



THE CITY OF POUGHKEEPSIE New York

COMMON COUNCIL MEETING MINUTES

Monday, August 28, 2023, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is Monday, August 28, 2023, and the time is 6:32 pm.

I. ROLL CALL: 6 Present, 3 Absent (Councilmember Grant, Councilmember Flowers & Councilmember Johnson arrived after roll call was taken)

II. REVIEW OF MINUTES:

Common Council Meeting – July 6, 2023

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

CCM Minutes 7-6-23 VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☐	☐	☐	☒
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☐	☐	☐	☒
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☐	☐	☐	☒
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

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

- NONE -

IV. PUBLIC PARTICIPATION

- 1. Paul Brenner – 184 S. Grand Ave**
- 2. Michele Caraway - Poughkeepsie**
- 3. Nicholas Kalogris – 14 Maryland Ave (For the Many)**
- 4. Daniel Atonna – 116 College Ave (For the Many)**
- 5. Bob Wallace – 135 Main St**
- 6. Warren Jones – N. Clover St**
- 7. Suprina Troche – Delafield St.**
- 8. Joseph Troche – Delafield St**
- 9. Julian Rodriguez – 146 Smith St.**
- 10. Laurie Sandow – S. Grand Ave***
- 11. Barbara Clark – 29 W. Arnold Rd**
- 12. Sharon Bennerman – 34 N. White St**
- 13. Cooper Miller – 134 Franklin St.**
- 14. Charles Bennerman – 34 N. White St.**
- 15. Kane Jones – Union St (For the Many)**
- 16. Adria Gallman – 14 N. White St.**
- 17. Brian Bishop – (Walkway Over the Hudson)**
- 18. Eric Hoppe – 5 Parker Ave (Walkway Over the Hudson)**
- 19. Michael de Cordova**

***Submitted written comments**

At the beginning of every summer many people breathe a sigh of relief at the break from Council meetings. That is, those who haven't already thrown up their hands in disgust at this City's dysfunction and self-service. This year, the Council not only extended their summer recess by two weeks, but also extended their lack of productivity to the meetings that immediately precede and follow their summer break.

It would be nice to greet the return of Council meetings with a jolly "welcome back".

But, instead we have to ask:

- Why isn't there a report from the Council's Housing committee on tonight's agenda?
- Or an update about the Council's shelter litigation?
- Where's the report from the Open Meetings Law-violating Finance committee?
- Or an explanation why this Council was non-responsive to Corporation Counsel Valk's query about Pelton litigation, with Valk herself neither flagging that correspondence to show whether anyone had read it, or marking it as urgent?
- What about ARPA funds being traded between Councilmembers?
- The list of things this Council could or should attend to seems practically endless.

What is the easiest way for the public to stay on top of City issues? Sadly, there's neither an easy nor a hard way. No matter how many times it's raised, the public still can't read Common Council agendas and packets online, rather than having to download first before being able to read. Meeting packets are still posted in graphic format, rather than as searchable text files. It's virtually impossible to search the City website for past agenda items, including the track records and appearances of applicants before the Common Council, the Zoning Board of Appeals, the Planning Board and other City committees.

The end of May is the date of the most recently approved Council resolution posted to the City website, as if no business had been conducted or resolutions approved since that time. And the resolutions that are posted to the City site have titles that are laced with acronyms, are posted as graphic images, and do not record the names of Councilmembers who voted in favor, opposed, abstained, arrived late or were absent—willfully defeating the historic record.*

*See link <<https://www.cityofpoughkeepsie.com/241/Resolutions>>

This Council might go to sleep over the summer, but the City and the County do not. Hard-working people and businesses are being driven out of this city by failures to address and develop solutions to a vast range of problems. Practically the only parties getting focused and expedited City attention are the developers lining their pockets at the expense of city residents and taxpayers.

Some questions posed to certain City staff and Council members at the last March 2023 Special Informational meeting have never been answered. Councilmembers consistently ignore substantive questions raised by the public, yet jump at the opportunity to claim free speech and so-called First Amendment rights to belittle, and even lie to their constituents.

For those who pray that things can't get worse, think again about what this majority lame duck Council will or won't accomplish between now and January, as well as the covert and very suspect slate of Exempt Firemens' members who'll be taking Council seats in January.

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Brown: First of all, the negotiation team, which consists of Vice Chairman Shook, Council member Flowers and myself, met with our attorney who's representing us in regards to Oakley, DCJ, or whatever they county is planning to do, and we are not at liberty to discuss any of that conversation at this time. When we can disclose information, we will. And our attorney commented in the paper, and it's not appropriate for us to say anything, but we are doing something, and things are happening. That's all I can say.

