THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Monday, October 5, 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, October 5, 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:

NONE

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

ADD:

VII: MOTIONS AND RESOLUTIONS:

3. Resolution R20-82, overriding the Mayoral Veto of R20-78.

4. Resolution R20-83, approving the 2020 Adjusted Base Proportion.

REMOVE:

VII: MOTIONS AND RESOLUTIONS:

2. Resolution R20-80, approving an appointment to the Board of Assessment (BAR).

IX: PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM CITY OF POUGHKEEPSIE SCHOOL DISTRICT, SUPERINTENDENT ROSSER,** a communication on the Poughkeepsie School District Capital Plan.

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

1. Joe Bonura
2. Tyler Jones
3. Michelle Squires
4. Joan Mandle
5. Kris Pisciotta-19 Glenwood Ave
6. Laurie Sandow-South Grand Avenue

Laurie Sandow comments, Common Council meeting, October 5, 2020 — Pg. 1 of 2

Today, this Council has once again added and deleted items from its agenda at the last minute. Was the public given notice of this? No, of course not, the public is left to visit the City website over and over to learn of last minute changes. We also have three councilmembers who've claimed to be in attendance, yet none of them on camera. The public wants proof of their continuous attendance in front of the camera. Where is the Chair's actual enforcement of actual Council rules?
At tonight's Council meeting, we have yet another, latest example of this Council's rejection of transparency, in favor of a secret agenda:
We have "Resolution R20-79 to Rescind Resolution R10-41" whose purpose is not revealed to the public unless and until the entire agenda packet is downloaded, yet somehow a bunch of speakers—many of them Hudson Pointe residents—got a heads-up to prepare comments.

This is the level of secrecy, opaqueness and crony privileges embraced by the current Council. This is not the first time that a covert agenda item has appeared—in fact it's become the default habit of the Salem-led council. The recent flood of examples include:

—On the July 6 agenda, covert Resolution (R20-63) approving execution of a professional service agreement with Eric Pierson — no purpose stated.
—On July 13, covert Resolution R20-66, never introduced until the Council meeting was underway, and to this date never posted online, authorizing Chair Salem to execute a professional service agreement with Gary Beck — no purpose stated.
—On August 24, covert Resolution R20-68, approving the allocation of funds from Contracted Services Other to execute a professional service agreement with Kubi Ackerman — no purpose stated.
— On September 21, covert Resolution R20-78, retention of professional staff for Common Council. It wasn't until the following day, at a little-watched Waterfront Advisory Committee (WAC) meeting, that Sarah Brannen revealed the Council's secret agenda, that the consultants were being hired to instigate litigation against the City.

—Tonight, October 5, we have covert Resolution R20-79, whose purpose is to "Rescind Conveyance of the DeLaval Parcel to the City of Poughkeepsie Industrial Development Agency". Sarah Brannen sent her private pipeline an Email which might or might not accurately inform them of the purpose and contents of tonight's Resolution. The rest of the public is left in the dark and flipped the bird, with no disclosure about how this Resolution came into existence or the parties who may have inspired and had a hand in writing this resolution, and of course no prior communication or public hearing. Just another October surprise from the Common Council.

This is the same Common Council that since February 2020, seven or more long months, continues to obstruct the Ethics Board from fulfilling its mission by failing to provide feedback on documents that Salem vowed to distribute to fellow councilmembers.

This is the same Common Council that refused a request by the City's duly-constituted Waterfront Advisory Committee (WAC) to make a presentation to the Common Council, instead providing that privilege to the Council's own secretive, non-public LWRP Review Committee, which continues to undermine, obstruct and delay the work of the City's legally constituted Waterfront Advisory Committee. These are the same Councilmembers who get up and testify about what devoted City natives or longtime transplants they are, yet are the same ones who NEVER paid attention to waterfront issues until they were elected and held the power to abuse their office. The same Councilmembers—despite their campaign platforms and pledges—that continue to obstruct and/or diminish the public's right of knowledge, information, access and comment, rather than working to enhance and expand it.

