comes after Corporation Counsel Valk was heard during a public access broadcast recounting how she'd apologized to Brian Martinez for the work of my FOILs; advising that they not be a priority. Unqualified Historic District commissioners Tim McQueen and Da'Ron Wilson were heard disparaging both FOILs and members of the public during this same broadcast. How, why and from whom have McQueen and Wilson learned about the Freedom of Information (FOIL) requests I file? Adding further irony to Administration complaints about FOIL, last week when I requested a copy of the Building Permit for a parcel on a S. Hamilton, Inspector Phillip responded that I would need to submit a FOIL. I forwarded his instruction to Chamberlain Davis who, rather than simply supply the document, introduced further delays entirely on her own by illegally creating a FOIL in my name and submitting it through the City's portal. This stands in sharp contrast to more than one example of documents expedited by the Chamberlain and others without ever using the City's FOIL portal—for example, documents sought by Kenneth Stenger, attorney for Pelton Partners, LLC, requested, assembled and supplied without use of the portal.

Why raise these issues now? Because this behavior should be taken into account during early voting, which is already underway, with the Primaries concluding on June 27. We've got an Administration and certain City employees who hold the public in contempt, subjecting them to runarounds. Marc Nelson has written: "whether or not documents are near at hand when a FOI arrives which seeks them is not dispositive of our timeline for providing them. Many other factors are important as city staff are typically addressing a host of matters on any given day." Nelson's declaration stands in contrast to a declaration by the NYS Committee on Open Government, which has written: "§84 of the Freedom of Information Law states that 'it is incumbent upon the state and its localities to extend public accountability wherever and whenever feasible.' Therefore, when records are clearly available to the public under the Freedom of Information Law, or if they are readily retrievable, there may be no basis for a delay in disclosure."

Regarding primaries, at last week's Mayoral Forum, Marc Nelson either willfully deceived the public, or demonstrated his ignorance regarding the County's abandonment of plans at 26 Oakley; with the County now opting to defy the will of City residents by creating a supposedly temporary shelter at the 1995 "old jail" at 150 N. Hamilton. Da'Ron Wilson, a well-known antagonist to democratic norms, postured at the same forum with a civics lesson rather than a platform. Terricena Brown's palm card boasts about having served on the Waterfront Advisory Committee (the WAC), without noting that she almost never showed up for WAC meetings and was uninformed when she did.

Some politicians amuse themselves by calling the weeks before elections the "silly season". They preen and posture and issue fake and undeliverable promises. They lie their way into office where they fail to serve, and even resent, insult and exclude certain constituents. This Council undermined the Voting Rights Act when they rejected the Redistricting Commission's map in order to protect their own Ward seats and incumbencies, or support their secretly pre-selected replacements.

With only three exceptions—Ernest Henry, Jamar Cummings and Vincent Pedi—I have deep concern, if not dread, about the slate of unqualified candidates and flunkies currently running to rule this City's future.

The questions I asked at the Common Council's March 5, 2023

Special Informational Meeting which remain unanswered:

—Questions to Council Chairwoman Natasha Brown:

Can you confirm that you and all other Councilmembers swore an oath of office, which includes support the Constitution of the United States, and the Constitution of the State of New York?

At the Council's January 3 Organizational meeting, their first meeting of the year, the Council approved a Resolution Adopting Roberts Rules of Order. Roberts Rules reads, in part:

“Consent and Priority Agendas—The consent agenda ... is a good way to dispose of business that is noncontroversial. Approving the minutes, paying the bills, and approving customary donations are examples of noncontroversial business....”

Why does this Council not have a written consent agenda policy, and why does it regularly include controversial items on its consent agenda?

You have stated on the record that the Corporation Counsel advised there's nothing requiring us to accept public comments for inclusion in the written minutes. This City, and this Council has a history of including public comments extending back before any current member of the Council sat on this Council.

The public consistently faces delayed posting of meeting agendas. Why is that?

Why does the Chair never exercise the portion of Section 2.04(d) of the City Charter which provides that: “Prior to submitting any proposed legislation to a vote of the common council at any regular or special meeting, the person serving as chairperson shall suspend the rules of the meeting upon such conditions as he or she may determine to permit comment upon such proposed legislation by any member of the public in attendance who wishes to be heard....”

Where and with whom are the end of year reports by City Boards?

Council members phone and text to each other during council meetings, doing the public's business in private text. Your job is to operate in the public interest and not your individual interest. Please address this secretive texting between Council members.

Council “bootcamp” workshops were recently held for councilmembers. When you originally announced these to the public, you said the schedule would be posted online, though the trainings would not be open to the public. Who taught each of these training or bootcamp sessions, what training was covered, and how long did each individual training session last?