There's a zoning public hearing that we are looking to schedule at the Family Partnership Center either the 24th or 28th of September. There were some issues over the summer because the consultants are in Pennsylvania, so their schedules weren't meshing with our schedules. That's why there was not one scheduled in August. But we will not move forward with the zoning plan until we have a public hearing on the north side and give equal amount of time to people to speak their concerns when we have a public hearing here.

We heard from primarily people who live on the south side, and we do not want to make a decision with a unilateral decision. We want to make sure that all voices are heard so that plan will not move forward into that public hearing happens. And it was imperative that the consultants were there. I didn't want the council just to have a public hearing. We need the consultants there and take those results and maybe make edits if necessary.

We do as a council, need to talk to the administration about these needles in the parks. School is expected to start back on September, and there's a group of us who are working on safe routes to school. But along those safe routes, you know, there's needles in the parks there, needles on the street. Yesterday, someone tagged a couple of us in the picture of needles just laying in broad daylight on the sidewalk. There definitely needs to be a park maintenance plan with those needles. And then we need a more comprehensive plan because I am nervous that a child will step on a needle and get hepatitis or drugs in their system, or even worse. So that is that is a biohazard that we need to address. And that's all I have for now.

September 6th is a special informational meeting that gives members of the public the opportunity to ask questions of department heads. I would recommend that you have your questions prepared and some of you can actually submit them in advance so they can be answered. I know Ms. Sandow mentioned that she's still waiting on answers to questions from last year but having them in advance would provide a better opportunity to get them answered. And that's all I have for now. I will turn it to Mayor's comments.

VI. MAYOR'S COMMENTS:

Mayor Nelson: Thank you, Madam Chair.

I first want to welcome the Council back from your summer hiatus, but I also want to mention that so many of you individually and collaboratively contributed to many of the

summer events that have gone on. I'm going to talk about a few of them briefly. But, you know, I think it's important to make sure the public understands that the council members are actively involved, even during that six week or so hiatus when we're not having meetings.

I want to thank Mr. de Cordova for being the only member of the public comment or group today to recognize so many great things going on in the City of Poughkeepsie. But before I get to those, I owe the answer on lead pipes.

You know, the administration has not seen the proposed legislation, that Councilmember Deichler and some of our colleagues are planning on presenting. My understanding is, is that they've had conversations in their caucus about that legislation. As the mayor, I don't participate in the caucus. I haven't seen the legislation. I think our Corporation Counsel's office is reviewing it and making recommendations.

But I will say that the city recently submitted two rather major grants on time, no problem. And we're optimistic those grant applications will yield good results for the city. I want to thank Congressman Ryan's office, Assemblyman Jacobson's Office, Councilmember Deichler and Councilmember Flowers, in particular, who have been spearheading the work that we've done.

And I just want to comment on the allegation twice made that our engineering department somehow dropped the ball. There's absolutely no evidence at all that the City of Poughkeepsie would have been awarded a nickel had that engineering study been done. And, in fact, that was the previous year when this issue was just coming to the state's attention, and we had barely two or three weeks to do an entire engineering study. There's a back story there.

I'm very proud of the Engineering Department and the Department of Public Works here at the city. We take this issue as seriously as you do, and we intend to pursue every source of grant funding that we possibly can to make this priority, something that we can work on. I will also say with respect to lead service lines, every single year under our City charter, the Common Council gets to approve and make changes to the capital plan. And the capital plan is that - it's not the annual budget - it's the five year look ahead that we do every year it's submitted to council. It has never been missed. I think it was late one year because of COVID and this body has the authority to approve it, deny it or change anything they want on it. Given the cost to this community of working on lead pipes, it's obviously a capital plan. It's not an annual plan. It's a capital plan. This is the council that can change it. They can pass it and can make it a priority. It is not the administration that can set a policy to spend 100 and some odd million dollars in ten years, which, by the way, no bank would lend the city that much money under any circumstance, whether our bond rating was two or three notches higher or not. So that's the answer on the pipes.

On a more positive note, I want to thank everybody that participated, particularly Council Chair Brown, for the work and John Penny, I should say as well, who did a tremendous job getting the pool open and thank you to the school district particularly. I want to thank everybody that was involved in the summer camp. Terrific.

I'm sure some of my council colleagues will talk about that more when we get to their comments.

But literally hundreds of Poughkeepsie children benefited and took advantage of many activities that were going on all over the summer, including swim lessons and so forth. I managed to take a few minutes out of my day and drive over to Pulaski Park to review the progress on the Pulaski Pool house. I invite every member of the public to go over there and see firsthand the work that's progressing on schedule, if not over budget, but on schedule, so that we will have a state of the art fantastic pool house. And it's not just the pool house, by the way. What was reported was, Well, why are you doing this in the summertime? It's a whole new pool equipment. The old pool equipment was within the pool house. So when you demo it, obviously you need all the pumps and filters and everything else.