My last comment is about the 78 Taylor Avenue item on tonight's amended agenda. Developers continue to eat this city alive, aided by the absence of a City Comprehensive Plan, developers hiding behind their LLCs, avoiding the IDA by partnering with Hudson River Housing, being granted PILOTs on the backs of city taxpayers, misrepresenting the extent to which their developments will be mixed use and/or affordable, making post-Council approval alterations to their site plans once in front of the Planning Board, and now icing the cake, these sales being promoted to plug budget gaps due to pandemic.

7. Kevin Fulmer
8. Matthew Carroll

9. Sven Thiesen-57 Cannon Street

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Chair Salem: The proposed 2021-2025 Capital Plan that was due to us this summer on July 1, was received by the Council on September 16. We now have sixty days to review, modify, and adopt the 2021-2025 Capital Plan, and as a part of this process, we will hold a special meeting on Wednesday, October 21, 2020, at 6:30 pm.

The Capital Improvement Plan defines projects and initiatives for the five-year period of 2021-2025 and acts as a blueprint for planning our city's capital expenditures. We're looking forward to hearing more about the draft that was sent to us last week at our special meeting. Zoom registration and more information are now available on our website, cityofpoughkeepsie.com/common-counil.

We will be conducting budget hearings on the proposed 2021 budget, which is due to the Common Council by October 15, 2020. After we receive the proposed budget, we will take time to review it and we have invited the Mayor's office to present the draft with narration at a Public Hearing on Monday, November 9, 2020, at 6 pm. Following the initial budget hearing, the budget will go into the Finance Committee for a more detailed review, and the Council will convene to make modifications and to balance the budget before it is adopted by December 31st. More information and Zoom registration also available at cityofpoughkeepsie.com/common-counil.

On Tuesday, Oct. 20, 2020, we all have the opportunity to vote for the Poughkeepsie City School District's proposed Capital Improvement Project. Tune in to the School Board meeting this Wednesday, October 7 at 7 pm to learn more about the project from Superintendent Rosser, who will be making a presentation on the plan to the School Board. More information on how to watch at poughkeepsieschools.org.

There's more time to complete the census, now through the end of October. head on over to https://my2020census.gov/ to get it done.
Make a voting plan. Vote by mail- request a mail-in ballot by October 27. Vote early- early voting in NYS Starts on October 24 and runs through November 1. Vote on election day, November 3- check

VI. REPORTS OF COMMITTEES AND BOARDS:

NONE

VIII. MOTIONS AND RESOLUTIONS:

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

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, AND 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 it's 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 COUNCILMEMBER BRANNEN

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 _X_ No____ Ayes 7 Nays 0 Abstain 1 Absent 0 Approved by Mayor on 3/3/10 Mayor's Signature	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 City Chamberlain

R20-79						
			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☑	☐	☐	☐
	Councilmember McNamara	Voter	☑	☐	☐	☐
	Councilmember Cherry	Voter	☑	☐	☐	☐
☐ Accepted	Councilmember R. Johnson	Voter	☑	☐	☐	☐
☐ Defeated	Councilmember Menist	Voter	☑	☐	☐	☐
☑ Tabled	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 l. Johnson to receive and print.**

RESOLUTION TO OVERRIDE MAYORAL VETO OF R20-78

(R20-82)

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

WHEREAS, the Common Council appropriated funds in the 2020 Common Council budget for professional services; and

WHEREAS, on or about September 1, 2020, the Common Council passed Resolution No. R20-78 and also moved to approve the retention of Lamb & Barnosky, LLP to serve as professional counsel to the Common Council; and

WHEREAS, R20-78 also approved and moved the appropriation of funds from the 2020 Common Council budget for the professional services to be provided by Lamb & Barnosky, LLP as professional counsel, and sufficient funds are included in the Common Council budget for this purpose; and

