



COMMON COUNCIL MEETING

Monday, November 20, 2023

Common Council Chambers

6:30pm

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Public Hearing – November 6, 2023

Common Council Meeting – November 6, 2023

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

IV. PUBLIC PARTICIPATION

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

VI. MAYOR'S COMMENTS

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

VIII. REPORTS OF COMMITTEES AND BOARDS:

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

X. ORDINANCES AND LOCAL LAWS:

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

XII. ORDINANCES AND LOCAL LAWS:

XIII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **A COMMUNICATION FROM MAYOR NELSON**, regarding the sale of property on Academy St.
2. **A COMMUNICATION FROM YOUTH SERVICES DIRECTOR, KAREN WILLIAMS**
3. **A COMMUNICATION FROM SCENIC HUDSON INC.**, regarding a request for the city to accept a public access easement for a potential walking path along the former CSX Rail bed.
4. **FROM ADRIAN ALEJANDRO TEJEDA**, a notice of intent to apply for licensure with the Office of Cannabis Management to open a retail dispensary premises.
5. **FROM QUANTUM VIEW HOLDINGS LLC. / MUHANNAD KHALIL**, a notice of intent to apply for licensure with the Office of Cannabis Management to open a retail dispensary premises.
6. **FROM KAYA NATURAL REMEDIES INC. / AUDREY GRAHAM – O’GILVIE**, a notice of intent to apply for licensure with the Office of Cannabis Management to open a retail dispensary premises.
7. **FROM JEFFREY MAYS**, a notice of personal injury sustained on September 29, 2023.
8. **FROM CORLIES MANOR REALTY LLC.**, a notice of property damage sustained on or about September 7, 2023.

XIV. ADJOURNMENT:

RESOLUTION
(RXX-XX)

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as 61 Academy Street (Tax Map No. 6161-21-093964), in the City of Poughkeepsie by reason of a Treasurer's Deed; and

WHEREAS, the above-mentioned properties have 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 Davina Thomasula, Jasmine Turner, Russell Beck and Charlie Webb, to purchase this property for the sum of \$15,000.00; 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 return properties to the tax rolls, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Davina Thomasula, Jasmine Turner, Russell Beck and Charlie Webb 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 Davina Thomasula, Jasmine Turner, Russell Beck and Charlie Webb to purchase premises known as 61 Academy Street (Tax Map No. 6161-21-093964), in the City of Poughkeepsie for the sum of \$15,000.00 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. The conveyance of title and the payment of the purchase price shall take place within thirty (30) days of the date of approval by the Common Council, unless Corporation Counsel shall grant an extension as deemed appropriate.
- B. 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.

- C. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by Quitclaim deed subject to any defects or encumbrances as are of record.
- D. Purchaser shall commence an Article 15 bar claim action promptly after closing.
- E. Purchaser agrees that they shall not use the purchase price agreed to as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into an Agreement for Sale of Land for the above-mentioned transaction provided such agreement 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
(RXX-XX)**

BY COUNCILMEMBER _____ :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 61 Academy Street and identified as Tax Map No. 6161-21-093964; 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 properties; and

WHEREAS, the Common Council has reviewed the proposed sale of properties 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 properties are 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 _____.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Sale of City-owned property located at 61 Academy Street, Poughkeepsie, New York			
Project Location (describe, and attach a location map): 61 Academy Street			
Brief Description of Proposed Action: The City is selling a vacant, City-owned property located at 61 Academy Street. The proposed Buyer has proposed to purchase the property and create a community area where food trucks can park on weekends, holidays and other special occasions.			
Name of Applicant or Sponsor: City of Poughkeepsie Common Council		Telephone: 845-451-4200 E-Mail: citychamberlain@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		0.17 acres	
b. Total acreage to be physically disturbed?		N/A acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.017 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☒ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO ☐ ☐	YES ☒ ☒	N/A ☐ ☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO ☐	YES ☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO ☒	YES ☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO ☐ ☐ ☐	YES ☐ ☒ ☒	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO ☐	YES ☒	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO ☐	YES ☒	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO ☐	YES ☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO ☐ ☒	YES ☒ ☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO ☒ ☒	YES ☐ ☐	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	☒	☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	☒	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>City of Poughkeepsie Common Council</u> Date: _____ Signature: _____ Title: _____		

Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project: Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

 Name of Lead Agency

 Date

 Print or Type Name of Responsible Officer in Lead Agency

 Title of Responsible Officer

 Signature of Responsible Officer in Lead Agency

 Signature of Preparer (if different from Responsible Officer)

PRINT FORM

The City of Poughkeepsie

New York

Property Acquisition & Disposition Committee

Marc S. Nelson
Eric Philipp
John Taylor
Erian Buckley-Falcon
Nancy L. B. Griffin



62 Civic Center Plaza
Poughkeepsie, NY 12601
PHONE: (845) 451-4065
FACSIMILE: (845) 451-4070

TO: Common Council Chair and Members

FROM: The Property Acquisition & Disposition Committee

SUBJECT: 61 Academy Street

DATE: November 10, 2023

The Property Acquisition & Disposition Committee ("PAD") has reviewed all submissions received for the purchase of the above-referenced City-owned property. Having considered the City's goals for revitalization and economic growth, among other factors, the PAD respectfully presents an outside-the-box proposal to the Common Council.

Several local business owners, Davina Thomasula from Goodnight Kenny, Russell Beck from 1915 Wine Cellar, and Charlie Webb & Jasmine Turner from Hudson & Packard have gotten together and offered the City \$15-18,000 to purchase 61 Academy Street. Their proposal for the property is "The Yard at Academy" (name subject to change) (hereinafter "the Yard"). The Yard would provide a central location for food truck vendors to sell their products, and to provide versatile uses such as community events, farmers markets, movie nights, live music, game nights and celebrations. In the beginning, the goal would be to install necessary infrastructure, such as electric, water/sewer, and lavatory facilities, in order for vendors to be able to operate their businesses and for visitors to have restrooms. Then, over the years, they hope to further improve the property and expand the venue.

The PAD members unanimously agree that this is a unique proposal that fits in with the direction that the Academy Street corridor is heading aesthetically. Research shows that food trucks are extremely popular with tourists and families, as are farmers markets. And their vision of including movies, music, games and celebrations is also tourist and family friendly, as well as giving City residents opportunities to assemble for outdoor entertainment. We believe this would be an inspired project for the community.

Accordingly, the PAD recommends that the Common Council consider this proposal.

The City of Poughkeepsie

New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601
845-451-4039
Fax: 845-451-4181

October 26, 2023

Mayor Marc Nelson
City of Poughkeepsie

Re: 61 Academy Street - 6161-21-093964

Mayor Nelson,

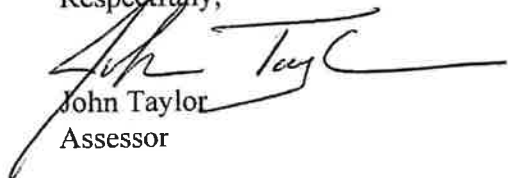
Pursuant to your request, I have been asked to estimate an opinion of value for the above captioned subject property for the purpose of estimating market value. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation is prepared for Mayor Marc Nelson and is intended for his specified use.

The property is located at 61 Academy Street, City of Poughkeepsie and consists of one unimproved vacant parcel, totaling 0.17 acres. The property is classified as commercial vacant land (NYS Class 330) and is situated in an O-R (Office-Residential) District. A visual inspection of the property has been performed. Additionally, it must be understood that no plans/survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

To establish an opinion of market value, a Sales Approach was utilized based on sales of similar properties, within the subject's general market area. In this approach, value is based on the transfer of properties considered to be similar in use and condition. Due to the lack of recent sales within the subject's immediate neighborhood similar in acreage and functional utility it was necessary to expand the search into surrounding neighborhoods and utilize sales with similar functional utility. Any and all data, reasoning and/or analysis used to develop the opinion of value has been retained and any depth of discussion is specific to the needs of the intended user.

After careful consideration, I have concluded an estimated Market Value of the subject property to be \$35,000.

Respectfully,


John Taylor
Assessor



ParcelAccess | Property Details

Parcel Number

131300-6161-21-093964-0000

Parcel Location

61 Academy St

Municipality

Poughkeepsie City

Owner Name

City of Poughkeepsie (P)

Primary Owner Mailing Address62 Civic Center Plz
Poughkeepsie, NY 12601

Parcel Details

Lot Size (acres): .17 Ac**Filed Map:****File Lot #:****Land Use Class:** (330) Vacant comm**Split Town:****Agri. District:** None**School District:** (131300) Poughkeepsie City SD

Assessment Information (Current)

Land:	Total:	County Taxable:	Town Taxable:	School Taxable:	Village Taxable:
\$27,500	\$27,500	\$0	\$0	\$0	\$0
Tax Code:	Roll Section:	Uniform %:	Full Market Value:		
N (Non-Homestead)	8 (Wholly Exempt)	100	\$27,500		
Tentative Roll:	Final Roll:	Valuation Date:			
5/1/2023	7/1/2023	7/1/2022			

Last Sale / Transfer

Sale Price:	Sale Date:	Deed Book:	Deed Page:	Sale Condition:	No. Parcels:
\$5,737	3/22/2019	22019	2074	D	1

Site Information

Site 2

Water Supply:	Sewer Type:	Desirability:	Zoning Code: *	Used As:
(3) Comm/public	(3) Comm/public	(2) Typical		

Special District Information

Special District: GP000**Special District Name:**

Greater Pok Lib Dist

Primary Units:

0

Ad Valorem Value:

\$0

Exemption Information

Exemption: 13350**Exemption Name:**

CITY OWNED

Amount:

\$27,500

ABSOLUTELY NO ACCURACY OR COMPLETENESS GUARANTEE IS IMPLIED OR INTENDED. ALL INFORMATION ON THIS MAP IS SUBJECT TO CHANGE BASED ON A COMPLETE TITLE SEARCH OR FIELD SURVEY.

***Please see the Dutchess County Zoning Map for the most up-to-date zoning information.**

This report was produced using ParcelAccess on 11/2/2023. Developed and maintained by OCIS - Dutchess County, NY.



NO
PARKING
ANY
TIME

PURCHASE OFFER ON CITY OWNED PROPERTY

Date: **January 30th, 2023**

Address of City-owned Property to be purchased: **61 Academy St, Poughkeepsie, NY 12601**

Purchaser Information:

Name(s) of Purchaser: **Davina Thomasula, Jasmine Turner,
Russell Beck, Charlie Webb**

Address of Purchaser: **For the purpose of this form
29 Academy St, Poughkeepsie, NY 12601**

Phone number(s): **Direct all phone calls to Davina (954) 895-7727
or Charlie (734) 790-7894**

Name, address and phone number of Business (if purchase is to be in the business' name):

N/A

Name, address and phone number of Attorney:

Michael R. Siegel

15 Taylor St, Kingston, NY 12401

(845) 481-3244

Dollar amount of purchase offer: **\$5,000**

Conditions on the offer:

Clean title

Financial Information:

Financial information for acquisition (to buy) of the property:

Owner Financing: _____ Private Financing: _____ Need to obtain a mortgage: _____

Name, address, phone number and a contact person of Bank, Mortgage Company or Private Financing:

CASH OFFER

What construction work is necessary to prepare the property for this use?

**Having the lot cleared and leveled, a fence/gate for security, we will
need access to sewage, electric and water.**

Is site plan approval needed? yes _____ no x

Are any variances required? yes _____ no x

The schedule for such improvements to the property (Note- If applicable, you will be required to obtain a building permit within six (6) months of the purchase and a Certificate of Occupancy within one (1) year of that):

We'd like to be able to utilize this space by June/July 2023.

We're ready to get moving.

Will you be making changes to the floor plan of the building (i.e.: changing the number, size or shape of the rooms)?

N/A

Purchaser(s) Signatures: _____

Davina Thomasula

Jasmine Turner

Russell Beck

Charlie Webb

Please return completed form to:

The Property Acquisition & Disposition Committee
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12601
C/O: Phone: (845) 451-4065
Fax: (845) 451-4070



RE: Notification of adult-use retail dispensary license application

License Type: New Establishment

Previous DBA: _____

License Number (if applicable): _____

Applicant Name: Adrian Alejandro Tejeda

Phone Number: 9175231604

Email Address: adrianhh8@gmail.com

NOV -3 AM 9:34
CITY OF Poughkeepsie

Dear Municipal Clerk/NYC Community Board:

This serves as notification that I (name) Adrian Alejandro Tejeda

of (dba) Signature Strains

intend to, or have, file(d) an application for licensure with the Office of Cannabis Management

to open a(n):

- ☐ retail dispensary premises (new or additional) ☐ registered organization with dispensing (or ROD)
☒ microbusiness

in (county name) Dutchess County. This business, once the license is approved, shall be located at:

Address Line 1: 412-416 Main Street

Address Line 2: _____

City: Poughkeepsie

Zip code: 12601

The mailing address is (if different from business location):

Address Line 1: 102 Radnor Ave.

Address Line 2: _____

City/Town/Village: Croton-on-Hudson

State: NY

Zip code: 10520

(As applicable, name of business if different from above) has retained the legal services of (attorney or representative)

Name:

Address Line 1:

Address Line 2:

City/Town/Village:

State: Zip code:

Telephone with area code:

If the municipality or community board would like to express an opinion to the Cannabis Control Board, they must respond to this notification within 30 days by emailing an opinion to municipalities@ocm.ny.gov. This expressed opinion must be on official municipality or community board letterhead.

If the municipality or community board would like to request a one-time 30 day extension for the municipality or community board to provide their opinion, or if the municipality or community board has any comments, concerns, or questions, they must reach out to the Office at municipalities@ocm.ny.gov with "Notification to Municipalities Municipality Opinion 30 Day Extension Request – [Insert municipality or community board name here]" in the subject line. Municipalities or community boards should be sure to provide proof of the date of receipt of the Notification to Municipalities that they wish to request an extension of time for submitting a municipality opinion. Any request that does not include such information will be rejected as incomplete.

Signed

Print Adrian Alejandro Tejeda

Today's date: 11/2/23



RE: Notification of adult-use retail dispensary license application

License Type: New Establishment

Previous DBA: _____

License Number (if applicable): _____

Applicant Name: Quantum View Holdings LLC

Phone Number: (845) 453-5878

Email Address: dankhalil@yahoo.com

CITY OF Poughkeepsie
CITY CHAMBER OF COMMERCE
NOV 16 PM 2:12

Dear Municipal Clerk/NYC Community Board:

This serves as notification that I (name) Muhammad Khalil
of (dba) Quantum View Holdings LLC
intend to, or have, file(d) an application for licensure with the Office of Cannabis Management
to open a(n):

- ☒ retail dispensary premises (new or additional) ☐ registered organization with dispensing (or ROD)
☐ microbusiness

in (county name) Dutchess. This business, once the license is approved, shall be located
at:

Address Line 1: 576 Main Street
Address Line 2: _____
City: Poughkeepsie, NY
Zip code: 12601

The mailing address is (if different from business location):

Address Line 1: _____
Address Line 2: _____
City/Town/Village: _____
State: Zip code: _____

(As applicable, name of business if different from above) has _____
retained the legal services of (attorney or representative)

Name: _____

Address Line 1: _____

Address Line 2: _____

City/Town/Village: _____

State: Zip code: _____

Telephone with area code: _____

If the municipality or community board would like to express an opinion to the Cannabis Control Board, they must respond to this notification within 30 days by emailing an opinion to municipalities@ocm.ny.gov. This expressed opinion must be on official municipality or community board letterhead.