<https://www.cityofpoughkeepsie.com/civicalerts.aspx?aid=200>

—Questions to Chamberlain Jasmin Davis:

Time and again I have requested that meeting packets be provided as searchable, readable documents. Yet they are not. Today I got an automated notice that there had been a revision to an HDLPC agenda. Yet when I went to look at the agenda, there was no obvious change. I have repeatedly requested that originally posted documents not be pulled down and replaced with a brand new document, but that the original be redlined. Yet that doesn't happen.

Why are Common Council meeting agenda line items posted using abbreviations, acronyms and initialisms? How is the ordinary City resident supposed to know what those stand for, or find them again if they ever have to search for the item? For example, on tonight's Council agenda, there's a consent agenda item reading "R-23-23, Resolution Amending the IMA with PCSD regarding SABP". Will the ordinary citizen even know what that means? If I ever have to find that resolution again, am I supposed to remember all the acronyms?

Why are there years of missing resolutions on the City website under the link
<<https://www.cityofpoughkeepsie.com/241/Resolutions>>?

Have you ever received direct advice or instruction, whether verbal or written, to delay replies to certain FOIL requesters? Or to expedite certain FOIL replies from any requester? For example, at one point Marc Nelson wrote to me regarding FOILs and delays in FOILs (and I quote): "Whether or not documents are near at hand when an FOI arrives which seeks them is not dispositive of our timeline for providing them. Many other factors are important as city staff are typically addressing a host of matters on any given day." Well, that statement is in direct violation of Freedom of Information Law.

I'd like to know how long it takes to make a change to the draft minutes of an agenda. Do you ever opt to make changes for one party, but not for another? Are you the only staff member who creates draft minutes, or do others in the Chamberlain's office sometimes write and post the draft minutes?

I was told by Tim McQueen that he was standing at Chamberlain Jasmin Davis's desk on one day when she showed him a bunch of the Freedom of Information requests that she had received from me. Please confirm, and also state whether it is within the right and authority of the Chamberlain to share any items in her possession and on her desk with random members of the public?

I'd like the City to start posting their transmissions of meeting notices sent to the Poughkeepsie Journal and not just assuming that transmissions were made in a timely manner.

—Questions to dual title, Acting Mayor and City Administrator Marc Nelson:

I'd like Mr. Nelson to address the issue of FOIL delays.

Also, the issue of whether he is in the process of putting together a Charter Review Committee.

Please address the issue of Common Council member ethics and conflicts of interests.

Please address the question of whether you, personally, have any professional background and experience in understanding and judging the qualifications of various board and committee members that you are currently appointing or removing from various city committees, the HDLPC currently being the most notable of those.

Are conflict of interest rules applied equally to all Committee and Board members, or just to some. How and what are the rules that are being applied?

Mr. Nelson, please address the City's role in the demolition by neglect of Pelton mansion, and the willful vacancy and deterioration through false promises and delays caused by the City as well as by individuals associated with, and the corporate entity known as Pelton Partners, LLC, which vacancy and deterioration was willfully misrepresented in this statement by Mr. Nelson at the Common Council Meeting of February 21, 2023 (partial extract):

<https://totalwebcasting.com/view/?func=VIEW&id=cop&date=2023-02-21&seq=2>

“And as to the Pelton Mansion issue, this city is moving forward.

We are not going to let that mansion fall down around itself while nothing happens.

We're just not doing it. For another decade. It sat vacant for years.

And as your mayor, I'm not going to allow that to happen.”

—Questions to Development Natalie Quinn:

At a recent Planning Board meeting Ann Saylor requested a paper copy of a certain document because she was having trouble toggling back and forth between the pages of that approximately 7-page document. She was immediately supplied a paper copy of the document. So imagine if somebody like a Saylor can't manage on her desktop to toggle back and forth between certain documents. And yet you've asked, especially in this city with a digital divide, that members of the public toggle back and forth between the 274-page zoning document in order to an answer to the online survey.

Compare and contrast Saylor's experience with that of city residents being asked toggle back and forth between the PK4Keeps draft zoning document in general, as well as the online survey for that document.

So lastly, I'll just mention that a statement was released today regarding the zoning code draft issued by our unelected Mayor Marc Nelson, Council Chairwoman Natasha Brown and Council Vice-Chair Nathan Shook.

<https://www.cityofpoughkeepsie.com/civicalerts.aspx?AID=210>

It makes certain statements about Accessory Dwelling Units (ADUs) and, of course it's in response to the overwhelming opposition stated at the recent public hearing. But it doesn't contain any statements from the other council members, some of whom have made it clear that they remain invested in support of, and that they are operatives for the lobbying organization "For The Many."