WHEREAS, on or about October 1, 2020, Mayor Robert G. Rolison vetoed Resolution No. R20-78; and

WHEREAS, the Common Council holds the authority under New York State law, the City of Poughkeepsie charter and administrative code to secure professional services for the conduct of its business; and

WHEREAS, the purpose of the City of Poughkeepsie Charter is to "secure maximum self-government for the people of the City of Poughkeepsie through the exercise of the home rule powers granted by the constitution of the state of New York and the municipal home rule law of the state of New York, and to establish an efficient and responsible city government through the separation of legislative and executive powers and functions", and

WHEREAS, the separation of powers doctrine informing the City of Poughkeepsie charter and form of government supports the exchange of ideas and dialogue in municipal government to support a healthy democracy in the City of Poughkeepsie; and

WHEREAS, as noted in the preamble to the City of Poughkeepsie Charter, the Charter specifies and emphasizes that the Common Council, as representatives of the people of the City, has explicit oversight powers and supervisory authority over the performance of the executive branch in the administration of the operations of the City; and

WHEREAS, the Corporation Counsel simultaneously serves as the legal advisor to both the executive branch (Mayor) and the legislative branch (Common Council) of the City; and

WHEREAS, the Common Council needs its own counsel in instances where there are perceived or actual conflicts between the two branches, and/or the Council seeks an independent assessment of the objectivity of the Corporation Counsel's advice given the Corporation Counsel's simultaneous service of these two independent branches; and

WHEREAS, in order for the Common Council to carry outs its oversight and supervisory role over the performance of the executive branch in the administration of the operations of the City, to secure maximum self-government for the people of the City of Poughkeepsie and to carry out the separation of powers in, among other things, the enactment of ordinances, local laws and resolutions, the Councilmember at-Large has recommended to the Common Council that it appoint professional legal counsel to provide the Common Council with an independent assessment of its rights, obligations and privileges relative to the executive branch.

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby overrides the mayoral veto of R20-78, and

BE IT FURTHER RESOLVED that the Common Council finds the mayor does not have the authority to veto administrative or other non-legislative actions taken by the legislature for its functioning as a separate branch of government.

SECONDED BY COUNCILMEMBER BRANNEN:

R20-82						
			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	☑	☐	☐	☐

3. A motion was made by Councilmember Brannen and seconded by Councilmember L. Johnson to receive and print.

R E S O L U T I O N
(R 20-83)

INTRODUCED BY CHAIR SALEM

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 2020 Assessment roll are hereby approved in accordance with Article 19 of the Real Property Tax Law.

SECONDED BY COUNCILMEMBER BRANNEN

The City of Poughkeepsie
New York

John Taylor
Assessor
jtaylor@cityofpoughkeepsie.com

62 Civic Center Plaza
Poughkeepsie, N. Y.12601
845-451-4039

October 5, 2020

COMMON COUNCIL
City of Poughkeepsie

CC Meeting: October 5, 2020
Resolution: R-20-XX

Re: Adjusted Base Proportions

Chairperson Salem and Councilmembers,

Annexed hereto please find proposed Resolution: R-XX regarding the above referenced Adjusted Base Proportions. I respectfully request that you approve the attached Certificate pursuant to Article 19 of the Real Property Tax Law.

Article 19 became part of Real Property Tax Law in 1981 for the purpose of mitigating the shift of taxes to residential property as a result of reassessment. A proportional ratio is established between the two classes. Adjustments to the base proportion are required annually to reflect changes in the number and values in the two classes. The method of calculating the changes are prescribed in RPTL-1803a.

This Certificate was prepared by the Assessor with the assistance of the NYS Office of Real Property Service, pursuant to the Real Property Tax Law and the Rules and Regulations of the Office of Real Property Tax Service.

I will make myself available should you have any additional questions or concerns regarding the provided Certificate and worksheets.

Respectfully,

John Taylor
Assessor
City of Poughkeepsie

Local Adjustments to the Adjusted Base Proportions

The municipality may make certain adjustments to the ABPs.
See Subsection 1903-4(c) of the Real Property Tax Law.