If the municipality or community board would like to request a one-time 30 day extension for the municipality or community board to provide their opinion, or if the municipality or community board has any comments, concerns, or questions, they must reach out to the Office at municipalities@ocm.ny.gov with "Notification to Municipalities Municipality Opinion 30 Day Extension Request – [Insert municipality or community board name here]" in the subject line. Municipalities or community boards should be sure to provide proof of the date of receipt of the Notification to Municipalities that they wish to request an extension of time for submitting a municipality opinion. Any request that does not include such information will be rejected as incomplete.

Signed Muhammad Khalil

Today's date: 11/16/23

Print Muhammad Khalil

STATE OF NEW YORK

SUPREME COURT

COUNTY OF DUTCHESS

CITY OF Poughkeepsie
CITY CLERK
2022 NOV -6 AM 10:07

JEFFREY MAYS,

NOTICE OF
CLAIM

CLAIMANT,

-AGAINST-

MORSE ELEMENTARY SCHOOL,

POUGHKEEPSIE CITY SCHOOL DISTRICT AND

CITY OF POUGHKEEPSIE,

RESPONDENTS.

CLAIMANT, THROUGH ATTORNEY PAMELA GABIGER

PROVIDES THE FOLLOWING NOTICE OF CLAIM AGAINST

RESPONDENTS:

1. CLAIMANT IS JEFFREY MAYS, 50 RINALDI BLVD, APT.

2G, POUGHKEEPSIE, NY 12601.

2. THE ATTORNEY FOR CLAIMANT IS PAMELA GABIGER,

PO BOX 2952, POUGHKEEPSIE, NY 12603.

3. THE DATE THE CLAIM AROSE WAS SEPTEMBER 29,

2023 BETWEEN 2:00-3:00 PM

4. THE PLACE WHERE THE CLAIM AROSE WAS ABOUT 4

STEPS AWAY FROM THE REAR DOOR WHERE ADULTS

GO AND SPEAK THE CHILD'S NAME BEING PICKED UP

FROM SCHOOL BEHIND THE MORSE ELEMENTARY

SCHOOL, POUGHKEEPSIE, NY.

5. THE MANNER IN WHICH THE CLAIM AROSE WAS

CLAIMANT WAS PICKING UP HIS GRANDSON WHEN

HE SLIPPED AND FELL FACE FIRST ON MUD AND

WATER.

6. THE NATURE OF THE CLAIM IS NEGLIGENCE OF RESPONDENTS, THEIR OFFICERS, DIRECTORS, AGENTS, SERVANTS AND EMPLOYEES IN INVITING GRANDPARENTS ONTO THE PROPERTY, IN FAILING TO KEEP THE OUTSIDE PREMISES SAFE, IN CREATING DANGEROUS CONDITIONS AND IN BEING OTHERWISE NEGLIGENT.

7. BY REASON OF THE NEGLIGENCE OF RESPONDENT, CLAIMANT SUFFERED AGGRAVATION OF PLACEE IN HIS NECK IN 2ND VERTEBRAE, CRACKED SKULL, A SCRAPED NOSE, SWOLLEN LIP, SENSITIVE FRONT TEETH, BRUISED FACE, RIGHT SHOULDER AND OTHER INJURIES, AGGRAVATION OF PARTIAL PARALYSIS,

INABILITY TO LIFT RIGHT ARM OVER HEAD, A LOT OF PAIN GOING DOWN SIDE OF NECK TO SHOULDER.

8. BY REASON OF THE FOREGOING CLAIMANT HAS BEEN DAMAGED IN THE SUM OF TWENTY MILLION AND NO/100 (\$20,000,000.00) DOLLARS.

9. WHEREFORE CLAIMANT DEMANDS JUDGMENT TOGETHER WITH INTEREST COSTS AND DISBURSEMENTS OF THIS ACTION AND FOR SUCH OTHER AND FURTHER RELIEF AS TO THIS COURT MAY SEEM JUST AND PROPER.


JEFFREY MAYS

VERIFICATION

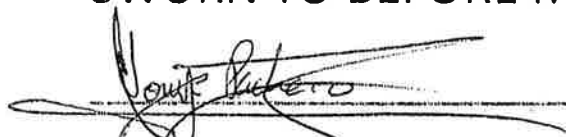
STATE OF NEW YORK)

COUNTY OF DUTCHESS) SS.:

JEFFREY MAYS, BEING DULY SWORN, DEPOSES AND SAYS THAT HE READ THE FOREGOING NOTICE OF CLAIM, HE KNOWS THE CONTENTS THEREOF, THE SAME IS TRUE TO HIS OWN KNOWLEDGE EXCEPT TO THOSE MATTERS THEREIN ALLEGED TO BE UPON INFORMATION AND BELIEF AND AS TO THOSE MATTERS HE BELIEVES THEM TO BE TRUE.


JEFFREY MAYS

SWORN TO BEFORE ME ON October 23rd, 2023


NOTARY PUBLIC

JORGE PACHECO
Notary Public, State of New York
No. 01PA6271393
Qualified in Dutchess County
Commission Expires 08/21/2024

CITY OF Poughkeepsie
CITY CHAMBERLAIN
ROY-9
1:28

-----x
LORRAINE JOHNSON,

Claimant,

NOTICE OF CLAIM

-against-

CITY OF POUGHKEEPSIE,

Respondent.
-----x

TO: **Mayor Marc Nelson**, City of Poughkeepsie, 62 Civic Center Plaza, 3rd Floor,
Poughkeepsie, New York 12601

Jasmin Davis, City Chamberlain, City of Poughkeepsie, 62 Civic Center Plaza,
1st Floor, Poughkeepsie, New York 12601

PLEASE TAKE NOTICE that the claimant hereby make claim against the CITY OF
POUGHKEEPSIE for damages sustained because of personal injuries.

1. Claimant resides at 1 Taylor Avenue, Poughkeepsie, New York 12601.
2. Claimant's attorneys are Rutberg Breslow Personal Injury Law, 3344 Route 9
North, Poughkeepsie, NY 12601.
3. The claim arises out of respondent's negligence. The claim arose at 145
Washington Street, Poughkeepsie, New York on September 3, 2023 between 5:00 p.m. and
6:00 p.m.
4. The nature of the claim and manner in which it arose are as follows:

The claimant was walking on Washington Street, Poughkeepsie, New York when she was
caused to trip and fall on uneven sidewalk located at 145 Washington Street, Poughkeepsie,
New York.
5. The nature of the injuries as presently known are as follows:

Fractured left ankle requiring open reduction internal fixation.

6. Not more than 90 days has elapsed since the subject incident occurred.

Claimant intends to commence an action if you do not adjust and pay this claim within the time provided by statute.

DATED: Poughkeepsie, New York
November 9, 2023

Yours, etc.

RUTBERG BRESLOW PERSONAL INJURY LAW

By: Julie Iacobucci
JULIE E. IACOBUCCI
Attorneys for Claimant
3344 Route 9 North
Poughkeepsie, NY 12601
Tel.: (845) 486-0300

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

Lorraine Johnson, being duly sworn, deposes and says that deponent is the claimant; that he/she has read the foregoing Notice of Claim and knows the contents thereof; the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true.

Lorraine Johnson
Lorraine Johnson

Sworn to before me this

27 day of Oct, 2023

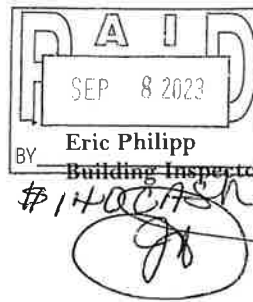
[Signature]
Notary Public

JENNIFER L. LANGLEY
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02LA6219574
Qualified in DUTCHESS County
Commission Expires 3/22/2024



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006



BUILDING PERMIT APPLICATION

Location of Construction or Use: 78 Muldowney Circle ID# _____

Owner/Tenant Name: Corbis Manor Corporation RRP Yes () No () Phone# 845-483-0430

Mailing Address: 35 Flannery Ave Pough, NY

Contractor Name: Joe RRP Yes () No () Phone# 845-400-6711

APPLICANT (print name): Ron Coleman

Applicant Email: Lanawerman3@aol.com Estimated Cost of Construction: \$ _____

Zoning District: _____ Historical: Yes [] No [] Setbacks - Front: _____ Side: _____ Side: _____ Rear: _____

Pre 1978 Yes [] No [] Disturbing 6 Sq Ft of interior Yes [] No [] 20 Sq Ft of Exterior Yes [] No []

Description of Work: Replace Broken Roofs + repair roofing

NYS Licensed Alarm Installer: _____ License# _____

Licensed Electrician: _____ License# _____

Licensed Heating Contractor: _____ License# _____

Licensed Plumber: _____ License# _____

Sprinkler Installer: _____ Phone # _____

The applicant agrees to comply with the provisions of the Building and Utility Code of the City of Poughkeepsie, New York State Uniform Fire Prevention and Building Code, City of Poughkeepsie Zoning Ordinance and all other applicable regulations and further agrees not to occupy this structure until a Certificate of Occupancy (CO) has been issued.

When Ready - Mail [] Pick up [X]

Signature (Applicant) Ron Coleman

Date _____

Administrative Non Refundable Fees:

[] Residential \$50.00

K Commercial \$100.00 **RECEIVED**

Additional Fees:

SEP - 8 2023

Residential:

Commercial & Multi Family:

☐ Windows & Doors \$25.00	☐ Windows & Doors \$50.00
☐ Roofing \$25.00	☒ Roofing \$.10 Per Sq Ft x <u>20x20</u> = \$ <u>40</u>
☐ Siding \$25.00	☐ Siding \$50.00
☐ Plumb/Heat/HVAC \$10.00 per fixture x = \$	☐ Plumb/Heat/HVAC \$20.00 per fixture x = \$
☐ Demolition \$.10 Per Sq Ft x = \$	☐ Demolition \$.25 Per Sq Ft
☐ Parking Area \$25.00	☐ Parking Area \$50.00
☐ Fence \$25.00	☐ Fence \$50.00
☐ New Construction \$.50 per Sq Ft x = \$	☐ New Construction \$.70 per Sq Ft x = \$
☐ Alter/Renovations \$.30 per Sq Ft x	☐ Alter/Renovations \$.55 per Sq Ft x = \$
☐ Pools \$125.00	☐ Cellular Equipment Installation Switch Out \$500.00
☐ Electrical \$25.00	☐ Electrical \$50.00
☐ Solar Array Installation \$250.00	☐ Solar Array Installation \$500.00
☐ Alarms (Fire, Security and Fire Sprinkler) \$25	☐ Alarms (Fire, Security and Fire Sprinkler) \$50
☐ Other	☐ Other
TOTAL \$	TOTAL \$ <u>\$140.00/xp</u>

For those items not listed above please refer to the Fee Schedule

Building Inspector: _____ Date _____ Building Permit# _____

No permits will be accepted for filing by the building department unless in identical form, sum and substances as proscribed by the Building Inspector. This includes being 8.5" x 14" in size.

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST

THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 11/6/2023

NAME AND ADDRESS OF EACH CLAIMANT:

Cortles Manor Realty LLC
35 Flannery Ave. Poughkeepsie NY 12601

TELEPHONE NUMBER: 845-849-4465 Cell Colleen Barberan
845-483-0430 office

NAME AND ADDRESS OF ATTORNEY (IF ANY):

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

9/7/23 - 830 PM Tree from Pershing Park fell onto building 18D Muldowney Circle. Staff from Park stated that tree had to come down prior to incident.

ITEMS DAMAGED OR INJURIES SUSTAINED:

Roof & Rafters of Building 18 Muldowney Circle. Unit 18D Muldowney kitchen & dining room ceiling came down. Resident had to stay in hotel - loss of rent. Itemized list attached

Colleen Barberan
Signature of Claimant

Signature of Claimant

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

Colleen Barberan 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.

Colleen Barberan
Signature of Claimant

Signature of Claimant

Sworn to before me this

6th day of November, 2023

Mia Ardovini-Brooker
Notary Public

MIA ARDOVINI-BROOKER
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01AR0011646
Qualified in Dutchess County
Commission Expires July 25, 2027

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.



**THE CITY OF POUGHKEEPSIE
NEW YORK
BUILDING DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4007 Fax: (845) 451-4006**

UNSAFE BUILDING NOTICE OF VIOLATION AND ORDER TO ABATE

ID# 316133
September 08, 2023

Corlies Manor Realty, LLC
270 Sylvan Ave
Englewood Cliffs, NJ 07632-0000

RE: 18 Muldowney Cir
ID#: 316133
Grid ID#: 6162-81-528034-0000
Complaint Number: 2023-0580

PLEASE TAKE NOTICE that the building located at 18 Muldowney Cir in the City of Poughkeepsie, New York is hereby declared to be an **UNSAFE BUILDING** under the provisions of Section 6-35 of the Code of Ordinances of the City of Poughkeepsie, New York.

PLEASE BE ADVISED that on September 07, 2023 an inspection of the premises located at 18 Muldowney Cir revealed that the building is declared **UNSAFE** due to the following:
Tree from storm fell and went through the roof and into Unit D kitchen ceiling.

IN THE EVENT you shall fail or neglect to comply with this notice to remove said unsafe conditions, the Building Inspector shall promptly cause such conditions to be made safe or removed. Costs shall be charged against the land on which the building existed, as a municipal lien, or shall be a municipal lien, or shall be added to the tax roll as an assessment or shall be levied as a special tax against the land upon which the building stands and or referred to the corporation counsel to institute an appropriate action in the courts to compel compliance.

Any person violating any of the provisions of this Building Code or of the Uniform Code adopted in Section 6-3 shall be liable to a penalty not exceeding one thousand dollars (\$1000.) and, for a continuation of such violation, to an additional penalty not exceeding ten dollars (\$10.) per day.

Sincerely,

Robert O'Shea, Deputy Building Inspector

BASS ENGINEERING

P.O. Box 3622
Poughkeepsie, New York 12603

(845)462-0600

September 14, 2023

Mr. Robert O'Shea, Building Inspector
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, New York 12601

RE: Unit 18, Muldowney Circle, Corlies Manor Apartments

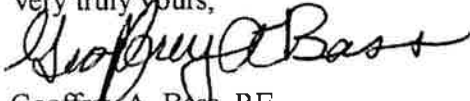
Dear Mr. O'Shea:

With regard to the above referenced property, a visual inspection of the premises was done on 9/12/2023. The purpose of the inspection was to determine what would need to be done to restore the portion of the roof structure where tree damage recently occurred.

