



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Tuesday, September 8, 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 Tuesday, September 8, 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- 8 Present 1 Absent (Councilmember Flowers)

II. REVIEW OF MINUTES:

NONE

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

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NONE

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

Laurie Sandow- South Grand Avenue

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Laurie Sandow comments, Common Council meeting, September 8, 2020 — Pg. 1 of 2

On September 2, the Common Council held the first of two special meetings, whose supposed sole purpose was either upholding or overturning the HDLPC's (Historic District and Landmark Preservation Commission) decision denying the applicant a Certificate of Appropriateness for their development at Wheaton Park.

The Council—in clear violation of the City Charter—denied the public their right to speak at this special meeting. Despite the fact that the Council has no authority to defy the Charter, nor to regulate or control the content of public comments, the psychics on the Council divined and declared that, in their opinion, “any further [public] comments would be an expansion of the record [of appeal].”

Yet, at the special meeting, the developer, and certain councilmembers expanded wildly, uninhibitedly, on this very record; lobbying softballs to the developer, while putting false statements on the record. At no point were the councilmembers, the developer's attorney, nor the developer himself reprimanded or stopped by the Council Chair for comments immaterial to the Record of Appeal.

For example, councilmember Matt McNamara, having nothing to do with the Record of Appeal, waxed poetic about his favorite architects, while the developer's attorney cited former Mayor Tkazyik as a project supporter. Neither mentioned that in 2013—long before the 36 N. Clover/Wheaton Park RFP—John Tkazyik's favorite architect Tinkelman was issued a “Preferred Developer Agreement and Exclusive Negotiation Agreement” drafted between the City and Wheaton Partners—the then-name of one of Tinkelman's LLC.

Also unmentioned was correspondence between Chris Petsas and Paul Ackermann discussing the not-yet-issued RFP's contents and status. Yes, that's right, Petsas and Ackermann, who've kept the City on the hook all these years, corresponded with each other before preparing and promoting a contract that favors the developer over the City—a fiduciary breach on both their parts.

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Laurie Sandow comments, Common Council meeting, September 8, 2020 — Pg. 2 of 2

Two other quick notes before I run out of time—Chris Petsas, as is his habit, put false information into the record by declaring that Wheaton Park is no longer a park. That statement is patently untrue, as he and other councilmembers well know.

The developer has insisted that he must now jam the parcel with far more units than originally sold to the Council, in order to make the project financially feasible for the developer. No mention from the same developer that his contract also requires he be granted a PILOT—Payment in Lieu of Taxes.

Finally, for my comments tonight, I note that the developer's September 2nd propaganda presentation kept a graphic on the screen obscuring whether the meeting had a quorum in attendance at all times. A note was sent to the Council Chair during the meeting, yet no remedy was forthcoming. As a result, the public demands the Council Chair require councilmembers to provide sworn statements testifying that they were in attendance through the meeting's entirety.

Naomi Brooks-South Grand Avenue
Kathleen Troy-
Maggie Roberts-

V. MAYOR'S COMMENTS:

Mayor Rolison was absent.

VI. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Chair Salem: Election Day is approaching fast. There are three ways to exercise your right to vote in New York, By Mail, during the early voting period from Oct. 24 to November 1 at any of the 5 polling sites in Dutchess County, or in-person on November 3. The deadline to request a ballot by mail is October 27 so if you're planning to use this avenue don't wait on. Whatever you choose to vote, make a plan, and make it happen.

The 2020 census is accepting responses until the end of the month. Don't get left out of the count—it literally takes 5 min to get it done. It's important to capture an accurate snapshot of our community for future aid, development, and in order to respond better to future emergency situations. 2020census.gov tells you how to get it done by phone, mail, or online.

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Our second Special Meeting to hear an appeal from AIA Tinkleman Architecture with regard to the denial of a certificate of appropriateness will be next Wednesday, September 16, 2020, at 6:30 PM. The second session will be for the Common Council to “deliberate” and/or explain its determination and to conduct a vote.

VII. REPORTS OF COMMITTEES AND BOARDS:

NONE

VIII. MOTIONS AND RESOLUTIONS:

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

**R E S O L U T I O N
(R20-77)**

**APPROVING AMENDMENTS TO THE INTER-MUNICIPAL AGREEMENT
CONCERNING THE POUGHKEEPSIE JOINT WATER TREATMENT FACILITY**

INTRODUCED BY COUNCILCHAIR SALEM:

WHEREAS, the City of Poughkeepsie and Town of Poughkeepsie have executed an inter-municipal agreement between them pursuant to Article 5-G of the Municipal Law for a Joint Water Project; and

WHEREAS, the Joint Water Board has proposed and approved certain amendments to the inter-municipal agreement relating to the consideration of the proposed budget and the filing of the annual reconciliation, which are detailed more fully in the attached proposed Third Amendment to the Inter-Municipal Agreement Concerning the Poughkeepsies’ Water Treatment Facility; and

WHEREAS, the amendments require ratification by the respective legislative bodies of the City and Town of Poughkeepsie before they become effective; and

NOW, THEREFORE, BE IT

RESOLVED, that the amendments, in substantially the same form and substance as annexed hereto be, and the same hereby are authorized and approved, subject to authorization and approval of the amendments by the Town of Poughkeepsie Board; and be it further

RESOLVED, that the Mayor is authorized, upon receiving evidence that the Town Board has authorized and approved the amendments, to execute the amendments on behalf of the City; and be it further

RESOLVED, that this resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER BRANNEN

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R20-77						
☐ Accepted ☐ Defeated ☒ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☐	☐	☐	☒
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

IX. ORDINANCES AND LOCAL LAWS:

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS

XI. OLD BUSINESS:

X. ADJOURNMENT:

A motion was made by Councilmember Brannen and seconded by Councilmember Cherry to adjourn the meeting at 7:07 p.m.

Dated: September 17, 2020

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday September 8, 2020.

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**