City of Poughkeepsie 2020

STEP 1 - Subtract the Adjusted Base Proportion for the Homestead Class from the Current Percentage for the Homestead Class

Current Percentage for Homestead Class (part H of form RP-6701)		64.30491
Adjusted Base Proportion for Homestead Class (part R of form RP-6703)	-	58.63438
Difference		5.67053

STEP 2 - Take the Difference computed in STEP 1 and multiply it by 10%, 20%, 25%, 30%, 40%, 50%, 60%, 70%, 75%, 80%, and 90%. Add this amount to the Homestead Adjusted Base Proportion.

Select a Percentage	Amount to be added to Homestead ABP		POSSIBLE TAX SHARES WHICH MAY BE ADOPTED	
			Homestead	NonHomestead
			58.63438	41.36562
10%	0.56705		59.20143	40.79857
20%	1.13411		59.76848	40.23152
25%	1.41763		60.05201	39.94799
30%	1.70116		60.33553	39.66447
40%	2.26821		60.90259	39.09741
50%	2.83527		61.46964	38.53036
60%	3.40232		62.03669	37.96331
70%	3.96937		62.60375	37.39625
75%	4.25290		62.88727	37.11273
80%	4.53642		63.17080	36.82920
90%	5.10348		63.73785	36.26215
100%	5.67053		64.30491	35.69509

RP-6703

NEW YORK STATE OFFICE OF REAL PROPERTY TAX SERVICES
Bldg 8A - WA Harriman Campus Albany, NY 12227

08/17/20

CERTIFICATE OF ADJUSTED BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL
FOR THE 2020 ASSESSMENT ROLL

Approved Assessing Unit		City of Poughkeepsie, 131300
Name of Portion		City of Poughkeepsie, 131300
Reference Rol	2018	
Levy Roll	2019	

Section I — DETERMINATION OF PORTION CLASS NET CHANGE IN ASSESSED VALUE DUE TO PHYSICAL AND QUANTITIY CHANGE
EQUALIZATION CHANGES AND COMPUTATION OF CLASS CHANGE IN LEVEL OF ASSESSMENT FACTOR

Class	(A) Total Assessed Value on the Reference Roll excluding (SpecialFranchise)	(B) Total Assessed Value of Physical and Quantity Increases between the Reference Roll and Levy Roll	(C) Total Assessed Value of Physical and Quantity Decreases between the Reference Roll and Levy Roll	(D) Net Assessed Value of Physical and Quantity Changes (B-C)	(E) Surviving Total Assessed Value on the Reference Roll (A-C)
Homestead	1,090,626,261	2,236,700	1,954,350	282,350	1,088,971,911
Nonhomestead	535,715,739	2,069,900	4,181,700	(2,111,800)	531,534,039

Class	(F) Total Assessed Value of Equalization Increases between the Reference Roll and Levy Roll	(G) Total Assessed Value of Equalization Decreases between the Reference Roll and Levy Roll	(H) Net Equalization Changes (F-G)	(I) Change in Level of Assessment Factor (H/E)+1	
Homestead	91,055,630	2,712,050	88,343,580	1.08113	1.0826
Nonhomestead	43,868,523	7,952,857	35,915,666	1.06757	1.0321

Section II — COMPUTATION OF PORTION CLASS ADJUSTMENT FACTOR

Class	(J) Taxable Assessed Value on the Levy Roll excluding Special Franchise	(K) Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (J/I)	(L) Assessed Value of Special Franchise on the Levy Roll at the Reference Roll Level of Assmnt	(M) Total Taxable Assessed Value on the Levy Roll at the Reference Roll Level of Assessment (K+L)	(N) Taxable Assessed Value on the Reference Roll	(O) Class Adjustment Factor (M/N)
Homestead	1,165,891,449	1,078,405,108		1,078,405,108	1,075,858,810	1.00237
Nonhomestead	535,803,714	505,637,849	81,970,486	587,608,335	597,199,870	0.98394