All damaged rafters (approximately 8 total) should be replaced with 2x8 rafters (No. 2 S-P-F or better) spaced at 16" on center, with all new rafters overlapping the attic floor joists and nailed to the joists with a minimum of (5) 10d common nails at each connection. Collar ties (2x4 or larger) are to be reinstalled where loose or missing, at a minimum spacing of 48" (3 rafter bays). Roof deck sheathing is to be replaced with span-rated CDX plywood or OSB having a minimum nominal thickness of 1/2". The newly-installed sheathing is to be covered with 15 # felt and Class A shingles, except that peel-and-stick membrane is to be installed in place of the felt from the eaves up the roof slope a sufficient distance to insure that the membrane is at least 24 inches inside the exterior wall line of the building. Finally, the ridge vent and the insulation between the attic floor joists should be reestablished where damaged or removed.

Please call me if you have any questions.

Very truly yours,



Geoffrey A. Bass, P.E.
BASS ENGINEERING





THE CITY OF POUGHKEEPSIE
NEW YORK

BUILDING DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Street Location 18 Muldowney Circle

ID# _____

Building Permit # 23-1504

Date 9-15-23

☐ Footing ☐ Foundation ☐ Slab/Floor ☐ Plumbing ☐ Framing ☐ Fire Stopping ☐ Ducts ☐ Insulation ☐ Final

Comments & Observations

- New rafters are 2x6 - 2x8 rafters work specified
on lotter idation 9-14-23.

- Need ceiling ties to be installed

- Need to check rafter over bud 20 -

- Ceiling needs to be repaired w/ 5/8 type X.

- Insulation needs to be R38

____ Continue Construction / O.K.

____ Call for Reinspection \$50.00

____ \$100.00

____ Stop Construction

____ Work Completed

R O'Shea
Code Enforcement Officer



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

VIOLATION(S) / SCHEDULE A

Property Address: 18 Muldowney Cir

Complaint Number: 2023-0580

Issued To: Corlies Manor Realty, LLC

Count: 1

Violation Date: 09/08/23

Description: Tree fell onto roof and penetrated roof and Unit D kitchen ceiling.

Area involved: Roof and Unit D

Violation Code:

§6-3 of the Code of Ordinances of the City of Poughkeepsie\2010 Property Maintenance Code\Chapter PM3 General Requirements\PM304 Exterior Structure\PM304.7 Roofs and drainage

The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Comply by date: 10/08/23

Corrective Action: Remove the tree from the roof to access the damage. A building permit will be required with a Licensed Design Professional specifications for the repairs. The permit must be submitted within thirty days and completion of work within ninety days.

Count: 2

Violation Date: 09/08/23

Description: Tree fell onto roof and penetrated roof and Unit D kitchen ceiling.

Area involved: Roof and Unit D

Violation Code:

§6-3 of the Code of Ordinances of the City of Poughkeepsie\2010 Property Maintenance Code\Chapter PM3 General Requirements\PM305 Interior Structure\PM305.2 Structural members

All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

Comply by date: 10/08/23

Corrective Action: Remove the tree from the roof to access the damage. A building permit will be required with a Licensed Design Professional specifications for the repairs. The permit must be submitted within thirty days and completion of work within ninety days.

Count: 3

Violation Date: 09/08/23

Description: Tree fell onto roof and penetrated roof and Unit D kitchen ceiling.

Area involved: Roof and Unit D

Violation Code:

§6-3 of the Code of Ordinances of the City of Poughkeepsie\2010 Property Maintenance Code\Chapter PM3 General Requirements\PM305 Interior Structure\PM305.3 Interior surfaces

All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. In addition to requirements of this code, 40 CFR 745 (titled "Lead-based Paint Poisoning Prevention in Certain Residential Structures"), a regulation issued and enforced by the Federal Environmental Protection Agency, applies to certain activities in buildings that may contain lead-based paint, including renovations performed for compensation in "target housing" and "child occupied facilities," "abatement" of lead-based paint hazards and other "lead-based paint activities" (as those terms are defined in 40 CFR Part 745). Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

Comply by date: 10/08/23

Corrective Action: Remove the tree from the roof to access the damage. A building permit will be required with a Licensed Design Professional specifications for the repairs. The permit must be submitted within thirty days and completion of work within ninety days.

Count: 4

Violation Date: 09/08/23

Description: The electric to Unit D has been turned off due to storm damage. A electrical survey will be required prior to the electric being reenergized.

Area involved: Roof and Unit D

Violation Code:

§6-3 of the Code of Ordinances of the City of Poughkeepsie\2010 Property Maintenance Code\Chapter PM6 Mechanical and Electrical Requirements\PM604 Electrical Facilities\PM604.3 Electrical system hazards

Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the defects shall be corrected to eliminate the hazard.

Comply by date: 10/08/23

Corrective Action: A building permit must be submitted listing a licensed electrical contractor for the electrical survey and any repairs.



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE

62 CIVIC CENTER PLAZA, 2ND FLOOR

POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

NOTICE OF VIOLATION AND ORDER TO ABATE

September 08, 2023

Corlies Manor Realty, LLC
270 Sylvan Ave
Englewood Cliffs, NJ 07632-0000

RE: 18 Muldowney Cir
ID# 316133
Grid ID# 6162-81-528034-0000
Complaint Number: 2023-0580

PLEASE TAKE NOTICE that the building located at **18 Muldowney Cir** in the City of Poughkeepsie, New York has been found to be in violation with Chapter 6 Building and Utility Code of the Code of Ordinances of the City of Poughkeepsie as indicated in the attached violation(s) report.

YOU ARE HEREBY ORDERED TO ABATE the violation(s) by **10/08/2023** and to **schedule an inspection** by **contacting Robert O'Shea, at the below listed number on or before 10/08/2023.**

FURTHER, PLEASE BE ADVISED that any person violating any of the provisions of this Building Code or of the Uniform Code adopted in Section 6-3 shall be liable to a penalty not exceeding One Thousand Dollars (\$1000) and, for a continuation of such violation, to an additional penalty not exceeding Ten Dollars (\$10) per day, as provided in Section 6-11 of the Code of Ordinances of the City of Poughkeepsie.

YOU MAY REQUEST A REVIEW of this determination or a variance to the requirements of the New York State Uniform Fire Prevention and Building Code by submitting a petition to the New York State Uniform Fire Prevention and Building Code Board of Review within thirty (30) days of the date of this Notice and Order. Forms for said petition and information regarding filing shall be obtained from the New York Department of State, Division of Code Enforcement and Administration, Attn. Variance Unit, 99 Washington Ave, Suite 1160, Albany, NY 12231. You must file with the City of Poughkeepsie, a copy of the petition and proof of filing within the Department of State within thirty (30) days.

Robert O'Shea, Deputy Building Inspector,
845-451-4057 or roshea@cityofpoughkeepsie.com



BUILDING DEPARTMENT

CITY OF POUGHKEEPSIE
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

Eric Philipp
Building Inspector

BUILDING PERMIT

Owner

Corlies Manor Realty, LLC
270 Sylvan Ave
Englewood Cliffs, NJ 07632-0000

Permit # BP-23-1504
Issue Date: 09/13/2023

Location

18 Muldowney Cir
POUGHKEEPSIE, NY 12601

Description of Work:
Replace broken rafters and repair roof; also electrical survey

Applicant

The Kamson Corporation
35 Flannery Avenue
Poughkeepsie, NY

Permit Type: Com. Roofing
Expiration Date: 09/13/25

Tax Parcel ID # 6162-81-528034-0000

ID# 316133

Fees: \$190.00

Required Inspections

Sheathing
Ice and Water Shield
Electrical (Third-Party)
Final Framing
Final

Please Call Deputy Building Inspector Robert O'Shea at 845-451-4057 or roshea@cityofpoughkeepsie.com to schedule all required inspections.

Section 6-25 Performance of work under building permit

- a. A building permit shall be effective to authorize the commencing of work in accordance with the application, plans and specifications on which it is based for a period of six (6) months after the date of its issuance. In the event that any work authorized under a building permit is not commenced within six (6) months from the date of its issuance, such permit shall expire.

Permit Conditions

1. **If the structure or site IS NOT READY TO BE INSPECTED AT THE AGREED UPON TIME OR THE INSPECTION FAILS, a civil penalty WILL be assessed against the property owner, permit holder or his/her agent or representative in the sum of FIFTY (\$50.00) DOLLARS residential and ONE HUNDRED (\$100.00) DOLLARS commercial for a re-inspection.**
2. All requests for inspections shall be made two (2) business days prior to all the actual inspection.
3. NO CERTIFICATE OF OCCUPANCY or CERTIFICATE OF COMPLIANCE will be issued for any building permit until all required final inspections have been completed and the work has been accepted.
4. BC1507.2.8.2 Ice barrier. In areas where there has been a history of ice forming along the eaves causing a backup of water, an ice barrier that consists of at least two layers of underlayment cemented together or of a self-adhering polymer modified bitumen sheet shall be used in lieu of normal underlayment and extend from the lowest edges of all roof surfaces to a point at least 24 inches (610 mm) inside the exterior wall line of the building.
5. An Electrical Inspection Agency Application is required to be submitted for the electrical survey. If any electrical work needs to be completed, a licensed electrical contractor will be required to be listed on the permit.
6. A plan or specification is required to be submitted by a NYS Licensed Design Professional for the repairs required to the roof rafters.

Robert O'Shea, Deputy Building Inspector

RUNNING TOTAL OF DAMAGES

18 MULDOWNNEY CIRCLE

&

FENCE

PERMIT COST \$101.00

RAFTERS PERMIT \$140.00

ENGINEER \$200.00

BTM CONSTRUCTION \$ 6,900.00

REPAIRS MADE

LOSS OF RENT \$996.00

FENCE ESTIMATE 1400.00

TOTAL \$9,737.00

BTM CONSTRUCTION
22 Bon Aire Circle, Suite 1116
Suffern, NY 10901
Contact Info: Joseph Bono
(845) 400-6711
BTMJB2020@gmail.com

Invoice #: 00964

Job Location:
Corlies Manor
18 Muldowney Apt. D
Poughkeepsie, NY

Date: September 18, 2023

Job Description: Emergency Repairs.

- | | |
|---|------------|
| 1. Demolition and removal of debris. | \$750.00 |
| 2. Cut out the existing damaged roof due to falling tree from the storm.
- Approx. 10' x 22' and replace ¾" plywood. | \$2,250.00 |
| 3. Supply and install 10 - 2" x 6" x 20' roof rafters. | \$1,000.00 |
| 4. Supply and install 30 lb base paper and 30 year timberline shingles to match the existing roof. | \$900.00 |
| 5. Supply and install tarp on roof. | \$350.00 |
| 6. Supply and install R-32 insulation in the attic. | \$800.00 |
| 7. Drywall removal and replace ⅝" drywall in the kitchen. | \$500.00 |
| 8. Tape and sand to a paint ready finish. (Painting by others) | \$350.00 |

Total: \$6,900.00

BTM CONSTRUCTION.

KAMSON CORP.

Estimate to repair

Date: October 12, 2023
To: Tracey Demaria
From: Tim Nuhn
Re: Fence estimate for 318 Rte 32 N

Folks,

We thank you for considering Adams Fences for your project. Here is the quote you requested for the installation of new fence, to include:

Removal and disposal of existing fencing

Install +-30' of 6' high All Black Chain Link System

- 2" x 9ga. Black Vinyl-Coated KK fabric
- SS20 Powder-Coated Black framework
- 1-5/8" PC top-rail
- 2" PC line posts max 10' on-center
- 2.5" PC terminal posts
- All posts set in concrete footings
- 7ga. VC spring-coil bottom tension wire
- 9ga. VC fence ties & hog-rings
-

Job Complete: \$1,350.00

General Exclusions:

- Our labor price is guaranteed for 30 days. Due to the volatility of the steel, aluminum, wood & vinyl markets, Adams Fences can only guarantee the material portion of this quote for 5 days, unless noted differently above.
- Price is contingent upon a site inspection & field measurements.
- Our quote is also contingent upon a single mobilization of the entire line of fence.
- Our quote does not include frost, rock & concrete-drilling or frost, rock & concrete removal & excavation...
- If required, cost of private utility mark-out will be passed along to property owner.
- Site preparation, to include clearing of all obstructions from fence line, is the responsibility of property-owner.
- Identifying the property line if applicable is the responsibility of the homeowner
- Obtaining a building permit if required by your local code is the responsibility of the home owner.

If you have any questions, please feel free to call the office or Email me at tnuhn@adamsfarms.com.

Thank You,
Tim Nuhn

Hudson Valley General Construction
88B Janet Drive
Poughkeepsie, NY 12603
845 505 0086



ESTIMATE: FENCE REPAIR

DATE 10/16/2023

CUSTOMER:

Corlies Manor Apts.
35A Flannery Ave.
Poughkeepsie, NY 12601

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
Fence BLDG#16,18	Fence repair behind buildings		\$1300.00
*Includes Labor and Materials			
SUBTOTAL			\$1300.00
SALES TAX			\$105.69
TOTAL:			\$1405.69

Thank you for your business!

Mike Kuka

BASS ENGINEERING

P.O. Box 3622
Poughkeepsie, New York 12603

(845)462-0600

September 14, 2023

Corlies Manor Apartments
35 Flannery Avenue
Poughkeepsie, New York 152601

Attention: Ms. Colleen Barberan

RE: Unit 18, Muldowney Circle, City of Poughkeepsie

For inspection at site and preparation of letter to building inspector

---- \$ 200

Thank you.

*paid in full (cash)
9/15/23.
JB*

NOTES

RECEIPT

RECEIVED FROM *Corlies Manor Apts*

ADDRESS *1201 1st St*

DATE *9/12/2023*

NO. *449753*

FOR *10 build - Barber - contract & looking*

AMT. OF ACCOUNT

AMT. PAID

BALANCE DUE

CASH

CHECK

MONEY ORDER

HOW PAID *151*

BY *11/18*

© MEDIFORM ® 81806

MANSON
ORATION

270 SYLVAN AVENUE
ENGLEWOOD CLIFFS, NEW JERSEY 07632-2521
(201) 871-1055 FAX (201) 871-2064

MANAGEMENT - INVESTMENTS

THORIZATION

to be used in lieu of invoice or similar document

Date:		9/12/2023	
Partnership:	Corlies Manor Apts		
	Colleen Barberan		
Check #:		Date Pd.:	
Pulled permits \$151.00			
For damages done by storm			
SEND TO me			
Authorized by			

(File with Paid Bills)/

Report ID: KAM_ARH
Database ID: Production
Reported By: CBARBERAN
All Charge Codes

ARH Detail Ledger
CRM - CORLIES MANOR
History Beginning 5/1/2023 Through 10/30/2023

Page: 1
Date: 10/30/2023
Time: 10:58 AM

Resident:	ROSE ABENA AKYEN	Email:	akyenrose@gmail.com	Security On-hand:	1,595.00
Resident Id:	CRM-001-M18D-6	Phone:	(929) 360-6485	Status:	Current
Lease Begin:	9/1/2023	Lease End:	8/31/2024	Flags:	
Transaction		Address:	18D MULDOWNNEY CIRCLE POUGHKEEPSIE, NY 12601		
Date	Charge Code	Src Code	Charges	Credits	Payments
					Balance
7/19/2023	Opening Balance	CR			0.00
8/16/2023	Cash Receipt	CR			16.00
8/21/2023	Cash Receipt	CR			-641.00
9/1/2023	Cash Receipt	CR			625.00
10/1/2023	RNT RENT	CH	1,595.00		-1,611.00
10/1/2023	RNT RENT	CH			-16.00
10/1/2023	C02 CONCESSION - PROMOTIONAL	CH	1,595.00		-1,579.00
10/1/2023	MCR MISC.CREDIT - RESIDENTS	NC		250.00	1,329.00
10/4/2023	Cash Receipt	NC		745.00	584.00
10/29/2023	Cash Receipt	CR			-229.00
		CR		813.00	-1,595.00
	Resident Total:		3,190.00	995.00	3,790.00
					-1,595.00

\$996 lost rent
resident had to stay in
a hotel.

