



COMMON COUNCIL MEETING

Common Council Chambers
Monday, August 31, 2020
6:30 p.m.

- I. ROLL CALL:**
- II. REVIEW OF MINUTES:**

Common Council Meeting of August 24, 2020
- III. READING OF ITEMS** by the City Chamberlain of any resolutions not listed on the printed agenda.
- IV. PUBLIC PARTICIPATION:**
- V. MAYOR'S COMMENTS:**
- VI. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:**
- VII. REPORTS OF COMMITTEES AND BOARDS:**
- VIII. MOTIONS AND RESOLUTIONS:**
 1. Resolution R20-74, approving a 2020 Budget to provide COVID-19 hazard pay to the Department of Public Work employees.
- 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 MAURICE FRYE**, a notice of personal injury sustained on June 20, 2020.
 2. **FROM LORENZO ANGELINO**, a notice of intent for El Guacamole Seniorita's, LLC, located at 206 Main Street to obtain a liquor license.

3. FROM MICHAEL RIECKHOFF, a notice of property damage sustained on August 4, 2020.

XI. UNFINISHED BUSINESS:

XII. NEW BUSINESS:

XIII. ADJOURNMENT:

**RESOLUTION
R20-74**

**2020 BUDGET AMENDMENT TO PROVIDE COVID-19 HAZARD PAY TO
DEPARTMENT OF PUBLIC WORKS EMPLOYEES**

INTRODUCED BY COUNCIL MEMBER LORRAINE JOHNSON

WHEREAS, the City of Poughkeepsie community has endured illness and risk of illness due to the COVID-19 crisis; and

WHEREAS, the essential workers of the Department of Public Works selflessly placed themselves and their families at risk of illness to report to work and ensure sanitation, facilities maintenance and other vital services were done to support the health and safety of the residents of Poughkeepsie; and

WHEREAS, the Common Council is grateful to the employees of the Department of Public Works for their dedication and service; and

WHEREAS, the adopted 2020 budget for the City of Poughkeepsie indicates there are 70 employees within the Department of Public Works; and

WHEREAS, the Common Council desires to provide a one-time hazard pay bonus of \$500 to each employee of the Department of Public Works; 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; and

Now, Therefore,

BE IT FURTHER RESOLVED, that the Budget for the City of Poughkeepsie is hereby amended as follows:

Action	Budget Line	Description	Amount
Increase	01-03 2660	Sale of Real Property	\$37,695
Increase	01-08 7103	Salaries - CSEA	\$35,000
Increase	01-08 7803	FICA	2187.50
Increase	01-08 7803.M	Medicare	507.50

SECONDED BY COUNCILMEMBER _____.

**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 7:00 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 7:00 p.m., except Sunday and holidays.

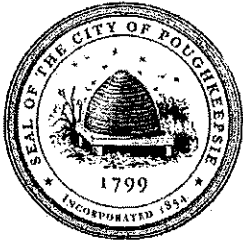
Parker Ave., North Side, 20 feet east of Fairview Ave. continuing for 30 feet

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

COMMON COUNCIL MEETING MINUTES

Monday, August 24, 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, August 24, 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 August 24, 2020

Special CCM 6/29/2020						
☒ 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.

Brian Robinson-143 Montgomery Street

Darrett Roberts-Franklin Street

Gina Sullivan-34 Mohawk Trail, Pawling

Jonathan Bix-29 North Hamilton Street

Jen Brown- 123 S. Hamilton Street

Laurel Spuhler-37 Parkwood Blvd

Flynn, Deanne

From: Laurel Spuhler <sugmagme1@verizon.net>
Sent: Friday, August 21, 2020 2:42 PM
To: Flynn, Deanne
Subject: Common council comment

Hello. I do have a concern that our Council at Large member , Sarah Salem, would ever vote on any matters concerning our COP police force. When I serve on a committee, I sometimes have to recuse myself for certain decisions and votes due to my involvement with the Poughkeepsie Public Library as well as City of Pok Youth Baseball Softball League. If someone has recently been arrested by our local police I'm not sure they can be impartial when making decisions regarding their department. With all the budget cuts that are in our future is there any consideration in the council to eliminate the position of Council at Large entirely since it is a recent addition to our city? If all departments are being required to reduce their budget perhaps Common Council may have to consider this or combine wards. Maybe instead of a paid civilian review board, which is supported by some council members, is there a possibility it could be a board comprised of volunteers within our community? Now is not the time to look to spend taxpayers dollars on additional items, people are struggling to pay their own bills and worried about the future. It is a time to give up something and maybe that means a position that we have so recently added.

Sent from my iPhone

Pat Miller- 26 Vassar Street

Cheryl Brady-51 North Clinton Street

Earl Brown-5 Merrick Road

Maggie Roberts-

Sven Thiessen-57 Cannon Street

Sean Fitzgerald- CPPD-62 Civic Center Plaza

Laurie Sandow-South Grand Avenue

Laurie Sandow comments, Common Council meeting, August 24, 2020 — Pg. 1 of 2

On February 26, an entitled, white, intoxicated driver ran a red light, plowing into a car driven by a young African-American mother, who was heading home from the night shift. The entitled, white, second offender—Sarah Salem, the current chair of the City's Common Council—begged the victim not to report the accident. The victim was so shaken, and so worried about her child at home, that she did not recognize her injuries until the following day, nor the extent of damage to her just-purchased car. Since the date of the accident, the victim has had at least two surgeries, yet Salem continues to circulate the false narrative that there were no injuries. Ironically, but unsurprisingly, the speakers flocking to Salem's side at tonight's Council meeting are devoid of concern for the Black life suffering the consequences of Salem's lawless behavior.

Another irony is this quote from Salem's own website: "Policies for communities MUST be informed by those who reside within them." Some of those speaking tonight will insist that Salem has a mandate from the electorate. Nothing could be further from the truth. Salem has repeatedly violated the Council rules and City Charter. Are they suggesting that Salem has a mandate to do as pleased, violations included? Salem has deep-sixed the Ethics Committee, depriving the public of the ability to file complaints against any councilmember and any others. Salem has also violated the Charter by cancelling one of the twice-yearly Special Informational Meetings, which empower the public to inquire on any aspect of city governance. The list goes on.

