



COMMON COUNCIL MEETING

Tuesday, January 2, 2024
Common Council Chambers

4:30pm

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Public Hearing – December 18, 2023
Common Council Meeting – December 18, 2023

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

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

V. CHAIRMAN'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. FROM CASPER CREAMPUFF MILQUETOAST, LLC, a 30 Day Advance Notice of intent to apply for a NYS Liquor License

2. FROM ADRIAN BILLS AND MICHAEL SWEETING, a notice of personal injury sustained on October 25, 2023

XIV. ADJOURNMENT:

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: 12/14/2023 1a. Delivered by: Certified Mail Return Receipt Requested

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

☒ New Application ☐ Removal ☐ Class Change

For premises in the City of New York:

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal
☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to date

For **Renewal** applicants, answer all questions

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type

For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: CITY OF POUGHKEEPSIE

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): _____ Expiration Date (if applicable): _____

5. Applicant or Licensee Name: CASPER CREAMPUFF MILQUETOAST LLC

6. Trade Name (if any): PENDING

7. Street Address of Establishment: 32 CANNON ST

8. City, Town or Village: POUGHKEEPSIE, NY Zip Code: 12601

9. Business Telephone Number of applicant/ Licensee: 518-860-4846

10. Business E-mail of Applicant/Licensee: JUSTIN@DARKSIDERECORDS.COM

11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service: ☐ Full Food menu; full kitchen run by a chef/cook ☒ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: Bar/Tavern

☐ Seasonal Establishment ☐ Juke Box ☒ Disc Jockey ☒ Recorded Music ☐ Karaoke

14. Method of Operation: ☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): AMERICAN

☒ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☒ Security Personnel

☐ Other (specify): _____

15. Licensed Outdoor Area: ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
 (check all that apply) ☐ Sidewalk Cafe ☐ Other (specify): _____

16. List the floor(s) of the building that the establishment is located on: **BASEMENT, GROUND, SECOND, THIRD**
17. List the room number(s) the establishment is located in within the building, if appropriate: **N/A**
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
N/A **Serial Number**
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: **BARBALOOT SUITS LLC**
23. Building Owner's Street Address: **32 CANNON ST**
24. City, Town or Village: **POUGHKEEPSIE** State: **NY** Zip Code: **12601**
25. Business Telephone Number of Building Owner: **518-860-4846**

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: **BRETT HAAS REPRESENTATIVE**
27. Representative/Attorney's Street Address: **PO BOX 42**
28. City, Town or Village: **MEMPHIS** State: **NY** Zip Code: **13112**
29. Business Telephone Number of Representative/Attorney: **646-245-2610**
30. Business E-mail Address of Representative/Attorney: **BRETT@LIQUORAUTHORITY.ORG**

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: **JUSTIN M. JOHNSON** Title: **LLC MEMBER**

Principal Signature: 

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: November 14, 2023

NAME AND ADDRESS OF EACH CLAIMANT:

Adrian Bills and Michael Sweeting, 19 Quarry Drive, Wappingers Falls, NY 12590

TELEPHONE NUMBER: (914) 997-1500, counsel telephone no.

NAME AND ADDRESS OF ATTORNEY (IF ANY):

LAW OFFICE OF STEPHEN P. HABER, 14 Harwood Court, Scarsdale, NY 10583

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

On October 25, 2023, Adrian Bills tripped and fell on a defective sidewalk in front of 248 Main St., Poughkeepsie, New York, see attached photographs

ITEMS DAMAGED OR INJURIES SUSTAINED:

Claimant Adrian Bills, sustained head, trauma, concussion, and a sprained ankle.
Claimant Michael Sweeting loss of spousal services.

Adrian Bills
Signature of Claimant

Michael Sweeting
Signature of Claimant

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

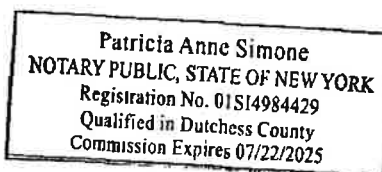
Adrian Bills being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

Adrian Bills
Signature of Claimant

Michael Sweeting
Signature of Claimant

Sworn to before me this 15th day of Nov., 2023

Patricia A. Simone
Notary Public



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.

COPY



THE CITY OF POUGHKEEPSIE NEW YORK

PUBLIC HEARING

Monday, December 18, 2023 6:00 pm

Common Council Chambers

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is December 18, 2023, and the time is 6:12 pm.

THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE proposed local law amending Chapter 9 “Garbage, Trash & Weeds,” Article V “Solid Waste Management, “Section 9-68 “Solid Waste Collection Fees,” Subsection (E) “Exemptions”

Chairwoman Brown called the meeting to order at 6:12 pm.