The project was much larger than a project that could have been done in just a few months. So there was no possible way to avoid the closure of Pulaski Park for one season. The only choice we had was to do it this season or next season, and I'm glad we made the decision to put it behind us. And the community has something great to look forward to.

And to my colleagues, you know, on the council, I want to particularly mention that the year following that's '24, we'll start the planning for '25's work on the pool house at Spratt Park as well. And most of this, if not all of it, was funded by and will be funded by ARPA.

I want to wish our chair and Natasha Brown a happy birthday.

I want to thank everybody that was involved in Riverfest, Porchfest and thank you to the public comment here that mentioned this. My wife and I were able to attend Porchfest. It was the fourth year in a row for Porchfest and as I drove around I before I could even find a parking spot, I thought to myself, "this is the first time that's happened".

And, you know, the question was asked why we don't call the close Academy Street. You know, the event is attracting more people. I think at some point, maybe as soon as next year, you know, we will talk with PD and traffic Control about closing Academy Street. It is an emergency route. And so there are challenges about it. And police command and traffic has recommended, thus far, that we not close. And, obviously, if the event continues to grow as we think it will, then we'll revisit that.

In addition to the Porch Fest, River Fest, we had Jazz Fest, a fantastic event that we have. You know, Jazz Fest would have celebrated their 20th anniversary here in the City of Poughkeepsie during COVID. But during COVID, of course, there was no Jazz Fest.

So I want to congratulate Greer Smith and all of the fabulous musicians that contributed to that event at Warriors Park. And in addition to those big events that we all know, and some of us, I think see, I see nodding their head attended them.

There were at least six particular events around block parties and at smaller parks. I'll let my council colleagues talk about that. Back to school is coming, I want to wish all the students in the City of Poughkeepsie good fortune and hard work as we start back. Talked about lead grants. I want to say my colleague to my right, Christopher Grant, and I attended a public meeting, the second public meeting about work on a job that's going to start in the spring on Bartlett Park

I want to particularly thank members of the public that came to the first community meeting, which was held in this room, I think, a couple of months ago now, Chris, and just about every single recommendation we were able to build in, the engineers and the consultants were able to build in to the plan. We went over that revised plan at the public safety building last week and uniform good comments, although I will say a couple of suggestions that we're still going to try to get done.

And then very quickly, I had the pleasure and the honor today, along with superintendent of schools Dr. Eric Rosser, and our colleague Rob Watson from the Harvard Universities and Redesign Lab, who was in town to welcome AmeriCorps and the and particularly ANPAC. And I think Christopher Grant may be talking about that when he gets his comments.

But today was their kickoff session. They had a sort of a swearing in thing over at the academy. And I was just thrilled to see so many volunteers. Yes, they are going to receive a stipend, but volunteerism is alive and well. We're bringing it to the city of Poughkeepsie. It's focusing on early learning, particularly reading and math. And this is the beginning of something we think that's going to continue to grow in the City of Poughkeepsie. And I will also say we're very proud and I said this in my remarks, the academy, Poughkeepsie was the first and so far the only city selected for this program. So Anpac is a national company they're in 13 to 15 states. And today they put planted their flag here in the state of New York. And as I thanked them, I said, you know, you could have gone to any of the 20 cities and municipalities that that met the criteria that they were looking for, and they chose the City of Poughkeepsie. So we thank ANPAC particularly for that.

I just want to mention, if I can...

Chairwoman Brown: Hey, you said that was your last thing.

Mayor Nelson: I know. I just forgot. If I could just mention one thing, I see our colleagues from the park at the walkway. You know, I'm very concerned. And I tried to make notes on this, but, you know, the walkway over the Hudson does bring more than a half a million visitors - I see back there, sorry, - to the City of Poughkeepsie. And they are our partners. We are going to continue to do everything we can. But I do want to just add to their comment, and that is that I have been made aware and I wasn't aware of this until a couple of weeks ago, that the State Park police have made significant cuts to staffing and there has been a sharp reduction in the availability of park police to respond to, you know, behavior, mental health crises and other things that were mentioned in the public comment. So the city obviously takes our first responder position very seriously. Just in the last few months, we've responded to some serious mental health crises there, but we haven't seen the final reports yet. But probably about \$20,000 in overtime between police and fire. I think the walkway was actually closed down for, you know, completely, you know, one day. But in any event, I know I'm out of time. I just wanted to tell our partners at the walkway that my email address is: mnelson@cityofpoughkeepsie.com.

I'm good friends with your directors and anything I can do to help. We could probably set up a meeting with Chief Pape and our fire chief, Joe Franco, who his team did a fantastic job.

And I will say if I can share, we're saving lives because, thank God the people that presented with risk to themselves were rescued, I will say, and hopefully went on to get the appropriate level of care, you know, in our community or elsewhere. And I know I'm out of time.

Chairwoman Brown: You are out of time. I'm going to move on.