Salem undermines democracy by working only with self-defined "key stakeholders", which turn out to be members of the Salem and Brannen private pipelines, the majority of whom do not live in the city of Poughkeepsie. To my knowledge, not Salem, not Brannen, not Menist—not any member of this Council has held a Ward meeting, or even sent a Ward newsletter, in the last year.

Official Minutes of the Common Council Meeting of August 24, 2020

Laurie Sandow comments, Common Council meeting, August 24, 2020 — Pg. 2 of 2

The Civilian Review Board is on tonight's Common Council agenda for one purpose, and one purpose alone—not for its urgency, but for the opportunities it creates for weeks of council grandstanding, citywide division, online flame wars, and distraction from urgent issues that the Council refuses to address. While all the disruption and grandstanding go on, far more important and urgent issues like education, youth programs, job loss, food security, massive evictions, homelessness, rampant development and gentrification, pandemic, health care, gun violence, even the Census, all sit on a back burner. They're not unaddressed because the police force needs oversight or defunding. They're unaddressed because the Council has turned their backs on these issues and even buddied up to certain gentrifying developers. The Council's failure to address these issues contributes directly to the rising crime rate, for which they accept no responsibility.

Do you know, for example, that Sarah Brannen's 4th Ward census tract has one of the lower return rates in the City? Do you know that the census tract encompassing most of this City's Latinx population has the very lowest return rate, and that this Council has made no effort to remedy that? And that low Census return rates guarantee to hurt this City's residents and funding for the next 10 years?

The Civilian Review Board is also on the agenda to distract from other items: a resolution giving Salem solo power to execute a professional service agreement with a mystery person for a mystery purpose in an amount up to \$20,000, withdrawn from a Council slush fund subsidized by taxpayer dollars stolen from the City's contingency fund—the third such resolution that Salem has recently introduced, entirely without taxpayer input or approval;

The Civilian Review Board is also on the agenda to distract from tonight's report by the Council's so-called LWRP Review Committee, a secretive, unrepresentative committee handpicked by Salem, Brannen and Menist to undermine the City's legally constituted Waterfront Advisory Committee (the "WAC"), whose request for a presentation was denied by Salem.

With only three minutes, every two weeks or less, it remains true that the Council Chair especially, and the Common Council in general, has zero interest in the public's input, opinion and mandate.

Bill Rubin-18 Eagle Lane

Jim Sullivan-34 Mohawk Trail Pawling

Matthew Carroll-29 Taylor Avenue

Chris Santoro- 208 Crystal Hill Lane

Satara Brown-24 Carriage Hill Lane

John Way-

Pat Campanaro- 867 Route 376, Wappingers Falls

Jackie Emslie-17 Corlies Avenue

Mary Reynolds- Sure Hand Productions (We Rise)

Paola Bari- Sure Hand Productions (We Rise)

Marina Tarkos-CPPD

Elouise Maxey-

Niklas Moran- 187 Mountain Rd, Cornwall-on-Hudson

Devon Zanin-CPPD

Jeffrey Schneider- 80 North Water Street

Kevin VanWagner-CPPBA (President) 551 Main Street

Eli King- 46 North Haliton Street

Eli Berkowitz-Community Voices Heard

Lydia Hatfield-183 Union Street

Christopher Libolt-22 Whitehall Road

Official Minutes of the Common Council Meeting of August 24, 2020

Kevin
VanWagner
President
Christopher
Libolt
Vice President

Patrolmen's
Benevolent
Association



Police
Department
Poughkeepsie

Michael Labrada
Secretary
Joseph Ciardi
Treasurer

Affiliated with the New York State Union of Police
International Union of Police
P.C.N.Y./N.A.P.O.

Dear Mayor Rolison and City Council Members,

We, the City of Poughkeepsie Police Benevolent Association (PBA) that proudly serve the citizens of the City of Poughkeepsie, respectfully submit this letter as our official notice regarding a unanimous Vote of No Confidence in City of Poughkeepsie Councilmember At-Large Sarah Salem.

Councilmember At-Large, Sarah Salem, is currently facing criminal charges through Poughkeepsie City Court in regards to her involvement in a motor vehicle accident in which she was subsequently charged with driving while intoxicated. Due to the nature of her criminal case and the obvious conflict that it may cause, the PBA does not believe that Salem should have any involvement in police matters or be able to vote on any legislation until the criminal case is resolved. It is the belief of the PBA that Salem is unable to be neutral, fair, and unbiased in matters pertaining to the City of Poughkeepsie Police Department.

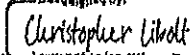
Despite a surge in violent crime and a spike in gun violence and homicides, Salem has set her priorities on passing the right to know Act, formation of a Civilian Review Board without dialog with the PBA or the Police Department command staff and publicly stating that she would like to defund the Police Department. Someone who holds this position should be asking how they can help the Police fight crime and not try to defund the Police Department. Council member At-Large Salem clearly has a strong vendetta against the City of Poughkeepsie Police Department.

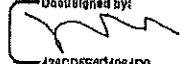
In closing, we would like to reiterate that the men and women of the City of Poughkeepsie Police Benevolent Association have lost all trust and faith in councilmember At-Large Sara Salem's ability to lead the City of Poughkeepsie Common Council.

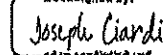
Respectfully Submitted,

Designated by:

Kevin VanWagner - President

Designated by:

Christopher Libolt - Vice President

Designated by:

Michael Labrada - Secretary

Designated by:

Joseph Ciardi - Treasurer

And the members of the City of Poughkeepsie PBA - August 20, 2020

Katelyn Casey 48 South Road, Holmes NY

Saije Jalida-Academy Street

Official Minutes of the Common Council Meeting of August 24, 2020

The following letters were submitted for the record by email:

Flynn, Deanne

From: Dory Marcineli <dcmarcinelli@gmail.com>
Sent: Sunday, August 23, 2020 9:37 AM
To: McNamara, Matthew
Cc: Flynn, Deanne
Subject: Civilian Review Board

Matt,

As I am away for this crucial meeting regarding the formation of a civilian review board, I am writing to you with my concerns.