I. WELCOME

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

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

1. Nicholas Kalogris – 14 Maryland Ave / For the Many
2. Laurie Sandow – S.Grand Ave.*

* Submitted Written Comments

A motion to close the public hearing was made by Councilmember Thompson and seconded by Councilmember Deichler

IV. ADJOURNMENT:

Chairwoman Brown closed the Public Hearing at 6:17pm

Dated: December 22, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on December 18, 2023.

Respectfully submitted,
Donna M. DeLuca
Deputy City Chamberlain

Laurie Sandow public hearing comments: Solid Waste Management c/PK Common Council meeting, December 18, 2023

Somehow, my comments were rendered inaudible on the Common Council Chamber's microphones and on the webcast. How and why is that?

<https://totalwebcasting.com/view/?func=VIEW&id=cop&date=2023-12-18&seq=1>

I have nothing to say except that I'm not paid to be a councilmember or to do the Council's work. Time and again this Council holds so-called public hearings where Council members themselves have entered absolutely nothing of their own knowledge or opinion on the public record. Look around and you will see that half the Council doesn't even show up for this or other public hearings, basically flipping the bird to the public.

How is it that members of the public are expected to take the time to comment, or even know that there's a public hearing, when the notice to hold tonight's public hearing was passed by consent agenda at the Council's December 4, 2023 meeting, with all consent agenda items never spoken out loud and into the record? Did a single Councilmember make their own effort to circulate information to their constituents about tonight's public hearing, and the following Council meeting?

Does this Council think that every person in this City knows where and how to access these documents on the City website, and owns the necessary device to do so? There are members of this Council who've shown that they don't even know where and how to access these documents, even though they're given, and gladly collect an allowance for their use digital devices. This is what constantly passes for business as usual in the City of Poughkeepsie, which is both ridiculous and completely unacceptable.



PUBLIC HEARING MEETING AGENDA

Monday, December 18, 2023 6:00pm
Common Council Chambers

City of Poughkeepsie Common Council Public Hearing;

Pursuant to the Charter and Codes of the City of Poughkeepsie, Administrative Code, Section 14.04, a Common Council Public Hearing will be held on Monday, December 18, 2023 at 6:00pm and will be held in the Common Council Chambers, for the purpose of receiving comments on the proposed Local Law Amending Chapter 9 "Garbage, Trash and Weeds," Article V "Solid Waste Management," Section 9-68 "Solid Waste Collection Fees," Subsection (E) "Exemptions".

- I.** Welcome
- II.** Roll Call
- III.** Public Participation:
- IV.** Adjournment:

(LL 23-~~XX~~)

**A LOCAL LAW AMENDING CHAPTER 9 “GARBAGE, TRASH AND WEEDS,”
ARTICLE V “SOLID WASTE MANAGEMENT,” SECTION 9-68 “SOLID WASTE
COLLECTION FEES,” SUBSECTION (E) “EXEMPTIONS”**

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 9 “Garbage, Trash and Weeds,” Article V “Solid Waste Management,” Section 9-68 “Solid Waste Management Fees,” subsection (e) is amended to read as follows:

(e) *Exemptions:*

(1) Any person who because of age or disability shall qualify for exemption from City real property taxes based on an enhanced star exemption or low income tax exemption, shall be charged a reduced fee for solid waste collection and disposal services in an amount to be determined by the schedule of annual collection fees pursuant to Subsection (a). This reduced fee shall only apply to one dwelling unit in the case of multifamily properties..

(2) Any residential user eligible for STAR tax exemption from City real property taxes, upon demonstrating that only one unit of a two or three unit residential parcel is occupied as their residence, all other units being permanently vacant, after certification to the Commissioner and inspection, pursuant to regulations promulgated by the Commissioner and approved by resolution of the City Common Council, shall pay only the annual base unit fee.

(3) A residential property owner may make an application to the Commissioner of Finance for a one-time waiver of sanitation fees for a period of no more than one (1) year for a residential property that is unoccupied and does not possess a valid certificate of occupancy. If there is an open building permit, the property owner must prove that construction or other debris is being removed from the site by an alternate service such as a dumpster. Any city issued sanitation cans shall be returned to the City during the one-year period. The determination of this waiver shall be within the sole discretion of the Commissioner of Finance.

SECTION 2. 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, December 18, 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, December 18, 2023, and the time is 6:30 pm.