In closing, once again, I protest the fabricated rules, nowhere specified in the City of Poughkeepsie Charter, being imposed on the public to limit questions and answers at tonight's Special Informational Meeting.

V. MAYOR'S COMMENTS

Mayor Nelson: Thanks very much, Madam Chair.

So just on a happier note, I want to thank my colleagues on the council and all the members of the public and volunteers who participated in wonderful public events in celebration of Juneteenth.

Belated happy Father's Day to everybody who celebrated that on Sunday with their families.

You know, I've been all over this community as everybody in the room knows and everybody watching.

And I've seen wonderful things.

I've seen a tripling of what we are spending on paving our streets.

I've seen a better and more robust dialogue across the community.

This debate, and I will say discussion about the benches is wonderful because it's bringing people out to talk about the issues and everybody can share the blame.

And hopefully we'll all be able as a community to share the credit and the reward of living in a community that has a better quality of life for everybody.

Do I claim to have all the answers? No, I don't think any of my council colleagues claim to have all the answers.

What we need, I think, as a community is to put everybody together, listen to them respectfully, and give them an opportunity to speak clearly and concisely to the public, to the voters and to the taxpayers and to people who come up here and tell me that I'm the unelected mayor.

They are really just demonstrating an animus, not to me, but to our community.

Thank you, Madam Chair.

VI. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Brown: Okay.

So, I'm not going to, my comments are going to be brief tonight.

And for one, I would like to congratulate Councilmember Johnson and Councilmember Flowers for their Juneteenth festival at Malcolm X.

You know, as soon as I got ready to come, it started pouring down rain, I called councilwoman Johnson.

But I did have a chance...

And I would also like to congratulate Councilwoman Long.

I did have a chance to go yesterday to that, but thank you all for doing that.

It's a long time coming that we've been able to celebrate *our* independence, which came much later than everyone else's.

And I hope we continue this city to celebrate Juneteenth.

I wanted to talk a little bit about the resolution. Even I'm on here as a sponsor.

I'd like to add all my council colleagues and I just want to make something very clear because I'm not going to get into too many details as we are going to defer it to our attorney.

We as local activists had both a moral and a fiduciary responsibility to the residents here in the city of Poughkeepsie.

We've sat here throughout, what, the last year or so.

And when this proposed homeless shelter was going to be at Oakley, we utilized our resources, including fellow council members, to say as part of negotiation team, and we were left in the dark out of the back of a lot of decisions that were being made and.

From the change of plans to we were in the middle of negotiating a community benefit agreement that kind of just, you know, went by the wayside with no explanation.

We had to go by rumors and hearsay to find out what's going on to a negative declaration of environmental impact. When I don't, I don't see how this could be no environmental impact, especially on the local community.

So I'm going to read the resolution into the record.

Is the - is everything back up and running for people at home? Because we've been getting a lot of calls about this.

Again, I would like to add it, if my council members approve and I'm sure they do, this is from the entire council, not just myself.

WHEREAS, the Dutchess County - and this is one of the issues that we unite about, there's not one council member up here that feels like we should not do this. I just want to put that out there. And I want to also thank that our local county legislatures, in fact, all of them the Democratic minority, for uniting and mobilizing with us on this issue.

Whereas the Dutchess County Legislator on June 12th, 2023, approves 2023 123 authorizing funding an amount of 725,000 for the design, engineering and construction management services towards development of a temporary emergency homeless shelter to be located at the soon to be decommissioned 1995 jail facility 150 North Hamilton Street, Poughkeepsie; and

WHEREAS, the county has again failed to communicate with the Common Council regarding these plans and the impact this new facility will have on this community; and

WHEREAS, Corporation counsel previously appointed outside counsel E. Christopher Murray, Esquire of Rivkin Radler LLP to research and advise the Common Council on his legal rights regarding the county's plans for the development of homeless shelter; and

WHEREAS, the Common Council now seeks to authorize the law firm of Rivkin Radler LLP to comment on an Article 78 action against Dutchess County to challenge Resolution 2023 123 regarding the property for a cap legal fee of \$10,000 plus any out-of-pocket disbursements.

Now, therefore, be it resolved by the City of Poughkeepsie that the retention of Rivkin Radler LLP and outside Counsel is hereby authorized for the purpose of commencing and prosecuting and action to challenge Resolution 2023 1 to 3 Rivkin Radler happy fees shall be capped at \$10,000, but if we need to exceed, we'll just do another resolution plus any out of pocket disbursements unless the amount is amended by further resolution of this council, this resolution shall be effective immediately upon its adoption.