Being well aware of the mandates set forth by the NYS Governor regarding police reform, I still question the reasoning behind rushing to form a Civilian Review Board (paid) with extreme oversight capabilities. The formation is without input from the PBA as well as the police administration. Statistically speaking, this is a waste of taxpayer dollars, given the number of annual complaints vs annual calls for service. At a time when department budgets are cut, how can this expense even be justified. The City of Poughkeepsie Police Dept is at the forefront of training and community initiatives, all before being mandated to do so. Yet the Common Council leadership of Sarah Salem seems to fail to even recognize this and continually pursues national issues that frankly do not have merit in this City. Outsiders and non-residents are consulted but our own PD is not. I'm not sure why the other council members go along with this. Salem has been pushing an agenda of defund the police at the risk of community safety. At the very least, Salem should not be allowed to introduce legislation nor to vote on any legislation pertaining to the police, considering she is pending criminal charges. I fail to understand how her continued involvement in these matters is not considered unethical and why the council doesn't mandate her to recuse herself.

Jumping right to a paid Civilian Review Board, with subpoena powers and the ability to jail a non-compliant witness, is distressing as far as the power that gives. NYS with its criminal justice reforms doesn't even jail those who commit felonies, yet this Civilian Review Board would be given those powers to witnesses in what should be a personnel matter. This Common Council should support our police and have faith in the Police Administration to do the right thing. As a taxpayer I am 100% against this Civilian Review Board.

I am requesting that Ms. Flynn include this email in the meeting minutes.

Dorothy Marcinelli
31 Miller Rd.
Sent from my iPhone

Official Minutes of the Common Council Meeting of August 24, 2020

Flynn, Deanne

From: Amanda Tumbarello <alasko@fordham.edu>
Sent: Monday, August 24, 2020 5:05 PM
To: DG_Common Council Members
Cc: Flynn, Deanne
Subject: CPPD

To Whom it May concern,

I have been working the BEAT program with the city of Poughkeepsie police department for the last 3 years. Since the beginning of the program, I have observed that these officers all have ongoing meaningful relationships with members of the community. I have witnessed first hand countless positive interactions where members of the community have approached these officers for help, exhibiting their trust in them, and the officers always assisted in any way they could. They have always conducted themselves in a professional manner and treated everyone with dignity and respect. We have transported people who struggle with substance abuse to rehab countless times and have transported individuals experiencing a mental health crisis to the hospital. The officers are always helpful and skilled at de-escalating crisis situations. The current national narrative regarding the police in no way reflects what is going on in this community. I believe they are ahead of the curve in the trainings they have received and apply in their day to day interactions. These officers deserve our support, they should not have to suffer consequences for the actions of officers from other police agencies.

Thank you for taking the time to read this. Feel free to email me alasko@fordham.edu If you have any questions.

Amanda Tumbarello

Sent from my iPad

Official Minutes of the Common Council Meeting of August 24, 2020

Flynn, Deanne

From: Stephanie Rogers <Stephanie@arlingtonink.com>
Sent: Monday, August 24, 2020 5:12 PM
To: DG_Common Council Members
Cc: Flynn, Deanne
Subject: Letter To Support Our Men & Women in Blue

Common Council Members,

While we may not be residents of the City of Poughkeepsie, and this business is located in Arlington, we find ourselves greatly disturbed by the treatment of the City of Poughkeepsie police officers. These men and women go to work each day, never knowing if they will return home, to keep the Queen City safe. They sponsor events for City youth, they shoot hoops with residents, they show up on Saturday nights with Hope on a Mission feeding the homeless. In our opinion, the City of Poughkeepsie Police Department goes above and beyond for the community that they serve and protect.

Defunding the police puts a community that is already largely-at-risk even more so. Especially when this particular police department is very involved in their community, in all the ways mentioned above plus many more. While there are terrible things happening in other parts of the country, they are not happening here, and that is perhaps in part due to the fact that this police department has its hand directly on the pulse of this community. Violence in New York City is rising, and odds are good that violence may travel north. To defund the police departments in this area is an illogical move that appears to be driven more by hatred and spite than by fact.

As residents of areas surrounding the City of Poughkeepsie, and as proprietor of a business here on Raymond Avenue, we are acutely aware that choices made in the City of Poughkeepsie will have an impact on our lives, potentially every bit as much as if we did reside a few streets over, across zoning lines. The Common Council wants to put funds toward community programs – but is it so short sighted that it cannot see that the Police are funding a good number of programs? And if they aren't funding the programs themselves, they are volunteering at them, they are staffing them, they are giving of their time and often out of their own pockets.

This is not Portland. This is not Chicago. This is not Detroit. This is not even New York City. This is Poughkeepsie, New York, where we all live together, work together, and make this area better – together.

Take Care,

Stephanie Rogers

Amber McGill

Let's Get Personal, Inc.
dba Arlington Ink
10 Raymond Avenue
Arlington, NY 12603
845.471.5270



Official Minutes of the Common Council Meeting of August 24, 2020

Flynn, Deanne

From: Janet juncosa <nine11uniforms@yahoo.com>
Sent: Tuesday, August 25, 2020 10:40 AM
To: Flynn, Deanne
Subject: Fw: Police dept

----- Forwarded Message -----

From: Janet juncosa <nine11uniforms@yahoo.com>
To: CommonCouncilmember@cityofpoughkeepsie.com <commoncouncilmember@cityofpoughkeepsie.com>
Sent: Monday, August 24, 2020, 4:18:18 PM EDT
Subject: Police dept

It has come to my attention that our Police and Fire dept. has come under attack from this council. My home and business are in the city of Poughkeepsie and I like to know where my tax dollars are going.

I believe this is a political move to join the band wagon and trash these fine men, or perhaps a personal vendetta. With the few complains made against them consisting the thousand of calls per year you should be ashamed of yourself, this shows the department is doing a wonderful job of policing themselves. So as a taxpayer I think with the dept. already doing its job why do we want to pay people to get involved.

I want the police guarding our roads from speeders and drunk drivers because my grandkids make be on those roads. I want them there when I need their help -cutting budgets only make the chance they are able to respond more difficult.

When is the next election?

Official Minutes of the Common Council Meeting of August 24, 2020

Flynn, Deanne

From: Frank De Gilio <fdgilio@gmail.com>
Sent: Tuesday, August 25, 2020 10:40 AM
To: Flynn, Deanne
Subject: Fwd: The paid civilian police review board

Deann -

I was asked to forward this email to you. If you have questions or comments please reach out to me.