- I. **ROLL CALL: 8 Present, 1 Absent (Absent: Councilmember Menist, Councilmember Johnson arrived after roll call)**
- II. **REVIEW OF MINUTES:**

Common Council Public Hearing – December 4, 2023
Common Council Meeting – December 4, 2023

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

Public Hearing & CCM Minutes of December 18, 2023 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

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

REMOVE FROM :CONSENT AGENDA:

- X. **MOTIONS AND RESOLUTIONS:**

Official Minutes of the Common Council Meeting of December 18, 2023

6. **R-23-87**, Resolution Approving of Settlement terms of : *The O'Neill Group-Dutton, LLC v. The Assessor of the City of Poughkeepsie, New York, et al.* Appellate Div. Docket No. 2020-05080.”

ADD TO ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

1. **R-23-87**, Resolution Approving of Settlement terms of : *The O'Neill Group-Dutton, LLC v. The Assessor of the City of Poughkeepsie, New York, et al.* Appellate Div. Docket No. 2020-05080.”

*A motion to change the order of the agenda to allow for MAYOR'S COMMENTS was made by **Chairwoman Brown** and was unanimously accepted.*

IV. MAYOR'S COMMENTS: PRESENTATIONS AND PROCLAMATIONS TO:

Chief Pape
Chairwoman Brown
Councilmember Johnson
Councilmember Flowers

V. PUBLIC PARTICIPATION:

1. **Nicholas Kolagris – 14 Maryland Ave/For the Many**
2. **Laurie Sandow – S. Grand Ave ***
3. **Laura Forman – 66 Washington St**
4. **Naomi Brooks – S. Grand Ave ***
5. **Warren Jones - N. Clover St.**

***Submitted written comments**

Laurie Sandow public comments, c/PK Common Council meeting, December 18, 2023

2023 is nearly over. A time for reflection and exchange of warm wishes for good health and happiness. And yet, just one look at tonight's agenda shows that this Council still has no interest in doing better, in being better, or in putting Poughkeepsie and its residents before politics. From top to bottom, tonight's agenda is stacked with "consent agenda" items—a procedure that allows Councilmembers, including the soon-to-be Mayor Yvonne Flowers, to do all their work behind closed doors, representing their own self-interest more than anything else, without ever informing, consulting or representing their constituents.

Some Councilmembers have taken to boasting: "Poughkeepsie before politics". But Poughkeepsie before politics would mean this Council would not have a track record of City Charter violations, or of rejecting the Redistricting Commission's new boundaries—except that councilmembers were more interested in protecting their seats and their salaries than in curing the City's segregated wealth and ethnic divides. Poughkeepsie before politics would have had Councilmembers commenting about the budget at length, no later than their December 4 meeting, rather than avoiding comment, saying they can't be rushed, and now passing a budget without transparency. Poughkeepsie before politics would mean this City, this Council, and this City's Chamberlain would post meeting agendas and ALL documents in a timely fashion, and make sure those documents serve the public by being readable and searchable, rather than being posted in graphic format. (The most recent example? Budget Schedule A, a document whose creation date is December 21, 2023, three days after the Common Council's December 18 meeting.) Poughkeepsie before politics would mean that Councilmembers would actually make the effort to inform themselves and their constituents about the work of this City, and to attend, speak at, and be knowledgeable about the meetings of the City of Poughkeepsie's other various Committees and Boards. Poughkeepsie before politics would mean this Council would actually demand in-person "Reports of Committees and Boards" at each of their meetings, rather than just sticking that empty and pointless line item on each and every Council agenda.

Consent agendas without a written, guiding policy give Councilmembers free rein to dismiss the public and make the false claim that all information was transparent and easily accessible. Members of this Council like to insist that it's members of the public who get things wrong, but only after waiting until public comments have closed before issuing these falsehoods. Operating without a written consent agenda policy, not a single councilmember

is obligated to confirm—on the record—that they’ve read, understand and entirely agree with each consent agenda item. Thanks only to public comment, each week it’s made obvious that Councilmembers have NOT read, nor do they understand the items they pass by consent agenda. By hiding behind a consent agenda, neither reading the resolution number nor title of each consent item out loud and into the record, this Council assures that actual resolutions are neither spoken at meetings and preserved for posterity, nor spoken for the benefit of those watching a broadcast or webcast who might or might not have access to a printed agenda.

This Council has become fond of claiming that (quote) “it’s tradition” to defer decisions to the Councilmember in a given ward. That’s complete and absolute baloney. Please provide a date and historic citation supporting this false meme, passed along as if true. Let’s take the absurd 61 Academy sale under “consent” on tonight’s agenda, a bargain-basement sale that first appeared on the Council’s November 20 agenda. Three members of this Council (Lorraine Johnson, Megan Deichler, and sponsor Evan Menist) didn’t even think it was important to attend the November 20 meeting at all; a fourth councilmember (Chairwoman Natasha Brown) left early.