Now, I just want to also be very clear that the public will participate in this process.

We'll work with the county legislators to have more public hearings here as we go through these proceedings, as this whole stakeholder group takes form, I'm curious to know, you know, even if this is an open stakeholder group, that they're going to have a more a smaller stakeholder group as well, which includes the electeds of that surrounding area.

We sat at the last last public hearing on this issue, and we had people who live right by the 150 North Hamilton, the former jail, saying that they have not been consulted.

We've heard about, you know, the issues that are going on with the current pod situation.

There's still no plan in place.

I think Mr. Kelly said it the best way we have to stop treating just the symptoms of things and start looking at the root causes.

So, you know, it's not satisfactory to build a shelter and not provide treatment options for people.

And so I can speak for myself and I know my colleagues agree we're not going out without a fight.

We're going to make sure if this does happen, that the people that will be utilizing the shelter, are going to get the best possible treatment and care as possible.

And judging from the pictures that were shown, were displayed to the county legislators.

That building, you know, is not fit for habitation.

And I don't think \$725,000 for a design in a building that should be knocked down is an appropriate use of funds.

But that's just my, you know, my little \$0.02. So I just wanted to point out this.

To the collective front, I want to congratulate the Poughkeepsie High School Class of 2023 who will be graduating this Friday.

And can we get some round of applause? Because it's important, because especially right now.

Since it is campaign season and people like to use it, the school district kind of like as a, as a platform, the school district's making great strides. I mean, a number of students that got scholarships this year, over a hundred students, which is almost 50% of the graduating class receiving college scholarships, is unheard of. Yes, we can clap because I sit here quietly...

Councilmember Johnson: That's a long time coming.

...I sit here quietly a lot.

And people are always just blaming the school district.

And Mr. Kelly, again, you inspired me tonight, with what I'm saying because, you know, let's not be part of the problem, be part of the solution, and we're going to continue to improve if more people invest into our school district and support the movement that we're trying to make.

So I encourage everyone to do so and not just necessarily use this school district as a campaign platform.

Moving right along, does any - Councilmember Long could not be here, she had an emergency today - but I do know that the Housing Solutions Committee has had two meetings since our last meeting.

So I don't know if anyone wants to report out about that, but I do want to discuss this also, because this committee that I created using my authority as chair is not just a committee - a dog and pony show committee.

The expectation of this committee is to actually provide viable solutions and recommendations for legislation that this council can pass to secure housing, to create housing and to sustain housing, whether it's affordable market rate or, you know, a homeowner house. Right. This is a legit committee.

And before I'm out of office, we will have a report from that committee. And I'm sure we will make some movement because, again, this is another issue that all of our colleagues wrap around.

So did anyone want to report out about that committee? The last meeting? No?

Okay? No one wants to report out.

So we'll wait for Councilmember Long to return.

So I will go to New & Unfinished Business and I will start with Councilmember Grant.

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

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

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

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

- 1. R-23-51, Resolution Amending the 2023 Budget to Reallocate \$75,000 in Unspent ARPA Funds from 2022 to the 2023 Budget for Champion's Walk at Corey Ingram Circle**

**RESOLUTION
(R-23-51)**

INTRODUCED BY CHAIRWOMAN BROWN _____:

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

WHEREAS, the Common Council wishes to amend the 2023 Budget to reallocate \$75,000 in unspent ARPA funds from 2022 to the 2023 Budget to be used as funding for the Champion’s Walk at Corey Ingram Circle.

NOW, THEREFORE,

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

SECONDED BY _____.

R-23-51			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☐	☐	☐	☒
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

2. R-23-52, Resolution Authorizing the Commencement of Litigation Against Dutchess County

**CITY OF POUGHKEEPSIE
RESOLUTION AUTHORIZING THE COMMENCEMENT
OF LITIGATION AGAINST DUTCHESS COUNTY
(R-23-52)**

**INTRODUCED BY CHAIRWOMAN BROWN, VICE-CHAIR SHOOK,
COUNCILMEMBERS GRANT, DEICHLER, FLOWERS, JOHNSON, LONG, MENIST,
THOMPSON:**

WHEREAS, the Dutchess County Legislature, on June 12, 2023, approved 2023123, authorizing funding in the amount of \$725,000 for the design, engineering and construction management services toward the development of a temporary emergency homeless shelter to be located at the soon to be decommissioned 1995 jail facility, 150 North Hamilton Street, Poughkeepsie; and

WHEREAS, the County has, again, failed to communicate with the Common Council regarding these plans and the impact this new facility will have on this community; and

WHEREAS, Corporation Counsel previously appointed outside counsel, E. Christopher Murray, Esq. of Rivkin Radler, LLP to research and advise the Common Council on its legal rights regarding the County's plans for the development of a homeless shelter; and

WHEREAS, the Common Council now seeks to authorize the law firm of Rivkin Radler, LLP to commence an Article 78 action against Dutchess County to challenge resolution 2023123 regarding the property for a capped legal fee of \$10,000.00 plus any out-of-pocket disbursements.