Frank De Gilio

Begin forwarded message:

From: Frank De Gilio <fdgilio@gmail.com>
Subject: The paid civilian police review board
Date: August 24, 2020 at 12:50:01 PM EDT
To: CommonCouncilMembers@cityofpoughkeepsie.com

Council members,

We have learned that the Common Council is considering creating a paid civilian board that will review police conduct. As City of Poughkeepsie Residents of over 55 years we find such a board a misuse of my taxes. At a time when the city is struggling financially, it seems irresponsible to be investing in solving a non existent problem. While we believe it is important that all city employees act in good faith for the community they serve, we have not seen any data that supports the need to invest in such a panel.

The data we have seen supports the opposite conclusion. Based on the data posted on the City of Poughkeepsie Police PBA Facebook page, the police receive an average of 10 complaints per year. At the same time there are an average of 40,000 calls. This means that the police are acting professionally 99.975% of the time. Even if the reports are off by an order of magnitude the City Police department is acting professional 99.75% of the time. We defy you to show any private industry that could provide such metrics.

We believe that the current methodologies employed to ensure that the city police officers act with integrity are achieving their desired effect. This board sounds like a solution to a nonexistent problem. It leads one to believe the motives are political in nature rather than data driven. If there were some data that points to a problem in the city, we would definitely be interested in seeing efforts to rectify the issues to which the data points. The data clearly does not show any need for such an investment. If we were to go to our companies and ask for money to solve a problem where the current solution is 99.97% effective we would be thrown out. We suggest you do the same with this proposal.

Sue and Frank De Gilio
High Ridge Road
City of Poughkeepsie

Official Minutes of the Common Council Meeting of August 24, 2020

Flynn, Deanne

From: Amelia Miller <mirasmom@hotmail.com>
Sent: Tuesday, August 25, 2020 11:11 PM
To: Flynn, Deanne
Cc: Amelia Miller
Subject: Comments for yesterday's Council meeting

Ms. Flynn,,

I would like to apologize for submitting this so late. Thank you, again, for assisting me in being heard. My comments are as follow:

Problems exist in Poughkeepsie, we know that. That we aren't Ferguson, St. Louis, Baltimore or Chicago shouldn't cause us to not take strides toward being better. It should compel us to, knowing how bad things can get. A Civilian Review Board is actually a great way to open the door for conversations & changing perspectives, which fosters greater understanding. Let's keep in mind that police brutality is a horror regardless of race or location.

Many of our newer officers are quite dedicated to a healthy community, like Officer Zirbel, by the way. If she is the start of new policing in Poughkeepsie, we will be moving in a great direction.

Yet, we cannot be hypocrites any longer. We hold private citizens accountable for their actions & we now push for a review board for police to hold them accountable but council persons have had negative interactions involving law enforcement. They have been held LESS accountable than private citizens for similar infractions. Sadly, one of them didn't make a singular misstep. They recklessly drove while intoxicated, not long after the initiative to address accidents to citizens by careless motorists. See something, stop or something like that. Anyway, they caused property damage and injury to a private citizen.

Officials are elected to represent the BEST of us, not the mediocre. If actively breaking laws and ordinances you're charged to create is par for the course, what kind of representation is the City of Poughkeepsie receiving?

Poughkeepsie residents are tired of hypocrisy, abuse & being ignored until useful. We no longer wish to eat cake or watch gladiators in the coliseum when times get trying. We want change and the ability to self-actualize. We also want the accountability we are held to, at the very least, to be the same for those we elect.

While a resignation cannot be forced, ethics and morality should lead an honorable person that way.

Respectfully,

Amelia Miller
7 South White Street
Poughkeepsie, NY

V. MAYOR'S COMMENTS:

Mayor Rolison was absent. City Administrator Nelson gave a report on his behalf.

City Administrator Nelson informed the Council that the Mayor is on vacation, and had some prepared remarks to fill everyone in on, but it's nothing that can't wait until the next council meeting, it's all good news! We just wanted to say, primarily wanted to mention the MOU with the County,

and just wanted to say quickly that a tremendous amount of work has gone into getting this to the point where we could draft that conceptual statement and roll out this partnership between the city and the county, to make the former YMCA, and our visioning for a new youth center actually a reality, and just want to put it out there that this is something that has been near and dear to everyone's heart, and this is something that the community has been expressed time and time again that they really want. Thinks that it is something that we all know that the community needs, and just want to commit on behalf of Mayor Rolison that the administration intends to work collaboratively. We realize that the council is the approving authority for any potential inter-municipal agreement with the county, as is of course the County Legislature. This is a big deal. When we took that building for back taxes, some councilmembers, Councilmember Flowers, and I know Councilmember Petsas, were really closely involved in the discussions that led up to that recommendation from the Anti-Blight Task Force. Is so proud to be the City Administrator here, as we work on this together, and behalf of the Mayor, want to express again how much we want to work collaboratively to make this happen. For the county to commit up to \$25Million is one of the most extraordinary things that he has heard since he has been in service to this community. Can't resist in saying thank you on the Porch Fest again, he had a great time and a big shout out to Brian Laffin on the Basketball Camp,, over 100-200 kids participated. So many good things going on, and maybe we will just end with a great note. And one more thing, the bike lanes on Friday were a big success. I apologize to everyone on staff who did so much work on it.

VI. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Chair Salem: We've been on a legislative break, a break from common council sessions. I'd like to welcome everyone back. During the legislative break I know we were all busy spending time working, in community, and with family and friends.

Some old business; I recently connected with the Chair of our Ethics Committee. They'll be up and meeting soon. Before we went virtual, we had put out a call for those interested in serving on our Arts Commission. I'm sorting through those resumes and will begin to schedule interviews for members soon. Of Course, I invite my colleagues to attend and help through that process if they're interested.

We have two special meetings coming up to hear an appeal from AIA Tinkelman Architecture on the decision of the Historic District and Landmark Preservation Commission's Denial of a Certificate of Appropriateness for 36 North Clover Street.

The first session will be held on Wednesday, September 2, 2020, at 6:30 PM and will be an opportunity for the Common Council to hear from representatives of the HDLPC and the Applicant regarding their respective opinions. After hearing from both sides, the Common Council will be provided an opportunity to ask questions. Again, these deliberations would be limited to the Record of Appeal.