LGARCIA
LDAUER - For
storm
damages



On Wed, Sep 13, 2023 at 11:26 AM Julia Raskin <jraskin@scenichudson.org> wrote:

Hi Brent,

Yesterday Donte let me know that the manager at Corlies was inquiring about how to get the fence fixed that was recently crushed by the fallen tree. She said that there is some sort of joint ownership of the fence between Corlies and another entity, which I am assuming is the City. I'm copying Joe here who might know something about that agreement, so that hopefully we can get her an answer and fix that fence ASAP.

Donte-- did you get her contact information, or her name by chance?

Thank you,
Julia

--
Julia Raskin (she/her)
Senior Project Manager, River Cities Program

Scenic Hudson, Inc.
85 Civic Center Plaza, Ste. 300
Poughkeepsie, NY 12601

Colleen Barberan, Corlies Manor

From: Joe Kiernan <jkiernan@scenichudson.org>
Sent: Wednesday, September 13, 2023 11:44 AM
To: Julia Raskin; Duane Martinez; Donte Artist; Nick Jackson; Colleen Barberan, Corlies Manor
Subject: Re: Pershing Fence

Hello All--

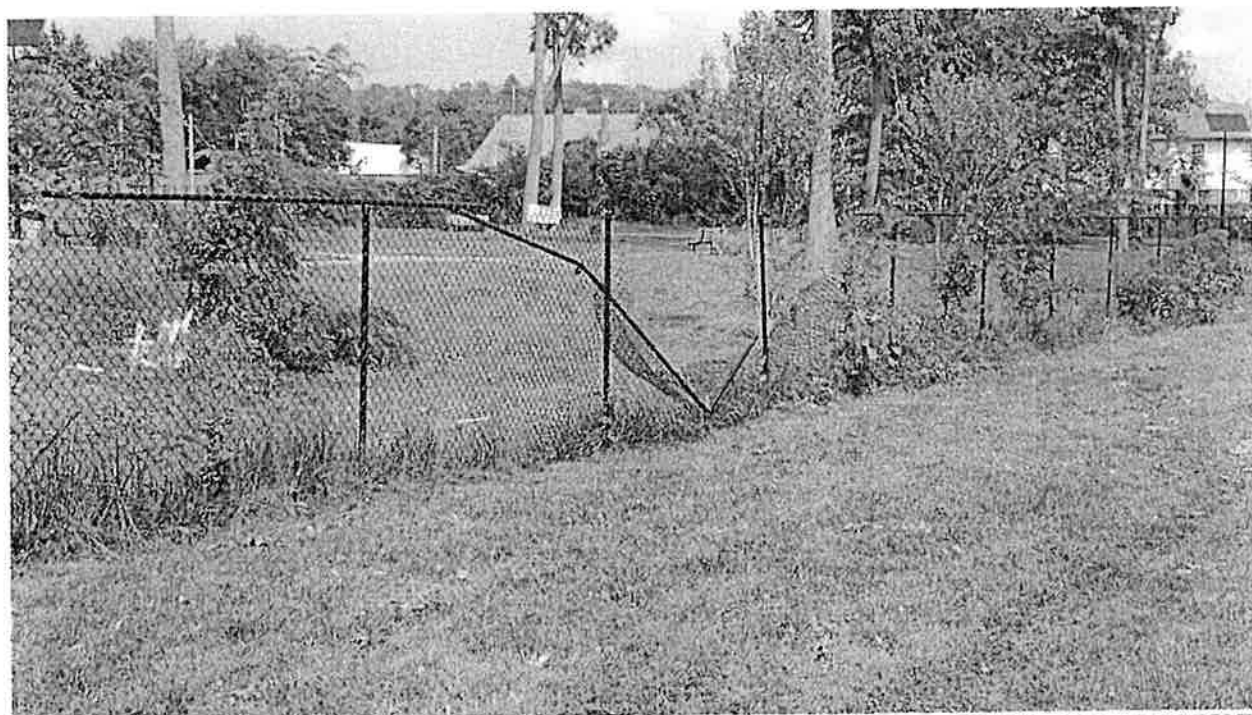
As background, Scenic Hudson facilitated the removal of the old fence and installation of the new one as a 50% cost share between Corlies Manor and the City of Poughkeepsie and Scenic Hudson paid for the City's share. The woman I was dealing with was Colleen Barberan who works for Kamson Corp., the owner of Corlies Manor. She was good to work with. Email is CBarberan@kamsoncorp.com

I was at the farm when the tree fell and it landed on the apartment building roof with no damage to the fence. I was not there when the tree was cut, but I believe Nick said he thought it was a crew from the City. Whoever removed the tree should/could have supported it to avoid crushing the fence. Not sure if Kamson Corp is working with the City's insurance re: the damage to their property, but the fence repair should be included in the total cost. Advanced Fence and Ironworks installed the fence. They're web address: <https://www.fenceandironworks.com/>.

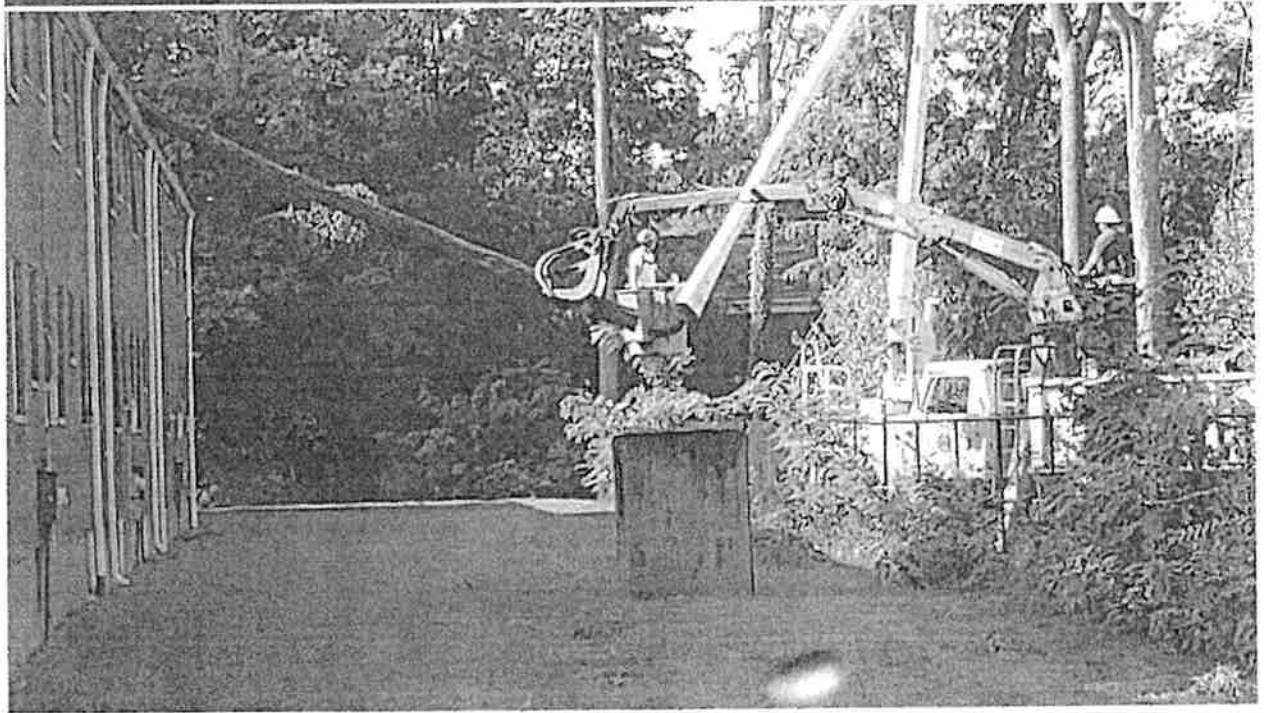
LMK if I can be of further assistance.

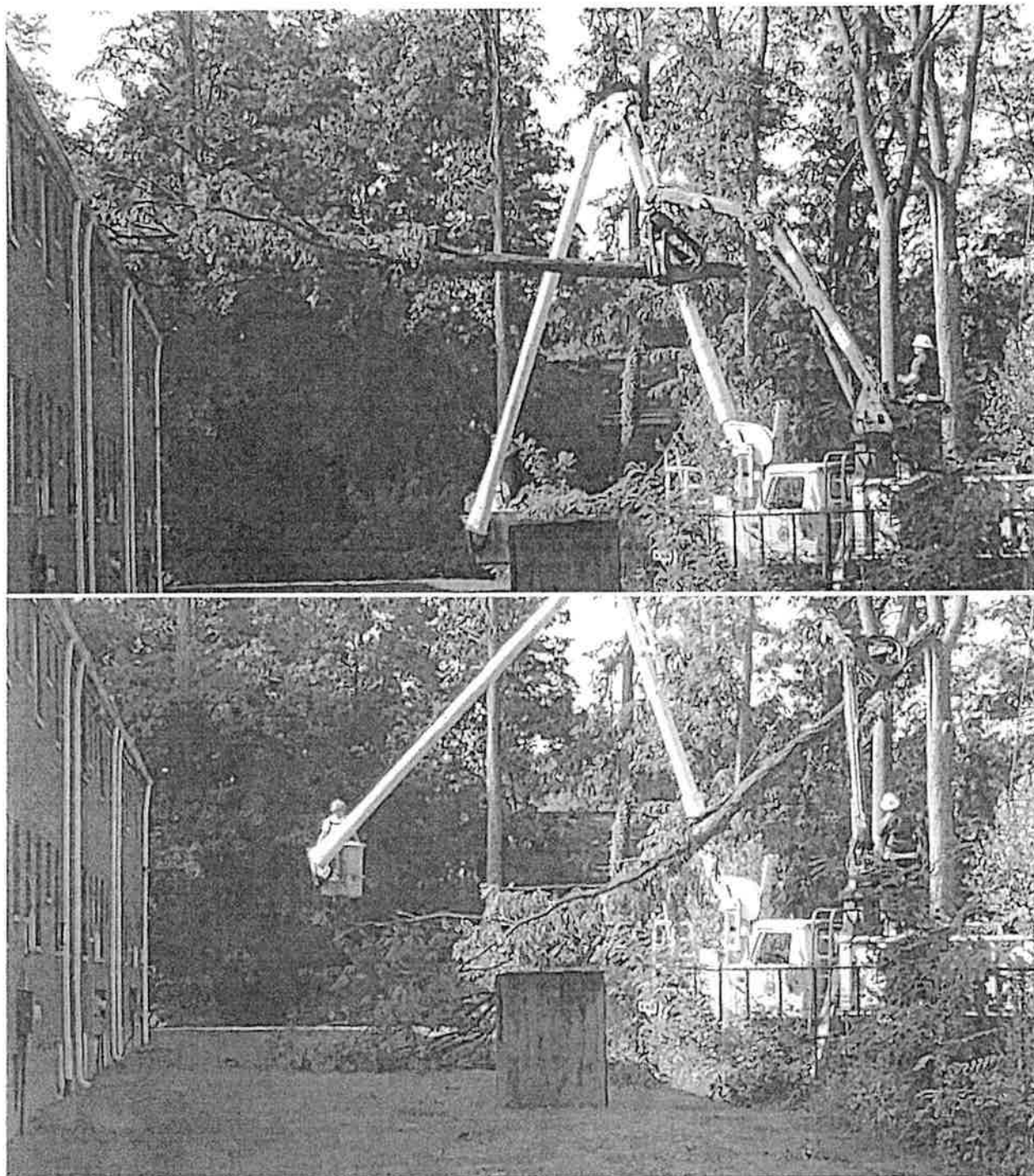
Joe

Advanced fence #
779-2282 * No response



This is where the tree
damaged the fence.





