



COMMON COUNCIL MEETING

Common Council Chambers

Monday, October 5, 2020

6:30 p.m.

**5:00 p.m. Public Hearing for proposed Local Law
amending the Administrative Code of the City of Poughkeepsie
for the purposes of establishing a Civilian Review Board**

- I. ROLL CALL:**
- II. REVIEW OF MINUTES:**
- III. READING OF ITEMS** by the City Chamberlain of any resolutions not listed on the printed agenda.
- IV. PUBLIC PARTICIPATION:**
- V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:**
- VI. REPORTS OF COMMITTEES AND BOARDS:**
- VII. MOTIONS AND RESOLUTIONS:**
 1. Resolution R20-79, Resolution to Rescind Resolution R10-41.
 2. Resolution R20-80, approving an appointment to the Board of Assessment (BAR).
- VIII. ORDINANCES AND LOCAL LAWS:**
- IX. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:**
 1. **FROM CITY OF POUGHKEEPSIE SCHOOL DISTRICT, SUPERINTENDENT ROSSER**, a communication on the Poughkeepsie School District Capital Plan.
 2. **FROM CITY ADMINISTRATOR NELSON**, a communication on the proposed property sale of city owned property located at 16 Bement Avenue to Habitat for Humanity.

3. FROM CITY ADMINISTRATOR NELSON AND COMMISSIONER OF FINANCE MARTINEZ, a communication regarding the 2020 Status Report, an update on the Proposed Sale of City owned Property at 28 Taylor Ave.,, the 2021 Budget Outlook, and the NYS Tax Cap Override.

4. FROM YARNI GUERRERO, a notice of personal injuries and property damage sustained on July 20, 2020.

5. FROM RICHARD FENNER, a notice of claim.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

**RESOLUTION TO RESCIND RESOLUTION R-10-41, AUTHORIZING THE CONVEYANCE OF THE
DELAVAL PARCEL TO THE CITY OF POUGHKEEPSIE INDUSTRIAL DEVELOPMENT AGENCY**

(R20-79)

INTRODUCED BY COUNCILMEMBER MENIST AND SPONSORED BY CHAIR SALEM, VICE-CHAIR BRANNEN, MAJORITY LEADER JOHNSON, COUNCILMEMBER CHERRY, COUNCILMEMBER RANDALL JOHNSON:

WHEREAS, the parcel of land known as the "DeLaval parcel" consists of 13.4 acres with nearly a half-mile of frontage on the Hudson River waterfront in the City of Poughkeepsie; and

WHEREAS, the DeLaval parcel is the last remaining undeveloped City-owned land on its riverfront; and

WHEREAS, the City acquired the DeLaval parcel in 1968 after it had been used by industry for many years; and

WHEREAS, the DeLaval parcel was contaminated from the years of industrial use; and

WHEREAS, the City utilized state parkland funds to acquire the DeLaval parcel; and

WHEREAS, for many years the City has desired to redevelop the DeLaval parcel for its most socially beneficial and productive use; and

WHEREAS, on or about June 25, 2001, the City released a Request for Proposals for the redevelopment of the DeLaval parcel and an adjacent parcel known as the PURA-14 parcel; and

WHEREAS, on or about September 10, 2001, by resolution R-01-113 the City of Poughkeepsie Common Council designated Joseph Bonura (hereinafter, along with all related companies, "Developer") as the developer for the DeLaval and PURA-14 parcels; and

WHEREAS, the redevelopment of the DeLaval parcel and neighboring parcels (jointly called as the "Southern Waterfront Redevelopment Project") is a Type I action under the State Environmental Quality Review Act ("SEQRA," ECL Article 8); and

WHEREAS, on or about March 1, 2004, the Common Council, as SEQRA lead agency, issued a Statement of Findings for the Southern Waterfront Redevelopment Project; and

WHEREAS, in or about July 2005 the Common Council issued a supplemental Statement of Findings under SEQRA for the Southern Waterfront Redevelopment Project; and

WHEREAS, on or about March 29, 2004, the Developer and the City of Poughkeepsie Industrial Development Agency ("IDA") executed a Payment In Lieu of Tax ("PILOT") agreement on the DeLaval parcel; and

WHEREAS, on or about March 1, 2007, the City executed a Site Development Agreement with the Developer, among other things authorizing the Developer to enter onto the DeLaval site for the purposes of installing the utilities to serve the proposed development and the cap and grading to finalize remediation of site contamination; and

WHEREAS, on or about May 18, 2009, the IDA approved a new PILOT to apply to the Developer's prospective tenancy on the DeLaval parcel, but the new PILOT was not executed by the parties; and