The second session will be held on Wednesday, September 16, 2020, at 6:30 PM and is meant for the Common Council to "deliberate" and/or explain its determination and to conduct a vote. A simple majority (5 votes) is needed to overturn or uphold the decision of the HDLPC. More information, registration links, and the record of appeal can be found at <https://cityofpoughkeepsie.com/common-council/36northcloverstreet>

Over the last four weeks, I had the pleasure of attending a number of community and organization events and although the circumstances have been distinct because of the impacts of the Coronavirus, each instance and occasion has served as yet another reminder of the ways I love Poughkeepsie and all of the people that live and work here. I really admire the tenacity of our city and how well we've been handling all of the necessary changes, finding ways to adapt while still honoring community and being passionate, sincere, and honest throughout the process.

Change is needed but change isn't easy and before we can change anything, the first step is to acknowledge that something isn't working, or that there might be a way forward that works better. That is what the voices of the community are saying. Whether you're a new resident, you've lived in Poughkeepsie for your entire life, you work here, you serve here, whatever the capacity, it is my opinion that your voice matters here and it matters to me. Whether you agree with me or not. That's how I roll. This crisis; and when I say this crisis I mean the coronavirus pandemic, social and racial unrest and injustice, a warming planet and the climate crisis, the increase of gun violence and violent crime, the increasing instance of homelessness, joblessness, food insecurity, health inequity, the on-going and worsening opioid epidemic, these are complex issues and so the solutions, whatever they are, will be equally complex. It goes without saying that there is no "one size fits all" solution to any of these issues, either. The City of Poughkeepsie is unique and so demands a diversity of stock in any modernization or reform.

As local legislators, we've been elected to serve our community and in that service to help usher in changes to our local government for the betterment of the community, with the community. That's what we're doing when we introduce legislation, resolutions, and any new initiatives. The legislative process of approvals can be quick, or it can take an extremely long time- for example, the process of making an application to New York State in order to establish a City/County Land Bank. That legislative process took more than a year. The Right to Know Act was in consideration for more than 2 years before it passed at our last session. This process starts with an idea- a proposal by a member of this body.

Several members of this body made a proposal to consider a Civilian Review Board, the first draft of a law establishing this board was crafted, and tonight we'll see it on the agenda for introduction and begin the legislative process. This is just the first step. There will be edits and markups. We have heard and will continue to hear input from community members and other stakeholders. There will be agreements and disagreements and that's ok. I'm personally feeling grounded in my truth, in community, and with love, compassion, and empathy, I will continue to work as best as I can as the chair of this body with my colleagues on the council, the mayor, city staff, and our community to do what is right for this community. We've got a busy few months ahead and we have a lot of work to do. Now is the time to get it done.

VII. REPORTS OF COMMITTEES AND BOARDS:

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

VIII. MOTIONS AND RESOLUTIONS:

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

**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 BRANNEN

R20-68						
☒ 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 Flowers to receive and print.**

**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 CHERRY, COUNCILMEMBER MCNAMAR, COUNCILMEMBER PETSAS AND COUNCILMEMBER RANDALL JOHNSON:

WHEREAS, the City of Poughkeepsie exists within the Hudson Valley food shed 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.

R20-69						
☒ 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 Menist to receive and print.

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R20-73)**

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

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

Official Minutes of the Common Council Meeting of August 24, 2020

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 BRANNEN

Official Minutes of the Common Council Meeting of August 24, 2020

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

Official Minutes of the Common Council Meeting of August 24, 2020

- 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

Official Minutes of the Common Council Meeting of August 24, 2020

- 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

Official Minutes of the Common Council Meeting of August 24, 2020

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

Official Minutes of the Common Council Meeting of August 24, 2020

- 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

Official Minutes of the Common Council Meeting of August 24, 2020

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.

R20-73						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter		☒	☐	☐
	Councilmember McNamara	Voter	☒	☒	☐	☐
	Councilmember Cherry	Voter	☒	☒	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☒	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

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 BRANNEN

R20-70						
☒ 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 Cherry to receive and print.

R E S O L U T I O N
(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 BRANNEN

R20-71						
			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 Flowers to receive and print.

R E S O L U T I O N (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 BRANNEN

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

Official Minutes of the Common Council Meeting of August 24, 2020

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.

Instructions:

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

Social Media Accounts

Facebook @Cityofpoughkeepsie
Instagram @cityofpoughkeepsie
Twitter @cityofpok

Instructions:

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

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

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)

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:

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

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.

Instructions:

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

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 shown 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

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 nature, 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 overwall 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.)

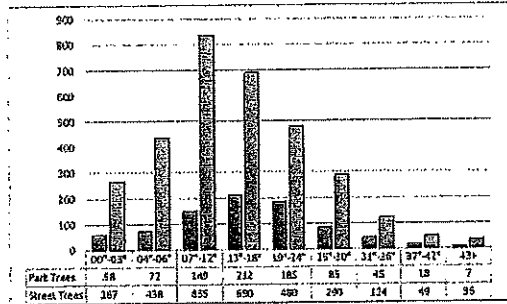
The Summer 2019 tree Inventory included trees and stumps within City parks as well as trees, stumps, and vacant sites along public street rights-of-way (ROW). A total of 8,517 sites were recorded during the inventory which included 6,368 trees (74.7%), 295 stumps (3.4%), and 1,854 vacant sites (21.7%). 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.

Official Minutes of the Common Council Meeting of August 24, 2020



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 platanoides</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

Official Minutes of the Common Council Meeting of August 24, 2020

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

Official Minutes of the Common Council Meeting of August 24, 2020

Freeman Maple
Red Maple
Horsechestnut
Horsechestnut
European Hornbeam
Northern Catalpa
Hackberry
Turkish Filbert
Ginkgo
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