City actively cutting down
fallen tree
Branches on fence

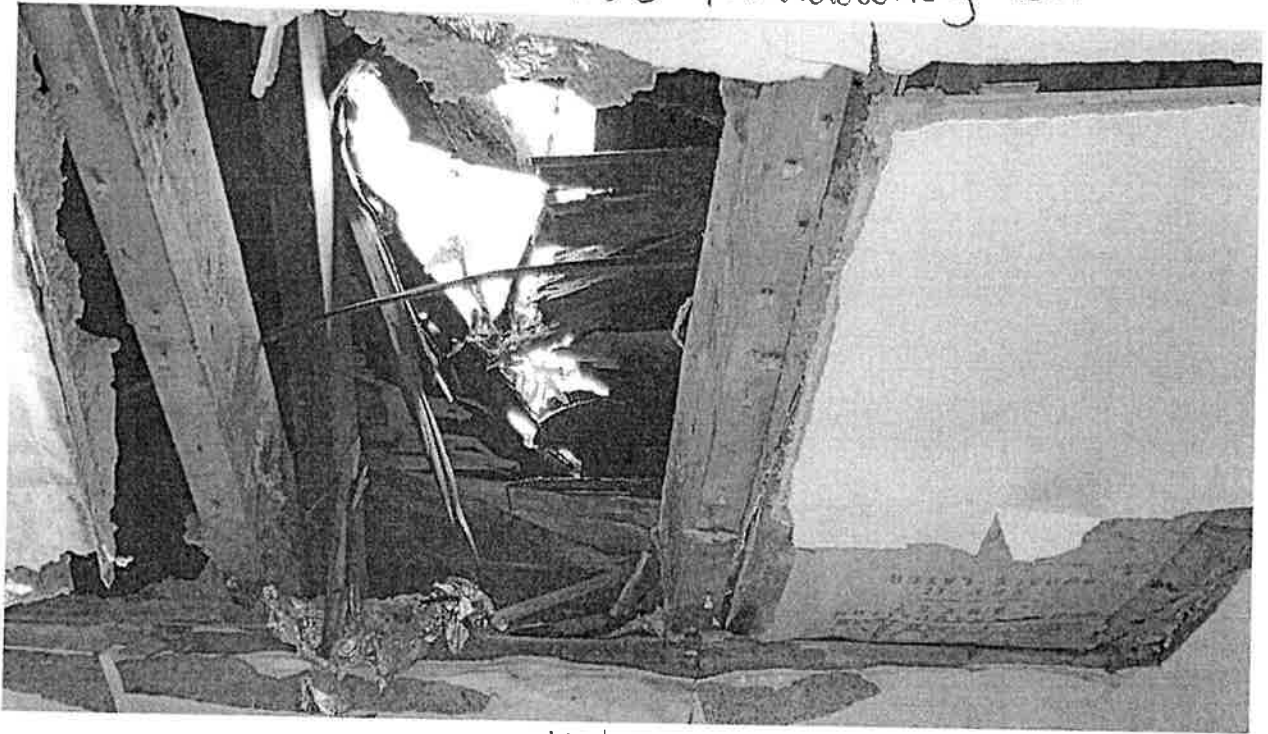


Before tree cut

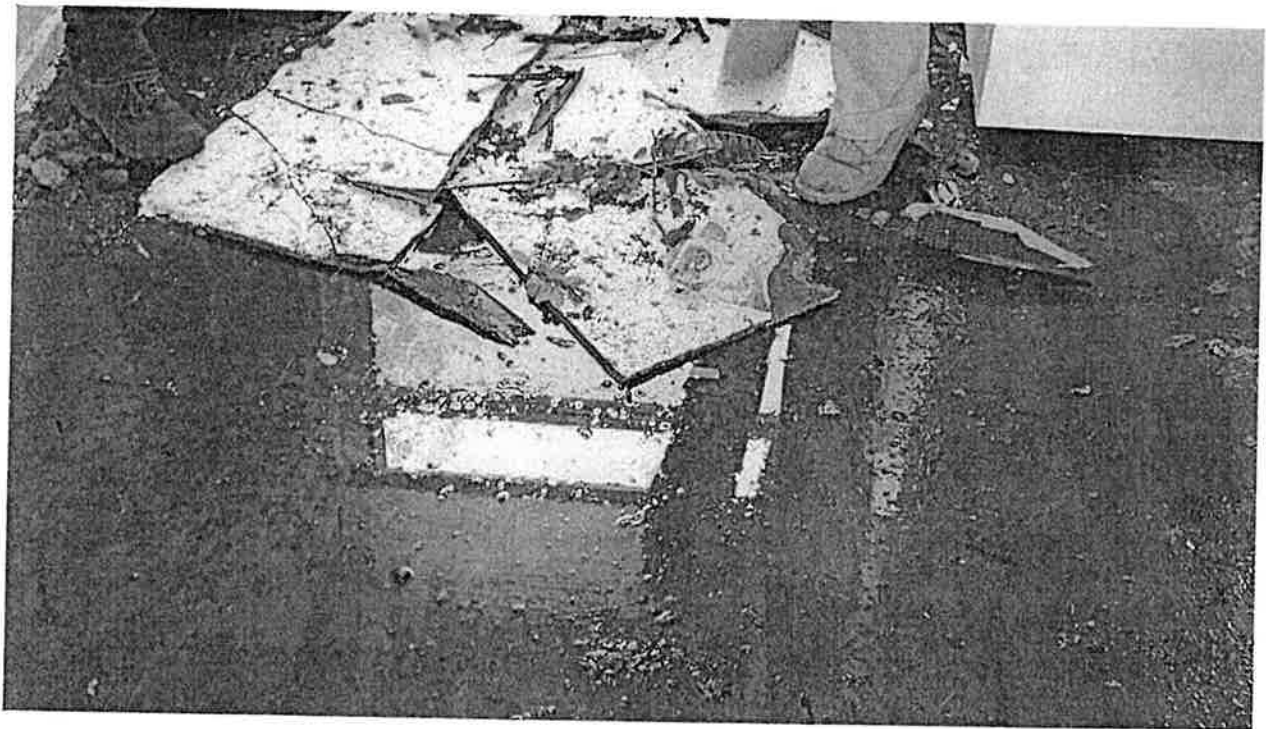


Tree before city cut down
fence was fine

180 Muldowney Circle



Kitchen/Dining Room ceiling



Floor of kitchen



RE: Notification of adult-use retail dispensary license application

License Type: New Establishment

Previous DBA:

License Number (if applicable):

Applicant Name:

Phone Number:

Email Address:

Kaya Natural Remedies Inc.
(914) 475-2741
audreygraham@aol.com

CITY OF Poughkeepsie
CITY CLERK
NOV 16 PM 2:23

Dear Municipal Clerk/NYC Community Board:

This serves as notification that I (name)

of (dba)

intend to, or have, file(d) an application for licensure with the Office of Cannabis Management to open a(n):

☒

retail dispensary premises (new or additional)

☐

registered organization with
dispensing (or ROD)

☐

microbusiness

in (county name)

Dutchess

This business, once the license is approved, shall be located

at:

Address Line 1:

724 Main Street

Address Line 2:

City

Poughkeepsie

Zip code:

12601

The mailing address is (if different from business location):

Address Line 1:

Address Line 2:

City/Town/Village:

State:

Zip code:

(As applicable, name of business if different from above) has _____
retained the legal services of (attorney or representative)

Name: _____

Address Line 1: _____

Address Line 2: _____

City/Town/Village: _____

State: Zip code: _____

Telephone with area code: _____

If the municipality or community board would like to express an opinion to the Cannabis Control Board, they must respond to this notification within 30 days by emailing an opinion to municipalities@ocm.ny.gov. This expressed opinion must be on official municipality or community board letterhead.

If the municipality or community board would like to request a one-time 30 day extension for the municipality or community board to provide their opinion, or if the municipality or community board has any comments, concerns, or questions, they must reach out to the Office at municipalities@ocm.ny.gov with "Notification to Municipalities Municipality Opinion 30 Day Extension Request – [Insert municipality or community board name here]" in the subject line. Municipalities or community boards should be sure to provide proof of the date of receipt of the Notification to Municipalities that they wish to request an extension of time for submitting a municipality opinion. Any request that does not include such information will be rejected as incomplete.

Signed Audrey Brennan-O'Gallagher

Today's date: 11/16/2023

Print

Audrey Brennan-O'Gallagher

Official Minutes of the Public Hearing of November 6, 2023 for the purpose of receiving comments on the proposed local law amending Chapter 6 "Building and Utility Codes", Article I "Building Code"



THE CITY OF POUGHKEEPSIE
NEW YORK

PUBLIC HEARING

Monday, November 6, 2023 6:00 pm

Common Council Chambers

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is November 6, 2023, and the time is 6:00 pm.

THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE proposed local law amending Chapter 6 "Building and Utility Codes", Article I "Building Code"

Chairwoman Brown called the meeting to order at 6:00 pm.

I. WELCOME

II. ROLL CALL: 6 present, 3 absent (Absent: Councilmembers Grant, Flowers and Johnson)

III. PUBLIC PARTICIPATION: Five (5) minutes per person public comment.

1. Nicholas Kalogris – 14 Maryland Ave / For the Many
2. Daniel Atonna – 116 College Ave / For the Many
3. Laurie Sandow – S. Grand Ave.

IV. ADJOURNMENT:

Chairwoman Brown closed the Public Hearing at 6:12pm

Dated: November 14, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on November 6, 2023.

Respectfully submitted,

Donna M. DeLuca
Deputy City Chamberlain

(LL 23-XX)

**A LOCAL LAW AMENDING CHAPTER 6 “BUILDING AND UTILITY CODES,”
ARTICLE I “BUILDING CODE” TO ADDRESS CORPORATE FINES AND TO SET A
MINIMUM FINE FOR VIOLATIONS OF THE BUILDING CODE**

SPONSOR:

BE IT ENACTED, by the Common Council of the City of Poughkeepsie as follows:

~~STRIKETHROUGH INDICATES DELETION~~
BOLD and UNDERLINE INDICATES ADDED LANGUAGE

SECTION 1: City Code Chapter 6 “Building and Utility Codes,” Article I “Building Code,” Division I “Building Code” Section 6-11 is amended to read as follows:

Section 6-11. Penalties.

Any person, firm, corporation, association or entity violating any of the provisions of this Building Code or of the Uniform Code adopted in Section 6-3 shall be liable to a penalty **of no less than \$250 but** not exceeding \$1,000 and, for a continuation of such violation, to an additional penalty not exceeding \$10 per day. **For the purposes of section 80.10 of the penal law, this shall constitute a special corporate fine.**

SECTION 2: City Code Chapter 6 “Building and Utility Codes,” Article I “Building Code,” Division II “Administration of Building Code” Section 6-39(o) is amended to read as follows:

(o) Penalties. Any person, firm, corporation, ~~or~~ association **or entity** violating the provisions of this section shall be subject to a penalty of **not less than \$100 per day but not exceeding** \$300 per day, per property, for the following violations, which shall constitute distinct and separately chargeable violations. **For the purposes of section 80.10 of the penal law, this shall constitute a special corporate fine.**

(1) Failure to register a property as required in Section 6-39(c). The first date on which a penalty for failure to register may be imposed is the latter of the following:

- a. The 11th day after the owner is provided with written notice **of** the existence of a vacant property; **or**
- b. The 11th day after the initiation of foreclosure proceedings; ~~or~~
- ~~c. The 11th day after the effective date of this section.~~

(2) Failure to provide a cash bond as required in Section 6-39(j). The first date on which a penalty for failure to provide a cash bond may be imposed is the latter of the following:

- a. The 21st day after the owner is provided with written notice of the existence of a vacant property; or
- b. The 21st day after the initiation of foreclosure proceedings.; ~~or~~
- ~~c. The 21st day after the effective date of this section.~~

(3) Failure to replenish a cash bond that the Building Inspector has drawn down pursuant to Section 6-39(m). The first date on which a penalty for failure to provide a cash bond may be imposed is the 11th day after the Building Inspector notifies the owner of the obligation to replenish the bond to the minimum of \$10,000.

(4) Failure to provide proof of liability insurance as required in Section 6-39(k). The first date on which a penalty for failure to provide a cash bond may be imposed is the latter of the following:

- a. The 21st day after the owner is provided with written notice of the existence of a vacant property; or
- b. The 21st day after the initiation of foreclosure proceedings.; ~~or~~
- ~~c. The 21st day after the effective date of this section.~~

(5) Failure to rectify violations of Section 6-39(g). An owner who fails to remedy violations of Section 6-39(g) within 10 days of the date of a citation issued pursuant to Section 6-39(h) shall be subject to civil penalties as set forth in Sections 6-11 and 6-12 for each day the violation is unremedied or until the Building Inspector exercises his or her authority under Section 6-39(m) to take necessary steps to ensure the property is properly maintained pursuant to Section 6-39(g).

SECTION 3. This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each council member; and

BE IT FURTHER RESOLVED, that the Common Council shall hold a public hearing on said proposed Local Law and that the City Clerk shall publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER _____:



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, November 6, 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, November 6, 2023, and the time is 6:30 pm.

I. ROLL CALL: 9 Present, 0 Absent

II. REVIEW OF MINUTES:

Common Council Meeting – October 16, 2023

Motion to accept the minutes: Councilmember Shook, Seconded by Councilmember Thompson.

CCM Minutes of October 16, 2023 - VOICE VOTE						
			Yes/Aye	No/Nay	Abstain	Absent
☒ 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	☒	☐	☐	☐

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

REMOVING:

XIII. COMMUNICATIONS AND PRESENTATIONS:

- 1. A COMMUNICATION FROM MAYOR NELSON AND THE PAD COMMITTEE, regarding the potential sale of 171 S. Cherry St.**
- 2. A COMMUNICATION FROM MAYOR NELSON AND THE PAD COMMITTEE, regarding the potential sale of 61 Academy St.**

IV. PUBLIC PARTICIPATION

- 1. Nick Kalogris – 14 Maryland Ave / For the Many**
- 2. Daniel Atonna – 116 College Ave / For the Many**
- 3. Karen Turner – 17 Rose St.**
- 4. Darrett Roberts – 227 Hooker Ave**
- 5. Laurie Sandow – S. Grand Ave ***
- 6. Brian Robinson – Montgomery St. / NAACP**
- 7. Amanda Brentnall – 33 Delafield St. / Mid Hudson Valley DSA**
- 8. Barrington Atkins – 25 Shipyard Rd / NAACP**
- 9. Shannon Muse – 2633 South Rd / NAACP**
- 10. Denise Cotton-Douglas – 1 Zimmer Ave / NAACP**
- 11. Terry Irving – 269 Mansion St / NAACP**
- 12. Dale Moseley – 130 Hudson Ave / NAACP**
- 13. Robin Green – 9 Pennington Dr / NAACP**
- 14. Lavetta Joyner – 49 Clark St. / NAACP**

***Submitted written comments**

Laurie Sandow comments, City of Poughkeepsie Common Council meeting,
November 6, 2023

If there's one thing this Council excels at, it's the ability to delay, deny, and fail to deliver. Sadly, the list of failures is far longer than my allotted three minutes. In 2014, the Poughkeepsie Journal's post-election headline read: "Crime tops city's Common Council agenda." Seven years later, in 2021, this Council delayed before finally scheduling a mashed-up meeting on gun violence, homelessness, and crime. And in the two years since?—still no action. Add to those, the current Council's failure to tackle the current police MOA and the budget.

At the last Council meeting, the public was told—and I quote:

"That leads us to reports of committees and boards. There are none. But I would like to announce that at our next meeting, we're asking Karen Williams, the director of Youth Services, to come and present."

So, where's Karen Williams at tonight's meeting? Which other City committees and boards have made recent presentations—not counting the Redistricting and Salary Review commissions. Both of those had their presentations and recommendations rejected by this council, even when—in the case of Salary Review—both the Administration and Council had rigged selection of that committee's membership.

According to this City's Charter (quote):

"The mayor will be required to provide quarterly reports to the common council on the financial condition and operations of the City, not just report annually." The Charter also requires annual reports from this City's committees, commissions and boards. Do those reports even exist? Have they ever been presented and posted to the public? Where are reports from this Council's own committees?—the so-called Housing Solutions committee, for example. And what to do about a Council whose own selections for committee membership are as self-serving and prejudiced as those by the Administration?

Why is this Council seeking IDA [Industrial Development Agency] members—an agency with a full head count—while making no effort to find Waterfront [Waterfront Advisory Committee, WAC] members, whose numbers have been reduced to bare minimum. What conniving scheme by current and future Council and Administration alike is behind those searches or lack thereof?

And speaking of connivance, why does this Council allow well-qualified people to be terminated from various committees, and replaced by people whose only qualification is their reliability to vote in favor of the pre-determined outcomes desired by both Council and Administration? Quickly coming to mind are such recently seated, unqualified committeemen (and I do mean men) as Chris Petsas, Tom Parise, Anthony LaRocca, Tim McQueen, and Da’Ron Wilson.

Finally, regarding the City’s recent announcement about digitizing records, I mean: really?!?!? Chamberlain Jasmin Davis doesn’t even stay on top of meeting schedules well enough to keep the City’s garage door open for meeting attendees; can’t or won’t provide meeting packets or FOIL [Freedom of Information] documents in a machine-readable and timely manner; complains about not being properly trained yet is about to be entrusted with converting City files to digital format? Has the Chamberlain had even the most rudimentary training in archives, records management and records provenance and integrity? Or—as with previous City website redesigns—are more vital and historic records about to be destroyed, and residents of this City about to be further delayed and underserved, all under the guise of digitization?