WHEREAS, on or about March 1, 2010, by resolution R-10-41 the City Common Council authorized the conveyance of most of the DeLaval parcel (the "Conveyance") to the City Industrial Development Agency ("IDA") for eventual lease to the Developer to provide for the Developer's proposed project; and

WHEREAS, on or about September 30, 2010, the City entered into a License Agreement with the Developer further authorizing the Developer to enter into the DeLaval site to install utilities and cap the site, and further specifying the terms of such work and related development activities, and contemplating that the Developer would enter into a lease upon DEC approval or remediation work; and

WHEREAS, on or about October 24, 2013, after completion of remediation work, the City granted the New York State Department of Environmental Conservation ("DEC") an Environmental Easement restricting the use of the DeLaval site based on the extent and protectiveness of the cleanup under DEC regulations; and

WHEREAS, on or about November 4, 2013, DEC accepted the City's grant of said Environmental Easement; and

WHEREAS, on or about January 24, 2014, DEC issued a Certificate of Completion officially recognizing the successful completion of the remediation work on the DeLaval site, and further requiring future uses of the site to comply with the restrictions in the Environmental Easement; and

WHEREAS, four years later, on or about February 20, 2018, the Developer submitted to the City an Environmental Assessment Form proposing a modification to the proposed DeLaval site project that would for the first time include substantial residential development, 50 market-rate apartments; and

WHEREAS, in subsequent communications, the Developer has indicated that it would nevertheless proceed with the originally conceived project, without the residential development; and

WHEREAS, on or about August 15, 2018, the Developer wrote to the Mayor to demand the lease for the conveyed land pursuant to the License Agreement; and

WHEREAS, on or about December 14, 2018, and February 19, 2019, the City Administrator wrote to inform the Developer that the City would put an executed deed to the Conveyance in escrow and that the transfer would be effected upon the Developer's negotiation of an updated PILOT with the IDA "which considers the current economic, social and political realities – rather than merely the hopes and unfulfilled plans of years long-past"; and

WHEREAS, to the best of the Common Council's knowledge after diligent review, the Developer has not undertaken negotiations with the IDA on a PILOT for its prospective tenancy on the DeLaval parcel or taken any further action to permit the redevelopment of the DeLaval parcel; and

WHEREAS, the Common Council is concerned about the lack of progress on the DeLaval site since the completion of remediation in 2013, and with the public detriment of this City land remaining unused and unavailable to City residents; and

WHEREAS, the Common Council has carefully reviewed the changes in circumstances surrounding the project since the aforementioned events, including the lapse of time and the prospective environmental impacts of either allowing further delay or adopting the instant resolution and evaluated the same under the criteria for significance in the SEQRA regulations;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes and determines the following findings of fact:

1. The DeLaval parcel remains the last undeveloped public land on the City riverfront.
2. The failure of the redevelopment of the DeLaval parcel to have progressed since the DEC approval of the site remediation constitutes significant delay, which is a substantial detriment to the City of Poughkeepsie and the residents of the City and Dutchess County.
3. This delay deprives residents of the City and Dutchess County of the opportunity to use the public riverfront amenities contemplated in the Developer's commitments and proposals to the City and deprives the City of the opportunity for revenue as described in the 2004 Statement of Findings.
4. The current lack of progress evince little or no prospect of redevelopment of the DeLaval parcel in the foreseeable future, and therefore the substantial likelihood of further significant delay in realizing any such project.
5. The proposed project includes development of vital public riverfront improvements, for which state funding has been awarded, but installation of the promenade and other amenities has been impeded by the Developer's delays, resulting in the public being deprived of its use of the waterfront.
6. Although the instant resolution does not replace the Developer as the preferred developer, if the City ultimately does not move forward with the Developer's proposed use of the DeLaval site, the withdrawal of that use will not cause any significant adverse environmental impacts that would require the preparation of a second supplemental environmental impact statement under the SEQRA regulations.
7. In consideration of the foregoing, adoption of the instant Resolution is expected to facilitate and accelerate the redevelopment of the DeLaval parcel for the benefit of the City and the public; and

BE IT FURTHER RESOLVED, that Resolution R-10-41 is hereby rescinded effective November 19, 2020, or 45 days after the adoption of the instant Resolution; and

BE IT FURTHER RESOLVED, that the rescission of Resolution R-10-41 is without prejudice to any prospective action to redevelop the DeLaval parcel that would yield commensurate or greater recreational, fiscal, economic, scenic, and health benefit to the City and its residents, including without limitation any further proposal by the Developer or any alternate developer, or without any private developer, to redevelop the DeLaval parcel for the benefit of the City and its residents; and

BE IT FURTHER RESOLVED, that the Common Council shall rescind this Resolution and reauthorize the Conveyance to the IDA for lease to the Developer, should the Developer agree on a PILOT agreement with the IDA for its proposed redevelopment of the DeLaval parcel, and submit an application for site plan approval for such redevelopment to the City Planning Board before the effective date of the rescission of Resolution R-10-41 as provided hereinabove.