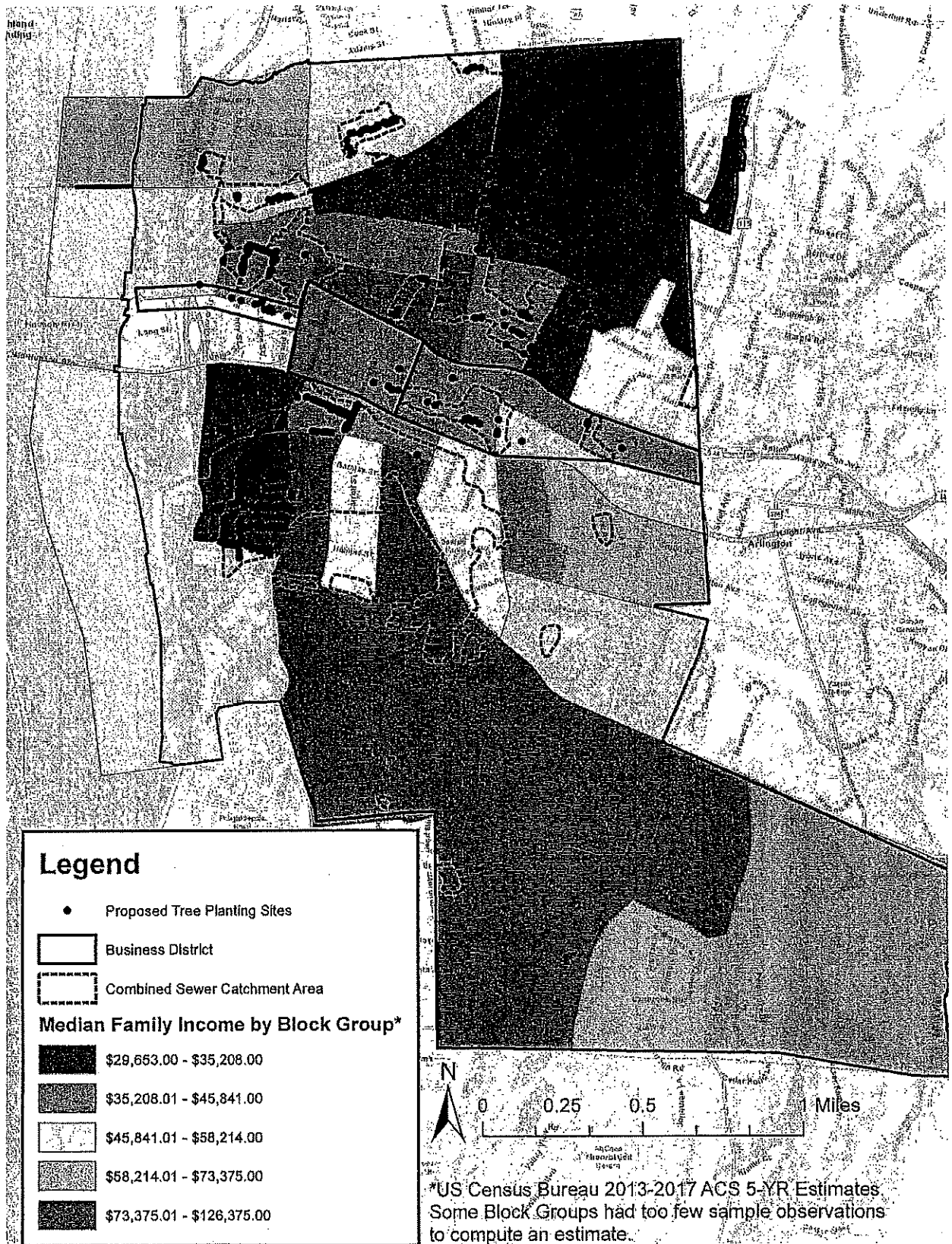
Instructions:

• 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?



Official Minutes of the Common Council Meeting of August 24, 2020

R20-72			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:

****FIRST READ****

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

**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 BRANNEN

ADDITIONS denoted by **Underlining and Bold**

X. PRESENTATION 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.

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
Co: 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,

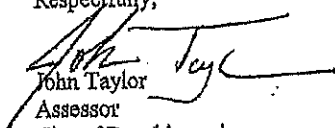
Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of marketing. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc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

Official Minutes of the Common Council Meeting of August 24, 2020

Letter of Intent to Purchase Real Property

July 7, 2020

City of Poughkeepsle
62 Civic Center Plaza
Poughkeepsle, 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

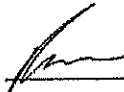
1 **Seller.** City of Poughkeepsle

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.