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Brown: First thing I would like to say is that I want to thank the Northern Dutchess NAACP for reaching out to myself to be a proud sponsor of this legislation.

And I want to thank you for, you know, this may very well be my last piece of legislation. So when Mr. Robinson was talking about the historical context, how appropriate is it, you know, that I leave out my eight year tenure making new history. So thank you for that.

I want to congratulate Council Member Long on the successful elementary cotillion that was held this past Saturday at the Grand Hotel.

And I like to say this, and my Council colleague, Council Member Flowers was there, incoming Council chair Wilson was there.

And I want to say that, that was no easy feat. My daughter was a part of this cohort which started meeting at the end of last school year back in June.

Now, if you can imagine working with 20 elementary students every week, we started every week it was on Fridays Council Member Long picked the worst day to hold practice was Friday evenings, but that's what it was. And we did that throughout the whole summer. And then, in September, it moved to twice a week where we had Tuesday and Friday practices. And not only did the kids learn the dance moves and the etiquette and things like that that you may have seen on social media, [but] she took the time to call in experts and they went through an array of training as elementary students, everything from financial literacy to safety, to being a leader.

It was just amazing. And, you know, I'm a firm believer in giving people flowers when they deserve them. And Council Member Flow Long, I'll give you your flowers today.

So thank you for that.

Tomorrow is election day. [We can clap for that.]

Tomorrow is Election Day. I know many of you may have voted early. I'm old school. I always like to go on Election Day. And it's just my little thing, you know, my little Tuesday thing. I get up in the morning and I go vote.

Please make sure that you vote for the person that you feel is going to do the best job.

And I know there's no electioneering, but I have about a month left. So, I'm going to say on the record I'll be supporting Council Member Flowers for mayor tomorrow. And I hope... I wish you the best of luck.

This is what it is, I have less than 30 days left. And with that, that ends my comment.

VI. MAYOR'S COMMENTS

- NONE -

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

Councilmember Menist made a motion to amend Ordinance 23-09 to put all nine names of the Council Members on this Council as co-sponsors of the legislation and was seconded by Councilmember Johnson.

VIII. REPORTS OF COMMITTEES AND BOARDS:

- NONE -

A motion to approve the consent agenda was made by Councilmember Menist and seconded by Councilmember Long.

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

1. **R-23-72**, Resolution Setting a Public Hearing on the Proposed 2024 City of Poughkeepsie Budget

RESOLUTION

(R-23-72)

INTRODUCED BY CHAIRWOMAN BROWN _____:

WHEREAS, the Common Council has received the Mayor's proposed 2024 budget for the City of Poughkeepsie and the budget message from the Mayor; and

WHEREAS, the City of Poughkeepsie Administrative Code section 14.04 requires that upon such receipt, the Common Council shall set a public hearing thereon, giving the public notice of at least ten (10) days in the official newspaper; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of setting such public hearing; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie shall hold a public hearing to receive comment from the public concerning the proposed 2024 budget on **Monday, December 4, 2023 at 5:30 pm** in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York and the Chamberlain is hereby directed to publish proper notice of the above hearing.

SECONDED BY COUNCILMEMBER _____.

R-23-72- VOICE VOTE						
☒ 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	☒	☐	☐	☐

X. ORDINANCES AND LOCAL LAWS:

2. **O-23-09**, Ordinance Amending the City of Poughkeepsie Code of Ordinances Entitled “Motor Vehicles and Traffic” for the purposes of making bicycle registration optional.

(O-23-09)

“ORDINANCE AMENDING § 13-221, § 13-222(A)(1)(c), § 13-222(A)(1)(d), § 13-222(B), § 13-224, § 13-225, § 13-226, § 13-227, § 13-228, and §13-229 OF THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES ENTITLED “MOTOR VEHICLES AND TRAFFIC” FOR THE PURPOSES OF UNARRESTED MOBILITY OF BICYCLISTS

INTRODUCED BY: CHAIRWOMAN BROWN AND COUNCILMEMBERS GRANT, LONG, FLOWERS, DEICHLER, THOMPSON, JOHNSON, MENIST AND SHOOK

BE IT ORDAINED, by the Common Council of the City of Poughkeepsie as follows:

~~STRIKETHROUGH INDICATES DELETION~~
BOLD and UNDERLINE INDICATES ADDED LANGUAGE

Section 1. Code of Ordinances § 13-221 is amended to read as follows:

§ 13-221 ~~Registration required.~~ **Registration optional.** ~~It shall be unlawful for any resident of the City of Poughkeepsie to operate, use or permit to be used or operated or rent for use any bicycle with a wheel size of 20 inches or larger upon the public highways, streets, avenues, parks and public places in the City of Poughkeepsie without first registering the bicycle with the Police Department and obtaining a certificate of registration and identification sticker.~~ **Any resident of the City of Poughkeepsie may register a bicycle, as defined in § 13.220 of the Code of Ordinances, with the Police Department. Registration is not required, and it shall not be unlawful to use or operate an unregistered bicycle upon the public highways, streets, avenues, parks, and public places in the City of Poughkeepsie.**

Section 2. Code of Ordinances § 13-222(A)(1)(c) is amended to read as follows:

§ 13-222(A)(1)(c) The name and address of the person from whom the bicycle was purchased, **or sworn affidavit that applicant is the owner of the bicycle.**

Section 3. Code of Ordinances § 13-222(A)(1)(d) is amended to read as follows:

§ 13-222(A)(1)(d) The date of purchase, **or sworn affidavit that applicant is the owner of the bicycle.**

Section 4. Code of Ordinances § 13-222(b) is amended to read as follows:

§ 13-222(B) Registration cards. Upon ~~due~~ application, a registration card containing the name and address of the owner, plus the name and address of the parent or guardian if the owner is under 16 years of age, and the make, type, serial number and color of the bicycle shall be issued. The

registration cards shall be numbered consecutively, and a copy of the registration card shall be issued to the owner.

Section 5. Code of Ordinances § 13-224 shall be amended to read as follows:

§ 13-224 ~~Transfer of ownership.~~ **Maintenance of records.**

~~When an owner sells or transfers ownership of any bicycle, (s)he shall report such sale or transfer by returning to the Police Department the registration card issued to such person, together with the name and address of the person to whom said bicycle was sold or transferred, and such report shall be made within seven days of the date of such sale or transfer. The purchaser or transferee of such bicycle shall apply for a transfer of the registration thereof within seven days of said sale or transfer. The Police Department of the City of Poughkeepsie shall maintain a permanent record of all registrations for each bicycle registered in the City of Poughkeepsie. The registrations shall be maintained according to the registration number in numerical sequence and according to the registrant's name in alphabetical order.~~

Section 6. Code of Ordinances § 13-225, § 13-227, § 13-228, and § 13-229 shall be stricken in their entirety and reserved for future use.

Section 7. This act shall take effect immediately upon adoption.

SECONDED BY _____

O-23-09- VOICE VOTE						
			Yes/Aye	No/Nay	Abstain	Absent
☒ 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	☒	☐	☐	☐

2. LL-23-06, Local Law Amending Chapter 6 “Building and Utility Codes,” Article III “Plumbing Code”

(LL 23-06)

**A LOCAL LAW AMENDING CHAPTER 6 “BUILDING AND UTILITY CODES,”
ARTICLE III “PLUMBING CODE”**

SPONSOR: CHAIRWOMAN BROWN_

BE IT ENACTED, by the Common Council of the City of Poughkeepsie as follows:

**~~STRIKETHROUGH~~ INDICATES DELETION
BOLD and UNDERLINE INDICATES ADDED LANGUAGE**

SECTION 1: City Code Chapter 6 “Building and Utility Codes,” Article III, “Plumbing Code,” Division 3 “Administration of Plumbing Standards of New York State Uniform Fire Prevention and Building Code” shall be amended to read as follows:

Section 6-138. Scope of Division

This division applies to the administration and enforcement of the plumbing and heating equipment standards of the New York State Uniform Fire Prevention and Building Code.

Section 6-139. Plumbing and heating work affected.

(a) All plumbing work, both public and private, in the City shall be performed pursuant to the Uniform Fire Prevention and Building Code and shall come under the provisions of this article. The ~~Plumbing Board and the Plumbing~~ **Building** Inspector shall have jurisdiction over all the plumbing work performed within the building line of any building in the City of Poughkeepsie pursuant to the Uniform Fire Prevention and Building Code applicable to plumbing. The City Engineer shall have jurisdiction over all laterals and water and sewer services from the building line to and including the connection with the City sewer and water system.

(b) All gas and oil heat-producing equipment installed in the City of Poughkeepsie, both new and replacement, shall come under the provisions of this article. The ~~Plumbing~~ **Building** Inspector shall have jurisdiction over all oil or gas heat-producing equipment and all fuel piping of such equipment.

Section 6-140. Previous rules.

Work in progress on the effective date of this article and work for which the plans have heretofore been approved are excepted from the provisions of this article and shall be performed in accordance with the Plumbing Code, local laws, rules and regulations and ordinances in force and effect prior to the effective date of this article.

~~Section 6-141. Qualifications of Plumbing Inspector.~~

~~The Plumbing Inspector shall meet the qualification of the Building Inspector as defined in Section 6-19 of this chapter. **RESERVED**~~

Section 6-142. Duties and powers of ~~Plumbing Building~~ Inspector.

(a) *Administration and enforcement.* Except as otherwise specifically provided by law, ordinance or regulation or except as herein otherwise provided, the ~~Plumbing Building~~ Inspector shall administer and enforce all of the provisions of laws, ordinances and regulations applicable to all plumbing and drainage work and heating equipment installations in the City, but shall not issue a permit until a building permit is first obtained from the Building Inspector on any new construction or alteration exceeding \$2,000 for plumbing or drainage work, unless for modifications of floors, walls, or ceilings or creating a new space.

(1) No building permit is required to be submitted for replacement of existing boilers or furnaces, or near boiler piping.

(2) A building permit is required when new heating systems are installed, or there are modifications of floors, walls, ceilings, or creating a new space, or if a new chimney is installed.

(b) *Permits; certificates; fees.* ~~(S)he~~ The Building Inspector shall issue all permits for plumbing, drainage or heating work and certificates of approval and charge the fees as established by the ~~Plumbing Board or Building Inspector~~ Common Council.

(c) *Revocation of permit or certificate.* ~~(S)he~~ The Building Inspector may revoke a permit or certificate of approval if there is a violation of any provision of this article or any false statement or misrepresentation in the application, plans or specifications.

(d) *Inspection, approval of work.* ~~(S)he~~ The Building Inspector shall inspect the construction and alteration of all plumbing and heating work performed in the City pursuant to the Uniform Fire Prevention and Building Code applicable to plumbing and heating. ~~(S)he~~ shall inspect the installation or replacement of all gas and oil heating equipment, including gas piping. No connections shall be made to water within his or her jurisdiction. ~~(S)he~~ shall inspect all water meters and reading devices to determine compliance with the applicable sections of this Code of Ordinances. No certificate of occupancy shall be granted by the Building Inspector until final inspection and approval of the plumbing and/or heating work and water meters and reading devices by the ~~Plumbing Building~~ Inspector. Application for final inspection must be made by the plumber or permit holder within 10 days after the plumbing or heating work has been completed. ~~(S)he~~ will inspect, at the request of the Commissioner of Public Works or City Engineer, waste water and storm drainage laterals to determine compliance with applicable sections of Chapter 14 1/2 of this Code and construction standards established by the City Engineer. The ~~Plumbing Building~~ Inspector shall make a monthly report, in writing, to the City Administrator and the Plumbing Board, for plumbing work, of his or her inspections and the results thereof.

(e) *Issuance of notices or orders.* ~~(S)he~~ The Building Inspector shall issue appropriate notices or orders to correct unsanitary or defective conditions, to remove illegal or unsafe conditions, to require

the necessary safeguards during construction and to ensure compliance during the entire course of construction with the requirements of such laws, ordinances or regulations.

Section 6-143. Department records and reports.

The ~~Plumbing~~**-Building** Inspector shall keep permanent official records of all transactions and activities conducted by him, including all applications received, permits and certificates issued, fees charged and collected, inspection reports and notices and orders issued. All such records shall be public records ~~open for public inspection during business hours~~ pursuant to the Freedom of Information Law.

Section 6-144. Duties of other departments.

(a) Wherever the Building Inspector is required to issue a permit for any building construction or for the alteration, repair or replacement of any building or parts thereof, the Building Inspector or his or her duly appointed subordinate shall see that the plumbing, drainage and heating details are set forth on all plans and specifications to be submitted to the Building Inspector prior to the issuance of the building permit. For all work which requires a building permit, the fees, as set forth in Section 6-26, shall be paid by the building contractor or owner before the plumbing or heating permit is issued by the ~~Plumbing~~**-Building** Inspector.

(b) The City Engineer shall not issue a permit to anyone to connect with the sewers or with the water mains unless such person has obtained and shall produce a certificate of competency ~~from the Plumbing Board or a special permit from the Plumbing-Building Inspector~~ or is a qualified infrastructure contractor, as defined in Section 6-158(d) of the City Code.

Section 6-145. Permits.

(a) *Plumbing work.* Before any plumbing work requiring authorization according to the provisions of this article shall be started, a permit shall be obtained from the ~~Plumbing~~**-Building** Inspector, except that no such permit shall be required for repairs involving only the working parts of a faucet or valve, the clearance of stoppages or stopping of leaks or the replacement of a defective faucet or valve. This permit shall be obtained by the master plumber who or whose firm has been employed to do the plumbing work or by a homeowner as provided in Subsection (b) below.

(b) *Homeowner's plumbing permit.* The owner of a one- or two-family owner-occupied dwelling used exclusively for residential purposes may obtain a permit to perform plumbing work as provided in this subsection. To obtain a permit a homeowner must satisfactorily pass a plumbing examination created by the ~~Plumbing Board~~ **Building Inspector** pursuant to the guidelines as set forth in Section 6-136(b) of this chapter. This examination shall be required only for the first permit applied for by a homeowner and not thereafter. A homeowner will be limited, under this permit, to plumbing performed within building lines only. No work under the homeowner's plumbing permit shall be performed on sanitary sewers, water service lines, water meters or gas piping or on any public right-of-way or within any City street. As a condition to a permit being issued for plumbing work

performed by a homeowner, the homeowner must certify to the ~~Plumbing~~-**Building** Inspector that he/she will comply with New York State law.

(c) *Septic tanks or cesspools.* Special permission must be obtained from Dutchess County Board of Health and the Superintendent of Public Works for the installation of septic tanks or cesspools before a permit can be issued by the ~~Plumbing~~-**Building** Inspector. Septic tanks and cesspools not otherwise provided for by this article shall be in accordance with Bulletin No. 1, New York State Department of Health.