SECONDED BY COUNCIL MEMBER _____

RESOLUTION
(R-10- 41)

INTRODUCED BY COUNCILMEMBER HERMAN

WHEREAS, the City of Poughkeepsie is owner of a certain parcel of property located adjacent to 176 Rinaldi Boulevard, west of Pine Street and Hudson Pointe Condominium parcel, commonly known as the DeLaval parcel; and

WHEREAS, the Common Council of the City of Poughkeepsie, as Lead Agency of the environmental review of the Southern Waterfront development plan, previously authorized the environmental remediation of the DeLaval parcel for the ultimate lease of the parcel to the City's development partner; and

WHEREAS, the environmental review of the development plan of the Southern Waterfront was concluded by the adoption of Findings pursuant to the State Environmental Quality Review Act (6NYCRR Section 617) by the Lead Agency, approving the development of the DeLaval parcel by the City's development partner; and

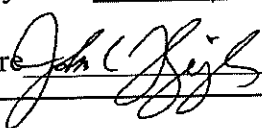
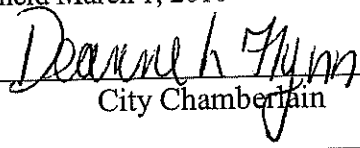
NOW, THEREFORE,

BE IT RESOLVED, the Common Council authorizes the conveyance of the DeLaval parcel to the City of Poughkeepsie Industrial Development Agency, for the purpose of leasing the parcel from the IDA to the JM Development Group, LLC, the City's development partner for the DeLaval parcel; and

BE IT FURTHER RESOLVED, the conveyance to the City of Poughkeepsie Industrial Development Agency shall be by bargain and sale deed for nominal consideration; and

BE IT FURTHER RESOLVED, this action is part of the Southern Waterfront development plan previously approved by the Common Council as lead agency by the environmental impact statements and findings statements.

SECONDED BY COUNCILMEMBER PARISE

Submitted to Council: March 1, 2010 Council Action: Approved Roll call vote taken: Yes <u> X </u> No <u> </u> Ayes 7 Nays 0 Abstain 1 Absent 0 Approved by Mayor on <u> 3/3/10 </u> Mayor's Signature <u></u>	I hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted at a regular meeting of the Common Council held March 1, 2010 <u></u> City Chamberlain
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RESOLUTION

(R20-80)

INTRODUCED BY COUNCILMEMBER CHAIR SALEM:

WHEREAS, the members of the Board of Assessment Review are appointed by the Common Council pursuant to the City Charter §5.02(1) and the Section 523 of the New York Real Property Tax Law; and

WHEREAS, member Ken Stickle has previously served on the Board of Assessment Review and has expressed an interest in continued service; and

WHEREAS, the Commissioner of Assessment has recommended the reappointment of Ken Stickle as a member of the Board of Assessment Review; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie does hereby re-appoint Ken Stickle to the Board of Assessment Review for a term of five (5) years commencing on October 1, 2020 and expiring October 1, 2025

SECONDED BY COUNCILMEMBER _____:

RESOLUTION
(R-20-XX)

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the City of Poughkeepsie has previously taken title to a parcel known as 16 Bement Avenue (Tax Map No: 6162-80-390070), in the City of Poughkeepsie, by deed from Federal Home Loan Mortgage Corporation; and

WHEREAS, the above mentioned property has been offered for sale by the City in accordance with the policy for the sale of City owned property; and

WHEREAS, an offer has been received from Habitat for Humanity of Dutchess County, Inc., to purchase the property for the sum of \$1.00; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, one of which is to increase homeownership, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Habitat for Humanity of Dutchess County, Inc., is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from Habitat for Humanity of Dutchess County, Inc., to purchase premises known as 16 Bement Avenue (6162-80-390070), in the City of Poughkeepsie for the sum of \$1.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

RESOLVED, that this sale is approved subject to the following conditions:

- A. That the Purchaser shall, within thirty (30) days of the date of this resolution, take title to such property.**
- B. Purchaser shall obtain a permit for the demolition of the structure on the property within six (6) months of the closing of title.**
- C. Purchaser shall obtain a building permit for construction of a multi-family house on the property within six (6) months of the completion of demolition;**

- D. Purchaser shall obtain a valid Certificate of Occupancy for the property within one (1) year after the issuance of a building permit;**
- E. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**
- F. Purchaser's obligation to purchase such property shall be contingent upon Seller obtaining an insurable interest in the property pursuant to Article 15 of the Real Property Action and Proceedings Law or other applicable law;**
- G. Purchaser agrees that it shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and**
- H. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and**

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a contract of sale for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER _____.