NOW THEREFORE, BE IT RESOLVED by the City of Poughkeepsie that:

1. The retention of Rivkin Radler, LLP as outside counsel is hereby authorized for the purpose of commencing and prosecuting an action to challenge resolution 2023123.
2. Rivkin Radler, LLP fees shall be capped at \$10,000.00, plus any out-of-pocket disbursements, unless that amount is amended by further resolution of this Council.
3. This Resolution shall be effective immediately upon its adoption.

SECONDED BY COUNCILMEMBER DEICHLER _____.

R-23-52			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☐	☐	☐	☒
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

3. **R-23-53, Resolution Extending the Inter-Municipal Agreement with the Town of Poughkeepsie Regarding Tactical Teams**

**RESOLUTION
(R-23-53)**

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, by resolution R-20-93, the Common Council approved the attached inter-municipal agreement with the Town of Poughkeepsie regarding coordinated tactical responsibilities;

WHEREAS, the City and the Town Police Departments are currently negotiating the terms of a new inter-municipal agreement for coordinated tactical responsibilities; and

WHEREAS, pending the new agreement, each Police Department wishes to keep the current agreement effective, cancellable by either Police Department on 60 days' notice or as otherwise mutually agreed by the both parties; and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves the extension of the attached inter-municipal agreement and it shall be cancellable by either Police Department on 60 days' notice or as otherwise mutually agreed by the both parties.

SECONDED BY COUNCILMEMBER DEICHLER _____.

R-23-53			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☐	☐	☐	☒
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

X. ORDINANCES AND LOCAL LAWS:

1. **O-23-03**, Ordinance Deleting Section 14-3 “Flying Kites” of Chapter 14 “Offenses and Miscellaneous Provisions” of The City of Poughkeepsie Code of Ordinances

**ORDINANCE DELETING SECTION 14-3 “FLYING KITES”
OF CHAPTER 14 “OFFENSES AND MISCELLANEOUS PROVISIONS”
OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES**

(O-23-03)

INTRODUCED BY COUNCILMEMBER THOMPSON:

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

SECTION 1: §14-3 is hereby deleted from the City Code of Ordinances:

~~Section 14-3—**Flying kites.**~~

~~[Ord. of 2-4-1929, § 11]~~

~~No person shall raise or fly any kite in any of the streets of the City.~~

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER DEICHLER _____:

ADDITIONS denoted by **Underlining and Bold**

O-23-03			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☐	☐	☐	☒
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

Vice-Chair Shook made a motion to table LL-23-06 and the motion was seconded by Councilmember Deichler.

- 2. LL-23-06, Local Law Amending Section 14.35 of the Administrative Code of the City of Poughkeepsie Entitled “Taxes – Partial Exemption Granted; Conditions”**

Motion to Table LL-23-06			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☐	☒	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☐	☒	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☐	☒	☐	☐
	Councilmember Menist	Voter	☐	☒	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

XII. ORDINANCES AND LOCAL LAWS:

XIII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

A motion was made to suspend the rules to allow Officer Van Wagner and Finance Commissioner Martinez to address the Council.

- 1. A COMMUNICATION FROM MAYOR NELSON, Regarding a PBA Memorandum of Agreement.**

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

- 2. FROM VERONICA CASAS**, a notice of personal injury sustained on or around March 16, 2023.
- 3. FROM POUGHKEEPSIE SHOPS LLC.**, a notice of intent to operate a conditional adult use retail dispensary and delivery service.

Motion to Defer to Corporation Counsel			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☐	☒	☐	☐
	Councilmember Menist	Voter	☐	☒	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

A motion was made to resume the rules by Chairwoman Brown and was seconded by Councilmember Deichler.

XIV. ADJOURNMENT:

A motion was made by Councilmember Deichler and seconded by Councilmember Johnson to adjourn the meeting at 8:43 PM.

Dated: June 27, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, June 20, 2023.

Respectfully submitted,

Jasmin Nicole Davis
City Chamberlain
Donna M. DeLuca
Deputy City Chamberlain