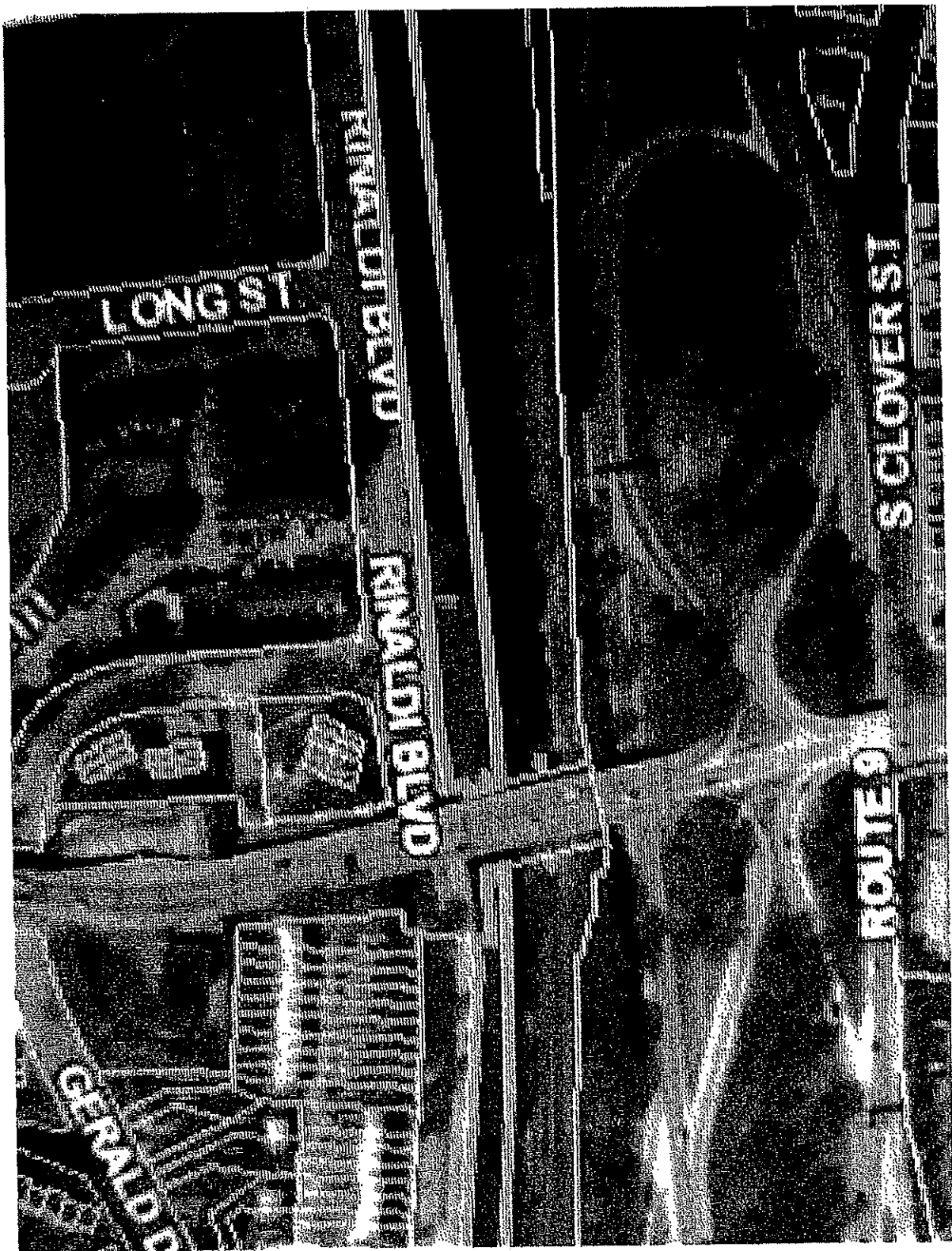
Very truly yours,

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





2. **FROM CITY ADMINISTRATOR NELSON**, a communication regarding the proposed property sale of city owned lots located on Taylor Avenue.

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,

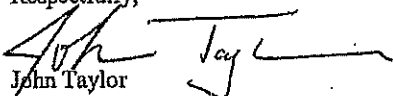
Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of marketing. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc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

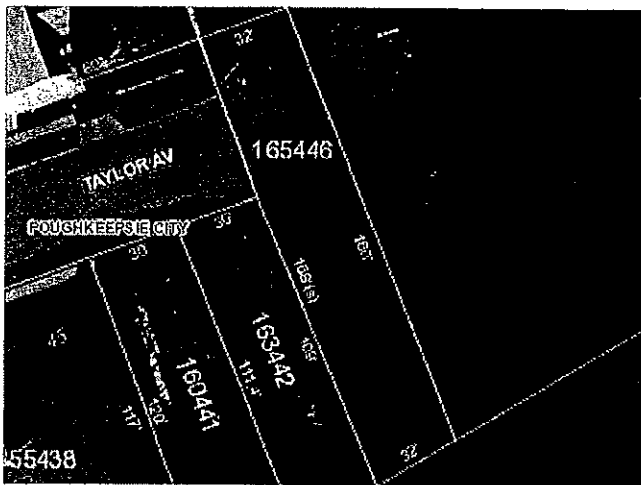
CITY OWNED PROPERTY FOR SALE

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

3. **FROM BONDIB HOTELS INC.**, a notice of intent for the Poughkeepsie Grand, located at 40 Civic Center Plaza to renew their liquor license. **Referred to Corporation Counsel**
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. **Referred to Corporation Counsel**

5. **FROM TRUTH NEW YORK LLC**, a notice of intent for Truth, located at 307 Main Street to obtain their liquor license. **Referred to Corporation Counsel**
6. **FROM HELBRAUN/LEVY**, a notice of intent for Hive Market, LLC, located at 33 Academy Street to obtain a liquor license. **Referred to Corporation Counsel**
7. **FROM EVERETT MERRITT**, a notice of personal injuries sustained on July 3, 2020. **Referred to Corporation Counsel**

XI. OLD BUSINESS:

X. ADJOURNMENT:

A motion was made by Councilmember Brannen and seconded by Councilmember Cherry to adjourn the meeting at 10:47 p.m.

Dated: August 26, 2020

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, August 24, 2020.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF DUTCHESS

MAURICE FRYE,

CLAIMANT,

-AGAINST-

CITY OF POUGHKEEPSIE, CITY OF POUGHKEEPSIE

POLICE, AND CITY OF POUGHKEEPSIE POLICE OFFICERS HENNE,

CASEY AND SIMMONS, ADMIRAL WILLIAM F. HALSEY SENIOR VILLAGE

APARTMENTS A/K/A ADMIRAL HALSEY SENIOR VILLAGE, MIDHUDSON
REGIONAL HOSPITAL OF WESTCHESTER MEDICAL CENTER

AND VASSAR BROTHERS MEDICAL CENTER,

RESPONDENTS.

CLAIMANT THROUGH ATTORNEY PAMELA GABIGER PROVIDES THE
FOLLOWING NOTICE OF CLAIM TO RESPONDENTS:

1. THE CLAIMANT'S ADDRESS IS ADMIRAL HALSEY SENIOR VILLAGE,
135 MAIN STREET, APT 308, POUGHKEEPSIE, NY 12601.

200 AUG 24 AM 10:00

CLERK OF COURT
COUNTY OF DUTCHESS
NEW YORK

NOTICE OF CLAIM

INDEX:

2. THE ATTORNEY FOR CLAIMANT IS PAMELA GABIGER PO BOX 3455, POUGHKEEPSIE, NY 12603.
3. THE DATE AND TIME WHEN THE CLAIM AROSE WAS JUNE 20, 2020 AT 6 7 OR 8 PM AND 2:30 AM UNTIL 4:30 AM AND THE PLACE WHERE THE CLAIM OCCURRED WAS ADMIRAL HALSEY SENIOR VILLAGE 135 MAIN STREET POUGHKEEPSIE, NEW YORK.
4. THE NATURE OF THE CLAIM WAS NEGLIGENCE OF CITY OF POUGHKEEPSIE AND CITY OF POUGHKEEPSIE POLICE OFFICERS HENNE, CASEY AND SIMMONS AND OTHERS IN FAILING TO HELP CLAIMANT WHEN THEY KNEW HIS LIFE AND SAFETY WAS IN DANGER AND HE NEEDED HELP, FAILING TO HAVE THE PROPER VIDEO CAMERAS TO ASSIST CLAIMANT WHEN HE NEEDED HELP WHICH VIDEO CAMERAS WERE SUPPOSED TO BE HOOKED UP DIRECTLY TO THE CITY OF POUGHKEEPSIE POLICE DEPARTMENT. CLAIMANT WAS BEATEN WITH A BAT FOR 2-3 HOURS BY MARK LANSFORD OF APT 503, ADMIRAL HALSEY SENIOR VILLAGE, 135 MAIN STREET, POUGHKEEPSIE, NEW YORK. MARK LANSFORD

TRIED TO HIT CLAIMANT IN HIS WINDPIPE CAUSING A SOAR THROAT. NO ONE IN THE ADMIRAL HALSEY SENIOR VILLAGE HELPED HIM OR CALLED FOR HELP. THE CAMERAS WERE SUPPOSED TO GO STRAIGHT TO THE POLICE. POLICE DID NOT HELP. THE CAMERAS WERE NOT WORKING PROPERLY. RESPONDENT MIDHUDSON REGIONAL HOSPITAL NEGLECTED CLAIMANT AND FAILED TO GIVE HIM A CAST. MID HUDSON REGIONAL NEVER PUT A CAST ON HIS HAND, THEY NEVER DID ANY WORK.