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R20-XX)**

BY COUNCILMEMBER _____ :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 16 Bement Avenue and identified as Tax Map No. 6162-80-390070; and

WHEREAS, the Common Council considers the proposed sale to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of property; and

WHEREAS, the Common Council has reviewed the proposed sale of property in accordance with Title 6 NYCRR, Section 617.11; and

WHEREAS, the Common Council has considered the hereto attached Short Environmental Assessment Form (EAF)

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and
4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and

6. The Common Council officially makes a determination of non-significance in that the proposed sale of property is not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER _____ .

VERIFIED NOTICE OF CLAIM

-----x
In the Matter of the Claim of

YARNI GUERRERO
Claimant,
-against-

CITY OF POUGHKEEPSIE, NY,
Respondent.
-----x

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2020 SEP 24 PM 2:30

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

PLEASE TAKE NOTICE that YARNI GUERRERO, pursuant to the statutes in such case, made and provided, does hereby make claim against the City of Poughkeepsie, New York (the "City"). The name of my attorney is Michael Davidoff, Esq. of Drew, Davidoff & Edwards Law Offices, LLP and his address is 13 Liberty Street, PO Drawer 1040, Monticello, New York 12701, and in support of such claim does state as follows:

1. My post office address is 150 Rennison Road, Grahamsville, NY 12740.
2. That this claim is one against the City for personal injuries.
3. The time when the claim arose and the time when the injuries and damages were sustained, was approximately 2:25 in the afternoon on the 20th day of July, 2020.
4. That the place where the injuries were sustained was North Bridge Street, Poughkeepsie, NY 12601 near the intersection of Fallkill Place, more particularly described as 41°42'33.9"N 73°55'47.5"W (hereinafter "route"), located within the City. (See attached photograph made apart hereof.)
5. That the said injuries and damages for which the claim is hereby made arose in the following manner, to wit, that on the 20th day of July, 2020, at approximately 2:25 p.m. in the afternoon while the Claimant herein was proceeding on his bicycle on North Bridge Street,

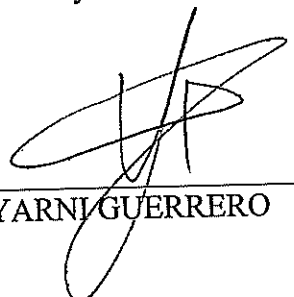
Poughkeepsie, NY 12601 near the intersection of Fallkill Place more particularly described as 41°42'33.9"N 73°55'47.5"W, at a place on the street where there was a water main shut off in the road which was defective in that it was not flush with the road and lacked a water main shut off cap. As a result, the water main shut off was in a location where the adjoining roadway was cracked and broken lower than the surrounding roadway with vegetation growing out of it thereby canceling the depression and which therefore it could not be seen that the depression existed and which depression caused the tire of the bicycle to become unstable and knocked the bicycle from the roadway which caused the Claimant to be propelled over the handle bars and to come into contact with the roadway causing the Claimant serious physical injury.

6. That the Claimant contends that the City was negligent in that they allowed the road to exist in such a dangerous condition. That there a was considerable drop off from the road to the drain and in addition thereto the City failed and neglected to put any road sign in the area to indicate that there was a defect in the roadway and that such failure to notify the operators of bicycles in that area constituted an inherently dangerous condition and that in addition thereto the City was negligent in the manner in which the condition existed.

7. As far as I am now able to determine the injuries and damages sustained by me for which I may claim consist of the following: fracture of upper-end of left ulna; internal fixation of radial and ulnar fracture. That the claimant is still unable to properly function and operate as he did normally and prior to the time of the accident and is still disabled.

WHEREFORE, I respectfully request that my claim be allowed and paid by the City.

Dated: Monticello, New York
September 21, 2020



YARNI GUERRERO

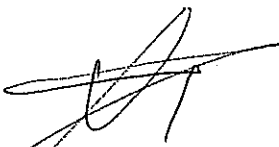
VERIFICATION

STATE OF NEW YORK)
)
COUNTY OF SULLIVAN) ss:

YARNI GUERRERO, being duly sworn, says:

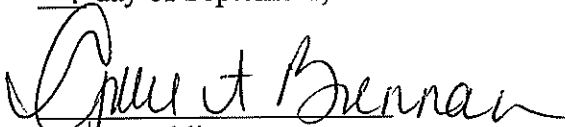
I am the Claimant in the action herein; I have read the annexed VERIFIED NOTICE OF CLAIM and know its contents, is true to my knowledge, except those matters therein which are stated to be alleged on information and belief, and as to those matters I believe them to be true.