Section III — COMPUTATION OF ADJUSTED BASE PROPORTIONS

Class	(P) Current Base Proportions	(Q) Current Base Proportions adjusted for Physical and Quantity Changes (P*O)	(R) Adjusted Base Proportions (Q/sum of Q)
Homestead	58.18362	58.32133	58.63438
Nonhomestead	41.81638	41.14477	41.36562
Total	100.00000	99.46610	100.00000

CERTIFICATION

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

_____
signature

_____
title

0.9987
1.0298

RP-6701

NEW YORK STATE OFFICE OF REAL PROPERTY TAX SERVICES
Bldg 8A - WA Harriman Campus Albany, NY 12227

08/17/20

CERTIFICATE OF BASE PERCENTAGES, CURRENT PERCENTAGES AND CURRENT BASE PROPORTIONS PURSUANT TO ARTICLE 19, RPTL, FOR THE LEVY OF TAXES ON THE **2020** ASSESSMENT ROLL

Approved Assessing Unit: City of Poughkeepsie, 131300
Name of Portion: City of Poughkeepsie, 131300

DETERMINATION OF BASE PERCENTAGES

Section I

Class	(A) 2006 Taxable Assessed Value	(B) 2006 Class Equalization Rate	(C) Estimated Market Value A/(B/100)	(D) Base Percentages (C/sum of C)
Homestead	1,663,288,662	100.00	1,663,288,662	70.8173
Nonhomestead	685,416,541	100.00	685,416,541	29.1827
Total	2,348,705,203		2,348,705,203	100.0000

DETERMINATION OF CURRENT PERCENTAGES

Section II

Class	(E) 2019 Taxable Assessed Value including Special Franchise	(F) 2019 Class Equalization Rate	(G) Estimated Market Value E/(F/100)	(H) Current Percentages (G/sum of G)
Homestead	1,075,858,810	100.00	1,075,858,810	64.3049
Nonhomestead	597,199,870	100.00	597,199,870	35.6951
Total	1,673,058,680		1,673,058,680	100.0000

DETERMINATION OF CURRENT BASE PROPORTIONS

Section III

Class	(I) Local Base Proportion for the 2006 Assessment Roll	(J) Updated Local Base Proportion I*(H/D)	(K) Prospective Current Base Proportion Column (L) Prorated to 100.00 (J/sum of J)	(L) Adusted Base Proportion used for Prior Tax Levy	(M) % difference between prior Adjusted Base Proportion and Prospective Current Base Proportion ((K/L)-1*100)	(N) Maximum Current Base Proportion (L*1.05)	(O) Current Base Proportions
Homestead	65.20854	59.21196	58.18362	57.60804	1.00		58.18362
Nonhomestead	34.79146	42.55544	41.81638	42.39196	-1.36		41.81638
Total	100.00000	101.76741	100.00000	100.000000			100.00000

CERTIFICATION

I, the clerk of the legislative body of the approved assessing unit identified above, hereby certify that the legislative body determined on _____ base percentages, current percentages, and current base proportions as set forth herein for the assessment roll and portion as identified above.

_____
signature

_____
title

_____
date

R20-83						
			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:

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM CITY OF POUGHKEEPSIE SCHOOL DISTRICT, SUPERINTENDENT ROSSER,** a communication on the Poughkeepsie School District Capital Plan. **Removed**

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.

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 _____.

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. **Referred to Corporation Counsel**

5. **FROM RICHARD FENNER,** a notice of claim. **Referred to Corporation Counsel.**

XI. OLD BUSINESS:

X. ADJOURNMENT:

A motion was made by Councilmember Brannen and seconded by all Councilmembers to adjourn the meeting at 9:57 p.m.

Dated: October 14, 2020

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 5, 2020

Respectfully submitted,

Deanne L. Flynn
City Chamberlain