(d) *Heating equipment.* Before any heating work requiring authorization according to the provisions of this article shall be started, a heating permit shall be obtained from the ~~Plumbing~~-**Building** Inspector, except that no such heating permits shall be required for heating repairs involving the working parts of a control or parts in the heating system, the installation of baseboard heat radiators, convectors and interconnecting piping, except for connection of water and heat piping to the heating equipment, and the repair and servicing of oil and gas heat-producing equipment. No heating permit shall be required for the installation of water heaters, except for installation of gas or oil piping and flue piping. However, a plumbing permit shall be required for the connection of the water heater to the potable water system. Any gas or oil heat-producing equipment installation or replacement shall require a heating permit. This permit shall be obtained by a heating contractor, licensed to do work pursuant to Section 6-179 of this chapter, who or whose firm has been employed to do the heating work. Oil and gas installation shall be conducted in accordance with the standards of the National Fire Prevention Association and the standards of the New York State Fire Prevention and Building Code.

(e) *Water connections.* Before any water connection on heat producing equipment is performed, a water connection permit shall be obtained from the ~~Plumbing~~-**Building** Inspector. This permit shall be obtained by a person or firm who is licensed to install heat-producing equipment pursuant to Section 6-179 of this chapter and who has been issued a special permit limited to water connections to heat producing equipment pursuant to Section 6-176 of this chapter.

(f) *Penalty.* Any person, business, partnership or corporation who violates any provisions of this section shall be liable for a penalty of ~~\$250~~**500** per day of violation or imprisonment not exceeding six months. **For the purposes of section 80.10 of the penal law, this shall constitute a special corporate fine.**

Section 6-146. Issuance of permits.

(a) Permits for plumbing work shall be issued by a ~~Plumbing~~-**Building** Inspector to licensed and registered master plumbers and to any person now authorized under Section 6-145 to perform plumbing work in one- and two-family dwellings as set forth in that section.

(b) Permits for installing new or replacement oil or gas heat-producing equipment shall be issued by the ~~Plumbing-Building~~ Inspector. Said permit shall be issued to individuals or firms licensed to make such installation by the ~~Plumbing-Building~~ Inspector, pursuant to Section 6-179 of this chapter and to any person now authorized under Section 6-145 to perform said work. ~~All licenses that have been issued by the Chief of the Fire Department shall be valid until the expiration thereof.~~

(c) Special permits for plumbing work may be issued by the ~~Plumbing-Building~~ Inspector to any person holding a master plumber's license issued by a municipality of the State of New York, which has adopted the standards of the New York State Uniform Fire Prevention and Building Code applicable to plumbing to perform a specific job of plumbing work in the City of Poughkeepsie. Such permit may be granted without examination, upon application to the ~~Plumbing-Building~~ Inspector and upon the payment of a fee of \$350 for each job. Such permit, and the work performed thereunder, shall be subject to the other provisions of this Code and shall expire when the specified job is completed. Limit of three permits per calendar year.

(d) Special permits shall be issued by the ~~Plumbing-Building~~ Inspector, limited to water connections to heat-producing equipment, to persons or firms who have a license to install heat-producing equipment in the city as provided for in Sections 6-176 and 6-179 of this chapter.

Section 6-147. Plans covering work.

(a) No permit shall be issued until specifications and plans showing necessary details of all water pipe, sewer pipe, plumbing fixtures, heating equipment and necessary heating piping have been submitted to the ~~Plumbing-Building~~ Inspector by the plumbing contractor, heating contractor, architect, engineer or owner, and these plans have been approved and signed by the ~~Plumbing Building~~ Inspector.

(b) If the plans indicate that any provisions of this article are not being complied with, they shall be rejected and no permit issued until they have been revised to comply with this article.

(c) If in the course of the work it is found necessary to make any change from the approved plans, specifications or work, revised plans and specifications shall be submitted and a supplementary permit shall be issued to cover the change before any part of the change is commenced.

Section 6-148. Fees.

A fee schedule shall be established by resolution of the Common Council of this City. Such fee schedule may thereafter be amended from time to time by like resolution. The fees set forth in, or determined in accordance with, such fee schedule or amended fee schedule shall be charged and collected for the issuance of all permits and/or certificates issued by the Department of Development pursuant to the administration of the Plumbing Code and the administration of plumbing standards of New York State Uniform Fire Prevention and Building Code.

Section 6-149. Correction of faulty conditions.

Upon receipt of written notice from the ~~Plumbing~~-Building Inspector, the owner or lessee of real property shall be required to correct, within three days, any and all unsanitary or defective conditions which are likely to have an immediate detrimental effect upon the public health. He shall also correct, upon proper notice and within the time specified by the ~~Plumbing~~-Building Inspector, other unsanitary or defective conditions which may over a period of time have an immediate detrimental effect upon public health. Any person, business, partnership or corporation who violates this section shall be liable for a penalty of \$100 and, for a continuation of such violation, to an additional penalty of \$10 per day or imprisonment of not more than six months.

Section 6-150. Right to inspect.

The ~~Plumbing~~-Building Inspector or his/her subordinate or representative shall have the right to inspect any plumbing or heating system at such time as may be deemed necessary to protect the public health from an immediate danger. All other inspections shall be made at a reasonable time, in accordance with Section 6-29.

Section 6-151. Certificate of approval.

Upon the satisfactory completion and final inspection of the plumbing or heating system, a certificate of approval shall be issued by the ~~Plumbing~~-Building Inspector to the owner.

Section 6-152. Appeal to Plumbing Board.

Any master plumber or owner of real property upon which plumbing work pursuant to this Code is being undertaken who shall feel aggrieved by any action or ruling of the ~~Plumbing~~-Building Inspector in connection with plumbing work may appeal said action or ruling to the Plumbing Board. Said appeal shall be in writing and shall be made in accordance with the procedures to be prescribed by the Plumbing Board. The decision of the Plumbing Board on such appeal shall be final.

Section 6-153. Water meters, master pits and bypasses; penalties for offenses.

(a) *Water meters.* All water meters must be procured from the City of Poughkeepsie and shall be the property of the City of Poughkeepsie. All meters shall be installed at the expense of the property owner in such location, position and manner as to be readily accessible for reading and repair and kept free from obstruction and shall be fully protected from freezing and damage at the property owner's expense. Remote reading devices may be installed by the city at locations on the outside surfaces of buildings, suitable to the city's building system, and may not be removed or damaged. Cables and/or wires connecting such devices with the meter shall be protected from damage by the property owner. A penalty of \$100 will be imposed when a meter up to two inches or \$200 for a meter larger than two inches is damaged by freezing or other negligence on the part of the property owner of the premises and/or when a remote reading cable and/or head is damaged by the property owner's negligence. Such penalty shall be in addition to the actual cost incurred by the city for the repair or replacement of the damaged meter. Said penalty and cost shall be charged against the land on which the building exists, as a municipal lien, or shall be added to the tax roll assessment or shall be levied as a special tax against the land upon which the building stands or shall be recovered in a

suit at law against the owner. All meters, cables, remote reading heads and all other equipment accessory to the meters shall be under the exclusive control and be subject to inspection at all times by the ~~Plumbing~~**Building** Inspector, City Water Department and/or other agents authorized by the City of Poughkeepsie. The ~~Plumbing~~**Building** Inspector shall have the power and authority to cite any violations of this or any other chapter of the Code of Ordinances relative to water meters as authorized in Section 6-142 of this chapter.

(b) *Master pits.* All underground meter pits and backflow preventor pits must be constructed to City of Poughkeepsie specifications. Copies can be obtained from the Engineering Department. Pits must be kept free of debris and garbage and accumulation of water. When any water meter two inches or less in size that is located in a pit must be replaced, the water meter must be raised at least 18 inches from ground level upon replacement. A violation of this section will result in a civil penalty or fine of \$100 for each week the violation remains unabated.

(c) *Bypasses.* Meters that are installed inside buildings cannot have a bypass. A violation of this section shall result in a civil penalty or fine of ~~\$100~~**250**.

(d) *Duty to disconnect the water supply and water meter ready devices.* It shall be the duty of any owner, agent or operator of a building to disconnect or shut off the connection to the city water supply and remove the water meter and reading device and return said meter and device to the city within 10 days after such building has been vacated, if so directed by the Building Department. Where an order to vacate has been served on the owner, agent, operator or occupant of such building, as provided in Section 6-35, the notice may state that the owner, agent or operator shall make such disconnection and furnish such certificate within 10 days after vacation of the premises. If the provisions of this section are not complied with, the ~~Plumbing~~**Building** Inspector may serve written notice upon the owner, agent or operator of such building to comply with the provisions of said section. Such written notice shall be sent by certified mail to such owner, agent or operator, or if such owner, agent or operator is unknown, such notice may be affixed to or posted upon said building. Such notice shall require compliance with the provisions of this section within 48 hours after the date of mailing or posting of such notice as aforesaid. If the person upon whom such notice is served fails, neglects or refuses to disconnect or shut off the water supply and water meter from such premises within 48 hours after the date of mailing or posting of such notice, the ~~Plumbing~~**Building** Inspector shall notify the Water Department to disconnect the water supply and water meter. The actual cost to the city of disconnecting the water supply and water meter, plus a sum equal to 5% of such cost for inspection and other additional costs in connection therewith, shall be certified by the ~~Plumbing~~**Building** Inspector and the Water Department to the Commissioner of Finance. The amount thereof shall become a lien upon the property, and the total amount thereof shall be added to and become a part of the next annual assessment roll at the time and in the manner prescribed by the Charter and/or Code of Ordinances of the city and subject to all the provisions thereof.

Section 6-154. Malfunction, testing and calibration of water meters.

(a) All water passing through a meter will be charged for, whether used or wasted. Meters will be tested at the property owner's request if the city believes there are reasonable grounds to establish that the meter is functioning improperly. If the meter is found to be accurate, the owner shall bear the expense of the test. A meter may be tested for accuracy at the discretion of the City of Poughkeepsie. Should a meter of a size two inches or less be found to be inaccurate, the city shall replace the meter or bear the cost of repair. Should a meter of a size greater than two inches be found to be inaccurate, the property owner shall, upon written notification by the ~~Plumbing-Building~~ Inspector, have said meter repaired or replaced within 15 days of such notice at the property owner's expense. Upon the failure of the owner to repair or replace the meter as ordered by the ~~Plumbing-Building~~ Inspector, the city shall be authorized to repair or replace the meter. The actual cost for repair or replacement of the meter and a service charge of 25% of the actual cost of repair or replacement shall be certified by the ~~Plumbing-Building~~ Inspector to the Commissioner of Finance and the amount thereof shall thereupon become a lien upon the property on which such meter is located and the total amount thereof shall be added to and become part of the next annual assessment roll at the time and in the manner prescribed by the Charter and/or Code of the city. In addition, failure to repair or replace the meter on a nonresidential property within 15 days shall result in the shutoff of the water to the property until the meter is repaired or replaced. In all cases the property owner must arrange for and bear the cost of installation of the meter. If a meter gets out of order and fails to register correctly, the owner will be charged the average daily consumption as shown by the meter when in accurate working condition under circumstances comparable to the time period being estimated.

(b) Property owners with meter(s) of a size greater than two inches shall be required to provide the city access to have the meter(s) tested and calibrated from time to time, at the city's discretion. The ~~Plumbing-Building~~ Inspector shall make the necessary arrangements to have the meters tested and calibrated by an American Water Works Association (AWWA) certified company, which must provide written certification to the ~~Plumbing-Building~~ Inspector within 30 days of the testing and calibration that the meter has been tested and calibrated and meets AWWA accuracy standards. Upon the failure of a property owner to provide the city access for said testing and calibration, the ~~Plumbing-Building~~ Inspector shall refer the matter to the Corporation Counsel to obtain a court order allowing access for this purpose.

Section 6-155. Interference with water meter; penalties for offenses.

(a) No person shall interfere or tamper in any way with the meter or meter accessories or the valves and fittings connected thereto. Any person violating the provisions of this section shall be subject to a civil penalty or fine of \$100 for a water meter of two-inch size or less and \$200 for a water meter larger than two inches.

(b) Appropriate language, giving notice of the conduct prohibited by this section, shall be imprinted on all water bills in letters of the same size as the billing information.

Section 6-156. Injury to water meter seals prohibited; penalties for offenses.

(a) It shall be unlawful for any unauthorized person to willfully deface, mar, injure, disturb, break or destroy the seal of any water meter in the City of Poughkeepsie. Violation of this section shall be punishable by a civil penalty or fine of ~~\$100~~**250** in the case of a meter of two inches or less and ~~\$200~~**500** in the case of a meter of more than two inches.

(b) Appropriate language, giving notice of the conduct prohibited by this section, shall be imprinted on all water bills in letters of the same size as the billing information.

Section 6-157. Use of fire hydrants to bypass water meter prohibited; penalties for offenses.

No person or persons are permitted to open any fire plug or hydrant to draw water so as to bypass the water meter of any premises receiving the benefit of the water except under the direction of or with authorization of the city. Any violation of this section shall result in a civil penalty or fine of \$100 for each incident of such prohibited use.

Section 6-157.1. Replacement of water meters; access to City; penalties for offenses.

Effective from the date of passage of this section, the City, or agents of the City, shall replace all nonconforming water meters at its own expense. The City, or any agent of the City, shall be granted access to any building, dwelling or structure to replace all nonconforming water meters. Any property owner, or any employee or agent of any property owner, who fails to provide access to their property or otherwise interferes with the installation of new meters shall pay a surcharge of 100% on all water billings until such time as the nonconforming water meter has been replaced, plus the cost of installation of the new meter.

Section 6-157.2 Backflow prevention

(a) Purpose and intent:

(1) Protect the public water supply served by the City of Poughkeepsie from the possibility of contamination or pollution which could backflow or back-siphon into the public water system.

(2) Promote elimination or control of existing cross-connections, actual or potential, between its customer's potable water system and non-potable systems.

(3) Provide for the maintenance of a continuing program of cross-connection control which will effectively prevent the contamination or pollution of all potable water systems by cross-connection.

(b) Backflow preventers must be installed on all service lines from the city's water supply system in all commercial buildings, multiple family buildings and those one- and two-family residential buildings that may require such devices, whether they are occupied or vacant, as long as city water is being supplied to these properties. All fire lines must be protected by at least a double check valve. The make, model and type of device, which will depend on the

degree of hazard, must be on the current listing of acceptable devices issued by New York State Department of Health and meet City of Poughkeepsie Building and Engineering Department specifications.

(c) Unless otherwise specified, a backflow-prevention device(s) shall be installed at the official water meter on the user side of flow.

(d) All backflow-prevention devices shall be furnished, installed, tested, protected and maintained by the property owner at his/her own expense. Installation and replacement of all backflow-prevention devices shall be done by an approved City of Poughkeepsie licensed plumber and a permit issued by the Building Inspector for said work.

(e) If a required backflow device is not installed within 60 days of certified-mail notice to a property owner requiring it to install a required device, the delivery of water to the property may be discontinued by the City of Poughkeepsie Water System Operator.

(f) After installation, all backflow-prevention devices shall be tested in place by a certified backflow-prevention-device tester and inspected by the Building Inspector or authorized representative. The tester's certification report shall be furnished to the City's approved backflow device management company within 10 days after the test has been performed. A new service line will not be put into service before certification is received and approved by the Building Inspector, City Engineer and City of Poughkeepsie Water System Operator.