Mayor Nelson: I Just wanted to thank DPW, for all the work they did all summer long.

Thank you, Chair.

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

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

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

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

- 1. R-23-56, Resolution Approving an Agreement with PCSD for a School Resource Officer**

**R E S O L U T I O N
(R-23-56)**

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, the Poughkeepsie City School District desires the presence of a School Resource Officer, hereinafter “SRO,” at district schools for the purpose of providing security and support for the benefit of its administration, employees, students and the community at large; and

WHEREAS, the City and School District may enter into intermunicipal agreements for such purposes; and

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

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves the attached proposed inter-municipal agreement annexed hereto as Exhibit A and authorizes the Mayor to execute same.

SECONDED BY COUNCILMEMBER SHOOK

R-23-56						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

ACTION AGENDA:

X. MOTIONS AND RESOLUTIONS:

R-E-S-O-L-U-T-I-O-N
(R-23-57)

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, the City of Poughkeepsie (hereinafter the “City”) has the responsibility and duty to provide for the long-term vision of our public waterfront system by ensuring that a balance of parks, natural resources, and recreation facilities provides for the health, welfare, and safety of all residents; and

WHEREAS, in 2022 the City finalized the updated Local Waterfront Revitalization Plan through the New York State Department of State in which there was strong community support for accessibility along the waterfront; and

WHEREAS, the Common Council of the City of Poughkeepsie approves and endorses the receipt of grant funding from New York State Department of State through the Local Waterfront Revitalization Program for planning of the Fall Kill Blueway.

NOW, THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie hereby authorizes Interim Development Director Joe Donat, or his designee in the Development Department, to act on its behalf in submittal of an application through the Consolidated Funding Application for \$810,150, to be used for the City of Poughkeepsie planning and design stage of the Fall Kill Blueway project.

BE IT FURTHER RESOLVED, that the Mayor is and hereby shall do all things necessary to give effect to the resolution including but not limited signing any document needed for submission or acceptance.

SECONDED BY COUNCILMEMBER SHOOK

R-23-57						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

R E S O L U T I O N
(R 23-58)

INTRODUCED BY CHAIRWOMAN BROWN

BE IT RESOLVED, that the attached certificates of Base Percentages, Current Percentage, Base proportions and Certificate of Adjusted Base Proportions for the levy of taxes on the 2023 Assessment roll are hear by approved in accordance with Article 19 of the Real Property Tax Law.

SECONDED BY COUNCILMEMBER SHOOK

R-23-58						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

R E S O L U T I O N
(R-23-59)

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, in accordance with New York General Municipal Law, the Common Council of the City of Poughkeepsie is authorized to make appointments of City residents to serve on the board of the City of Poughkeepsie Public Arts Commission; and

WHEREAS, the members of the Public Arts Commission serve at the pleasure of the Common Council; and

WHEREAS, it is in the best interest of the City of Poughkeepsie and its citizens that the Public Arts Commission have a full complement of members in order to properly conduct the business required of the Public Arts Commission; and

NOW, THEREFORE,
BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints the following individuals to the City of Poughkeepsie Public Arts Commission, to serve at the pleasure of the Common Council for a term ending July 31, 2026.

Art Jones

SECONDED BY COUNCILMEMBER SHOOK

R-23-59						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

XI. ORDINANCES AND LOCAL LAWS:

XII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. ~~FROM MAYOR MARC NELSON~~, a communication regarding the Tax Cap Override Moved to August 30, 2023 Common Council Meeting
2. **FROM COUNCILMEMBER SHOOK**, a communication regarding handicapped signage on South Avenue
3. **FROM ALEASHA COLE**, a notice of property damage that occurred on May 14, 2023
4. **FROM SHARON JOHNSON**, a notice of property damage that occurred on May 20, 2023
5. **FROM JEFFREY WILLIAMS**, a notice of property damage that occurred on June 2, 2023
6. **FROM CHRISTINE HICKEY**, a notice of claim for property damage that occurred on June 26, 2023.

7. **FROM JOY OSTERHOUT**, a notice of property damage that occurred on July 6, 2023.
8. **FROM RICHARD HOPP**, a notice of property damage that occurred on July 23, 2023
9. **FROM SUSHI GINZA & CAJUN SEAFOOD, INC.**, a 30-day advance notice of intent to obtain a NYS Liquor License.
10. **FROM GUY DESANTIS**, a notice of property damage that occurred on June 9, 2023.
11. **FROM 400 NELLY RESTAURANT CORP.**, a 30-Day advance notice of intent to obtain a NYS Liquor License.

XIII. ADJOURNMENT:

A motion was made by Councilmember Thompson and seconded by Councilmember Deichler to adjourn the meeting at 8:45 PM.

Dated: September 7, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, August 28, 2023.

Respectfully submitted,

Donna M. DeLuca
Deputy City Chamberlain