5. AS A DIRECT RESULT OF THE NEGLIGENCE OF RESPONDENTS, THEIR OFFICERS DIRECTORS AGENTS SERVANTS AND EMPLOYEES, CLAIMANT SUFFERED 120% PAIN, SPIT UP BLOOD, 4 CONCUSSIONS, FRACTURED NOSE, 3-4 FRACTURED KNUCKLES AND OTHER INJURIES AND DAMAGES. CLAIMANT WAS IN VASSAR 1 DAY, MID HUDSON REGIONAL HOSPITAL OF WESTCHESTER MEDICAL CENTER 3 DAYS, AND THEN CLAIMANT WENT BACK TO VASSAR FOR 2 DAYS.

VERIFICATION

STATE OF NEW YORK) . . .

COUNTY OF DUTCHESS) SS.:

MAURICE FRYE, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE CLAIMANT IN THE WITHIN PROCEEDING, HE HAS READ THE FOREGOING NOTICE OF CLAIM, THE SAME IS TRUE TO HIS OWN KNOWLEDGE EXCEPT AS TO THE MATTERS ALLEGED UPON INFORMATION AND BELIEF AND AS TO THOSE MATTERS HE BELIEVES THEM TO BE TRUE.

Maurice Frye

MAURICE FRYE

SWORN TO BEFORE ME THIS 7th

DAY OF August 2020

Pamela Gabiger

PAMELA GABIGER - Qualified in Dutchess County -
NOTARY PUBLIC - Commission Expires 5-4-2023
01644891675

☐ Original☐ Amended

Date _____

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

1. Date Notice was Sent: 08/20/2020

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 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

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: El Guacamole Senorita's LLC

6. Trade Name (if any): _____

7. Street Address of Establishment: 206 Main Street8. City, Town or Village: Poughkeepsie, NY Zip Code: 12601

9. Business Telephone Number of Applicant/Licensee: _____

10. Business E-mail of Applicant/Licensee: Will@gonzalezlandscapesny.com11. Type(s) of alcohol sold or to be sold:
☐ Beer & Cider
☐ Wine, Beer & Cider
☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

☒ Full food menu; full kitchen run by a chef or cook
☐ Menu meets legal minimum food availability requirements; food prep area at minimum
13. Type of Establishment: 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.): acoustic☐ Patron Dancing
☐ Employee Dancing
☐ Exotic Dancing
☐ Topless Entertainment
☐ Video/Arcade Games
☐ Third Party Promoters
☐ Security Personnel
☐ Other (specify): _____15. Licensed Outdoor Area: (check all that apply)
☐ None
☒ Patio or Deck
☐ Rooftop
☐ Garden/Grounds
☐ Freestanding Covered Structure
☐ Sidewalk Cafe
☐ Other (specify): _____

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: **First floor and basements**
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: **Carassone Property Management**
23. Building Owner's Street Address: **206 Main Street**
24. City, Town or Village: **Poughkeepsie** State: **NY** Zip Code: **12601**
25. Business Telephone Number of Building Owner: **(845) 897-3659**

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

26. Representative/Attorney's Full Name: **Lorenzo L. Angelino, Esq.**
27. Representative/Attorney's Street Address: **42 Catharine Street**
28. City, Town or Village: **Poughkeepsie** State: **NY** Zip Code: **12601**
29. Business Telephone Number of Representative/Attorney: **(845) 214-1133**
30. Business E-mail Address of Representative/Attorney: **langelino@angelinolaw.com**

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

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

31. Printed Principal Name: **Sarah Jane Gonzalez** Title: **President**

Principal Signature: /s/ Sarah Jane Gonzalez

21 AUG 20 PM 4:12
CITY OF Poughkeepsie
CLERK OF THE CITY

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: 08/18/2020

NAME AND ADDRESS OF EACH CLAIMANT:

Michael Rieckhoff
8 Mckeown Terrace
Hopewell Jctn, ny 12533

TELEPHONE NUMBER: 914-906-2075

NAME AND ADDRESS OF ATTORNEY (IF ANY):

N/A

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

08/04/2020 @ 30 South White St, Poughkeepsie, ny 12601
A city tree fell onto my property.
Amount claimed \$1300.00.

ITEMS DAMAGED OR INJURIES SUSTAINED:

Front fence, side hedges and gutter on side of house attaching
wires to house.

[Signature]
Signature of Claimant

[Signature]
Signature of Claimant

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

Michael Rieckhoff 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]
Signature of Claimant

Sworn to before me this
19 day of Aug 2020

Calliope Pappas Meintanas
Notary Public

Calliope Pappas Meintanas
Signature of Claimant
OTIME4826464

Notary Public, State of New York
Qualified in DUTCHESS County
My commission expires AUGUST 31st, 2022

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.

A-1 FENCE CO INC

185 HILLSIDE LAKE RD
WAPPINGERS FALLS, NY 12590

Estimate

Company Business Number	845-226-5494
-------------------------	--------------

Date	Estimate #
8/17/2020	633

E-mail	BSKYBLUE03@AOL.COM
--------	--------------------

Name / Address
Mr. Mike Rieckhoff 30 Southwhite Street Poughkeepsie, NY

Ship To

P.O. No.	Project

Item	Description	Qty	Rate	Total
Supply & Install	Damage Repair- 20 Linear feet of 4 foot high Wire to match existing 21 linear feet of 1-3/8" top rail Adjust gate Straighten existing 2" post		685.00	685.00
Tax			55.65	55.65
Total				\$740.65