(g) Yearly tests shall be performed on each RPZ and DCV backflow-prevention device by a certified backflow-prevention-device tester to ensure continued reliability. The tester's report shall be forwarded to the City's approved Backflow device management company within 10 days after the test has been performed.

(h) Any backflow-prevention device which fails to function properly shall be repaired or replaced within 30 days or as directed by the Building Inspector, City Engineer and City of Poughkeepsie Water System Operator and tested after the repair or replacement by a certified backflow-prevention-device tester. The tester's written report shall be forwarded to the City's approved Backflow device management company within 10 days after the test has been performed.

(i) If a required recertification is not done within 30 days of certified-mail notice to do so, the water supply to the property may be discontinued by the City of Poughkeepsie Water System Operator.

(j) If it is determined by the Building Inspector, City Engineer, City of Poughkeepsie Water System Operator, the Dutchess County Department of Health or the New York State Department of Health that the failure to install or maintain required backflow prevention presents an imminent public health hazard, water supply to the property may be immediately discontinued by the City of Poughkeepsie Water System Operator, which shall give notice thereof to the property owner as promptly as is practicable under the circumstances.

(k) Penalties. Any person, firm, corporation, or association violating the provisions of this section shall be subject to penalties as per sections 6-11 and 6-12 of this chapter.

(l) Procedure for serving notices. Notices required pursuant to this section shall be served in the following manner:

(1) Personally on any owner as defined in this section;

(2) Posting upon a conspicuous portion of the building in violation and sending a copy of the same by certified mail, return receipt requested to the property owner.

SECTION 2: City Code Chapter 6 “Building and Utility Codes,” Article III, “Plumbing Code,” Division 4 “Certification and Registration of Plumbers” shall be amended to read as follows:

Section 6-158. Certificate of competency and registration required; penalties for offenses.

(a) No person may execute any plumbing work in the city without first obtaining from the ~~Plumbing Board~~ **Building Inspector** of the city a certificate of competency and registration as a licensed master plumber or a special permit from the ~~Plumbing Board~~ **Building Inspector**, pursuant to Section 6-146 of this Chapter; provided, however, that those persons now authorized to perform plumbing work in one- and two-family dwellings as set forth in Section 6-145 of this chapter shall not be subject to the requirements of this section and Sections 6-159 through 6-178 of this chapter.

(b) No person, corporation, firm or partnership shall engage in or conduct the trade or business of plumbing as an employing or master plumber and in such capacity execute any plumbing work in the City without first obtaining from the ~~Plumbing Board~~ **Building Inspector** a certificate of competency and registration as a master plumber. A corporation shall also be subject to the requirements in Section 6-177 of this chapter in order to so conduct business in the City.

(c) There shall be two classifications of plumbing work that is performed within the City determined as follows:

1. Master plumbing work. This work is for all interior piping found in buildings. Lines smaller than four inches in diameter will also qualify as plumbing in this class regardless of whether they are found inside or outside the building. Except for any exemptions noted in this chapter, this work must be performed by a master plumber as defined in this section.
2. Infrastructure plumbing work. This work is for underground piping found on the exterior of the building of four-inch or larger water, or storm drain piping. This shall include underground main service piping structure and extension piping. This work shall not require a licensed plumber, but shall require a qualified infrastructure contractor as defined in this section.

(d) To be a qualified infrastructure contractor, the following documents must be provided to the administrative authority: a statement detailing a minimum of five years' experience in

either water pipe installation, sewer pipe installation or storm drain installation as applicable to the work to be performed under the infrastructure certification. Proof of laser certification for sewer installation, if applicable; and three letters of recommendation from previous customers, preferably for state or municipal work. Once the documents detailing qualification are on file with the administrative authority and accepted, an infrastructure certification of competency can be issued by the Building Inspector that is valid for the duration of the calendar year after payment of \$500 and proof of workers' compensation insurance as required by New York State law and liability insurance in an amount not less than \$1,000,000. Should a contractor be unable to provide the documents required for qualification, he or she may appeal the decision to deny an infrastructure certification on this basis to the Commissioner of Public Works of the City of Poughkeepsie. The infrastructure contractor need not be a licensed plumber.

(e) Duration, renewal. All infrastructure certifications of competency shall expire on the 31st day of December of the year in which they are issued and shall be renewed within 30 days preceding such expiration by application to the Building Inspector upon payment of a renewal fee of \$250. Any lapse in renewal shall require payment of an administrative fee in an amount equal to the reapplication fee. The administrative fee shall be in addition to any reapplication fee.

(e) (f) Any person, business, partnership or corporation, firm or partnership who violates any provision of this section shall be liable to a penalty of \$500 per day of violation or imprisonment not exceeding six months. For the purposes of section 80.10 of the penal law, this shall constitute a special corporate fine.

Section 6-159. Application for examination.

Any person who desires to procure a certificate of competency shall make written application for an examination therefor upon a form to be prescribed by the ~~Plumbing Board~~ **Building Inspector** and shall pay a nonrefundable examination fee of \$250 at the time of filing such application. The applicant shall furnish to the ~~Board~~ **Building Inspector** such information as it may require concerning the applicant's reputation, character, fitness and qualifications to receive a certificate of competency.

Section 6-160. Prerequisites to examination.

No person shall be examined unless he shall have had either experience of at least five years as a journeyman plumber or graduation from a four-year college or university with major course work in plumbing engineering and, in addition, one year's experience as a journeyman plumber, or he shall be a licensed professional engineer.

Section 6-161. Issuance of certificate; ~~duration, renewal and fee.~~

~~If the applicant satisfactorily passes the examination, he shall receive a certificate of competency from the Plumbing Board. He shall pay a fee of \$100 therefor, and all such certificates shall expire on~~

~~the 31st day of December of the year in which they have been issued and shall be renewed within 30 days preceding such expiration by application therefor to the Plumbing Board upon payment of an annual renewal fee of \$100. Any person who permits his certificate of competency to lapse may apply for and receive a certificate of renewal upon payment of a fee of \$200, and such renewal certificate shall expire on the 31st day of December of the year in which it was issued.~~ **RESERVED**

Section 6-162. Reexamination of unsuccessful applicants.

In the event that the applicant fails to pass the examination, (s)he may apply for reexamination after a lapse of three months upon payment of a fee of \$250, and, in the event that such applicant again fails, (s)he may apply for a second reexamination after the lapse of a further period of one year upon the payment of an additional fee of \$250. The ~~Plumbing Board~~ **Building Inspector**, however, may in ~~its~~ **his/her** discretion permit the applicant to file a new application to examine him/her at any time before the lapse of said period of one year.

Section 6-163. Lost certificate of competency.

In case a certificate is lost by the holder thereof, the ~~Board~~ **Building Inspector** may issue a duplicate certificate of competency upon payment of a fee of \$75.

Section 6-164. Registration of master plumbers.

(a) *Issuance.* Any applicant who has successfully passed the examination provided for by this article and received a certificate of competency who desires to engage in the business of plumbing in the City and who wishes at any time to execute any plumbing work within the City shall register with the Building Inspector for such purpose; and upon payment of a fee as provided for in Section 6-26 above, the Building Inspector shall issue to him/her a certificate of registration appropriately lettered or marked "licensed plumber" and with such further marking or lettering as may from time to time be prescribed by this Code.

(b) *Duration, renewal.* All certificates of registration shall expire on the 31st day of December of the year in which they are issued and shall be renewed within 30 days preceding such expiration by application to the Building Inspector upon payment of a renewal fee as provided in Section 6-26 above. **In addition, proof of completion of four (4) hours of continuing education within the preceding year in a curriculum pertaining to master plumbing work must be submitted.** Any lapse in renewal shall require payment of an administrative fee in an amount equal to the reapplication fee. The administrative fee shall be in addition to any reapplication fee. Prior to expiration, a licensed master plumber may petition the Building Inspector to suspend his/her license. A master plumber whose license has been suspended at the master plumbers request may reinstate such license at any time within five years from the date the license was scheduled to expire. There shall be a fee plus the license fee to reinstate a license that has been suspended at the request of the master plumber.

Section 6-165 through Section 6-166. (Reserved)

Section 6-167. Surrender of registration upon discontinuing business.

Any registered master plumber who retires from or discontinues doing business in plumbing work in the City shall surrender to the ~~Plumbing Board~~ **Building Inspector** his/her certificate of registration and (s)he shall not thereafter engage in such trade or business unless (s)he shall again register in accordance therewith.

Section 6-168. Change of place of business, retirement from business.

Every master plumber shall give immediate notice of any change in his place of business and, upon his retirement from business, shall surrender his certificate of registration to the ~~Plumbing Board~~ **Building Inspector**.

Section 6-169. (Reserved)

Section 6-170. Existing registration, certificates continued.

All certificates and registration of master plumbers at present in force are hereby continued and shall be renewable under the provisions of this Code.

Section 6-171. ~~Annual certification of master plumbers entitled to renewal certificate.~~

~~The Plumbing Inspector, in November of each year, shall certify to the Plumbing Board the master plumbers entitled to renewal of their licenses and shall report those not entitled to renewal.~~
RESERVED.

Section 6-172. Misuse of certificate of competency and registration.

No master plumber shall allow his name to be used by any person, directly or indirectly either to obtain a permit or to do any work under his certificate of competency and registration.

Section 6-173. Investigation, prosecution for misuse of license.

The ~~Plumbing~~ **Building** Inspector shall investigate the registration and license of every master plumber and shall ~~promptly report to the Plumbing Board~~ **review** any violation of the provisions of this article relating to the loaning, renting, selling or transferring of the certificate of registration, and the ~~Plumbing~~ **Building** Inspector shall immediately ~~apply to the Plumbing Board for the forfeiture of~~ **suspend** the certificate of registration of any master plumber who shall have loaned, rented, sold or transferred such certificate in violation of this article.

Section 6-174. Violation of rules.

(a) *Notice required.* Whenever any inspector or other person reports a violation of any rules and regulations for plumbing or a deviation from any officially approved plan or specification for plumbing filed with the ~~Plumbing Board~~ **Building Inspector**, the ~~Plumbing~~ **Building** Inspector shall

first serve a notice of the violation thereof upon the master plumber doing the work and shall advise the Plumbing Board of such action.

(b) *Service of notice.* Such notice shall be served personally or by registered mail, and if by registered mail, it shall be addressed to such master plumber at the address registered by him with the ~~Plumbing Board~~ **Building Inspector**.

(c) *Compliance required.* Unless the violation is removed within three days after the service or mailing of such notice, exclusive of the day of service or mailing, or within such other time as prescribed by the ~~Plumbing Board~~ **Building Inspector**, the Plumbing Board may proceed according to law.

Section 6-175. Denial, cancellation of registration.

(a) *Denial.* There shall be no registration as master plumber or renewal of such registration or granting of a second permit to any person found guilty of violating any of the provisions of this Code or not having paid in full any amounts due and owing the City for permits issued or services rendered by the City with respect to plumbing work performed by the master plumber who, or whose firm, has been employed to do the plumbing work or not having disposed of all complaints entered against him in the manner satisfactory to the ~~Plumbing Board~~ **Building Inspector**.

(b) *Cancellation.* Any registration as master plumber or renewal thereof or special permit may be canceled by the ~~Plumbing Board~~ **Building Inspector** upon proof of any violation of any provision of this Code after a hearing is held before ~~said Board~~ **the Building Inspector**. The alleged violator shall be given at least 10 days' notice, in writing, of such hearing, which notice shall also state the time, place and grounds of the complaint in sufficient detail to inform the alleged violator of the charge or charges he may be called upon to meet at such hearing.

Section 6-176. Special permits for water connections for heat-producing equipment.

(a) Special permits shall be granted for water connections for the installation of heat-producing equipment, to a person or firm who is licensed to install heat-producing equipment pursuant to Section 6-179 of this chapter and has satisfactorily passed a test, given by the ~~Plumbing Board~~ **Building Inspector** of the City of Poughkeepsie. Water connections shall be any water connection on the heat-producing equipment-side supply valve and any other water connections within five feet horizontally. All other connections on portable water systems shall be subject to the requirements in Section 6-158(a) and Section 6-145(a) of this chapter.

(b) There shall be a fee of \$~~50~~**150** for each application filed for a special permit for water connections to a licensed person or firm for the installation of heat-producing equipment. This fee shall be nonrefundable. All special permits for water connections shall expire on June 4 ~~30~~ of each calendar year and must be renewed on an annual basis, within 30 days preceding the expiration date on the application, to the ~~Plumbing Board~~ **Building Inspector**. The fee of \$~~50~~**150** for the renewal is made payable

to the City of Poughkeepsie. All special permits shall be deemed null and void if the heating license obtained pursuant to Section 6-179 of this chapter is not renewed.

Section 6-177. Corporations may conduct business.

A domestic corporation desiring or intending to conduct the trade, business or calling of a plumber or of plumbing in the City, as an employing or master plumber, may do so, provided that one or more officers of such corporation separately or aggregately actually hold and own at least 51% of the issued and outstanding capital stock of said corporation, and provided that each of such officers holding such percentage of the stock is the holder of a certificate of competency of such board of the City in which it conducts or proposes to conduct such business. In case one or more officers of a corporation engaged in such business shall die, being the holder of a certificate of competency, the corporation may continue the business during the time necessarily required for the administration of the estate of such deceased officer, not exceeding two years from the granting of letters, provided that one or more officers of the corporation is the holder of a certificate of competency and, together with the legal representatives of such deceased officer or officers, actually owns and holds at least 51% of the issued and outstanding capital stock of said corporation. Each and every member of said corporation holding a certificate of competency shall comply with all the rules and regulations applicable to master or employing plumbers.

Section 6-178. Penalties.

Any person to whom a sign has been issued a sign pursuant to this division who shall loan, rent, sell or transfer the same to another person, whether such person is entitled to receive a similar sign or not, or otherwise willfully violates the provisions of this division, shall be subject to the penalties as prescribed in Section 6-11 for violation of the Building Code and, in addition thereto, shall forfeit his license and certificate of competency.

SECTION 3. This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each council member; and

BE IT FURTHER RESOLVED, that the Common Council shall hold a public hearing on said proposed Local Law and that the City Clerk shall publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

LL- 23-06- VOICE VOTE						
☒ 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	☒	☐	☐	☐

ACTION AGENDA:

II. MOTIONS AND RESOLUTIONS:

III. ORDINANCES AND LOCAL LAWS:

A motion was made to defer the below communication/petition to Corporation Counsel by Councilmember Thompson and seconded by Councilmember Johnson

IV. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. FROM ROMELL JACKSON**, a notice of property damage sustained on September 10, 2023.
- 2. FROM CARLOS RUSSELL / QUEEN CITY LOUNGE**, a notice of property damage sustained on or about September 25, 2023.
- 3. FROM STRANGE CLOUDS, INC.**, a notice of intent to apply for licensure with the Office of Cannabis Management to open a retail dispensary premises.

V. ADJOURNMENT:

A motion was made by Councilmember Long and was seconded by Councilmember Menist to adjourn the meeting at 7:45pm.

Dated: November 14, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, November 6, 2023.

Respectfully submitted,

Donna M. DeLuca
Deputy City Chamberlain