My belief as to those matters therein not stated upon knowledge is based upon the information contained in the records.



YARNI GUERRERO

Sworn to before me this
21 day of September, 2020.



Notary Public

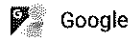
JULIE A. BRENNAN
Notary Public, State of New York
Sullivan County Clerk's #2529 22
Commission Expires October 23, 2022

Google Maps 103 N Bridge St



Image capture: Oct 2019 © 2020 Google

Poughkeepsie, New York



Street View





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

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2020 SEP 22 AM 9:18

TODAY'S DATE: 9/21/2020

NAME AND ADDRESS OF EACH CLAIMANT:

Richard Fenner
13 Monell Ave
Poughkeepsie, NY 12603

TELEPHONE NUMBER: 845-471-0273

NAME AND ADDRESS OF ATTORNEY (IF ANY):

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

Please see attached

ITEMS DAMAGED OR INJURIES SUSTAINED:

Richard Fenner Richard Fenner

Signature of Claimant

Signature of Claimant

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

Richard Fenner 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.

Richard Fenner

Signature of Claimant

Signature of Claimant

Sworn to before me this 22 day of September, 2020.

Emalie S Lasko
Notary Public

EMALIE S LASKO
Notary Public - State of New York
NO. 01LA6358554
Qualified in Dutchess County
My Commission Expires May 15, 2021

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.



Poughkeepsie City Court
62 Civic Center Plaza
Poughkeepsie, NY 12601

Phone: (845)-483-8200 Fax: (212) 416-1393
WEB Site: www.nycourts.gov/courts/9jd/dutchess/Poughkeepsie
Hours: Monday-Friday 8:00 am - 4:00 pm

Hon. Kathie Davidson
Administrative Judge 9th JD

Frank M. Mora
City Court Judge
Scott L. Volkman
City Court Judge

Lori Conners
Chief Clerk
Cheryl L. Cordi
Deputy Chief Clerk

NOTICE

September 15, 2020

RICHARD FENNER
13 MONELL AVENUE
Poughkeepsie, NY 12603

RICHARD FENNER
-against-
CITY OF POUGHKEEPSIE

Index No: SC-000865-20/PO

Calendar No:

PLEASE TAKE NOTICE that the Court has received your Small Claims Application, however as you are suing a municipality, a copy of the Notice of Claim must be included with the application. This matter has been adjourned for review for 60 days to allow you sufficient time to gather the correct paperwork and notice the municipality of your claim.

The Judge will review the paperwork for possible dismissal should the correct forms not be filed within 60 days. For more information, please take a look at page 10 A Guide to Small Claims & Commercial Small Claims in the New York State City, Town, & Village Courts online at www.nycourts.gov/courthelp/pdfs/SmallClaimsHandbook.pdf.

Lori L. Conners
Chief Clerk

Richard Fenner
13 Monell ave.
Poughkeepsie, NY 12603-

September 21, 2020

To;
City of Poughkeepsie
Chief Clerk
Lori L. Conners

Re;
Index No: SC-000865-20/PO *\$15,000 Suing*

UNFAIR CITY OF POUGHKEEPSIE WATER RATES

The City of Poughkeepsie meters every gallon of water entering your home, however it does not have any means of metering the amount of sewage, leaving your home. In order for the City to estimate the amount of sewage leaving your household, it has adopted an unethical ordinance which states that the resident will pay their sewage bill based upon the amount of metered water entering the residence. (If 200 gallons of metered water enters the household, you will have to pay for 200 gallons of sewage.)

This ordinance fails to recognize that during the summer month's citizens in this community use water for outside activities such as watering their lawns, washing of cars, or providing for their gardens. This water should not have a sewage fee attached to it because the water never reaches the sewage system. Yet, our water/sewer bill says that we the people are being charged a sewage fee for the water that does not enter the sewage system. To me this is like going to the grocery store and paying for something I did not purchase.

This year my water bill has doubled in price, because of the dry weather conditions in Poughkeepsie. I am suing the City of Poughkeepsie for the money I spent over the years for the sewage fees placed on water that is not entering the City of Poughkeepsie Sewage System.

I think that the present City Of Poughkeepsie water billing system is illegal and perhaps fraudulent.

Sincerely,
Richard Fenner