Has no-one on this Council or Administration ever driven past the 61 Academy location—the scene of a tragic fire? gotten stuck behind double-parkers on Academy? worried about the parking enforcement agent who was assaulted? It’s my understanding that the City received a higher bid for a better use than the sale to four business friends that Evan Menist is shilling for. Please disclose to the public whether there were other bids and the nature of those bids.

As I said during public comments at the Council’s November 20, 2023 Council meeting, the four buyers aren’t even organized as a legal entity, and are advocating a use for which that parcel is neither suitable nor properly zoned, hiding under cover of a Short Environmental Assessment Form (EAF) that is missing and/or misrepresenting key information. Just one example of what’s been left blank in the 61 Academy EAF is #8a: “Will the proposed action result in a substantial increase in traffic above present levels?” Yet not one councilmember questioned or raised a concern about this blank item.

Quoting directly from my November 20, 2023 comments:

Finally, but only due to time constraints, let’s address the communication on tonight’s agenda advocating the bargain-basement parcel sale of 61 Academy Street to four people who aren’t even organized as a legal entity, and who are suggesting a use for which that parcel is neither zoned nor

suitable to their proposition. That proposed sale bears an uncanny resemblance to the City's sale and subsequent rezoning championed by Yvonne Flowers for Baxter's 117 North Hamilton property—a property he sat on after purchase, a property that even after rezoning was never developed as promised, was instead subleased to Central Hudson for a quality-of-life disrupting use as a gravel pit and staging area, and is now on the market for \$450,000, a potential windfall to Baxter. Where was the clawback in that Baxter sale and rezoning? How foolish would tonight's proposed sale show itself to be and where is the clawback in its proposed sale documents?

In closing:

December 10th, not even two weeks ago, marked the 75th anniversary of an effort led by Eleanor Roosevelt, the Universal Declaration of Human Rights (UDHR). Roosevelt was quoted more than once at the local commemoration, saying:

“Where, after all, do universal human rights begin? In small places, close to home - so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, farm, or office where he works.”

With that in mind, consider that not one single City Administration or Council member represented the small and close to home at Dutchess County's recent ThinkDifferently conference (November 30, 2023), at the Universal Declaration of Human Rights event (December 10, 2023; at the Franklin D. Roosevelt Presidential Library and Museum), nor at any of the County's recent transit route public information sessions about the route changes they will be putting into effect March 30, 2024:

—Monday, December 11, 4pm: Millbrook Library, 3 Friendly Lane, Millbrook

—Tuesday, December 12, 12noon, Poughkeepsie Galleria Community Room, 2001 South Road, Poughkeepsie

—Tuesday, December 12, 6pm, Poughkeepsie Galleria Community Room, 2001 South Road, Poughkeepsie

—Thursday, December 14, 6pm, Rhinebeck Town Hall, 80 East Market Street, Rhinebeck.

Are non-existent ward meetings; ward meeting failures; as well as only three minutes of Common Council meeting public comment, and five minutes of public hearing comment that include absences by certain councilmembers, the most that this City's electeds are able to tolerate from their neighbors—the people who pay their salaries and bear the tax burden?

Naomi Brooks, S. Grand Avenue

Good evening. As the year closes and some of the current council members step down, I would like to take a minute to recognize how difficult their jobs are.

A council member is expected to represent their constituents' needs and opinions, and often the residents of each of our city's wards have widely differing – and sometimes opposing – needs and opinions.

A council member is supposed to keep their constituents in mind but also work in the best interests of the entire city, the county, and the state.

They need to weigh in on minutiae of everyday living such as street repair, bus routes, and park maintenance.

They need to tackle quality of life issues such as youth programming, community safety, and mental health initiatives.

They often take the lead in securing funding for various programs and in supporting commercial and residential development.

They need to create frameworks to move our city in a cohesive direction, with comprehensive plans, zoning, and waterfront updates.

They are expected to do all of this with a deep understanding and support of our unique physical and cultural history, with careful attention to celebrating our diversity, and with methodical understanding of how to codify all of these working parts into laws and resolutions that will continue the momentum beyond the years they serve as council members.

With the enormity and complexity of the job description, it is astonishing that we continue to have dedicated residents who want the job, but we do. I am deeply grateful that each of you has taken on the task. It speaks volumes to how strong your love of this city is, and how you have worked to make the changes you want to see so our city can thrive. Thank you for your service.

And yet.

All of this work is supposed to be open to scrutiny by the general public. So much of it is not. Information is hard to find, information is not available in a timely way, much of the background discussions and decision making are outside of the public eye and are undocumented, communication about many issues is non-existent, and final decisions are often made under the agenda category “consent agenda”, which removes the expected open meeting process that provides the public with an understanding of individual council input and opinions.

And here we are tonight, with the 2024 budget approval listed under that consent agenda. The local law to raise property taxes to more than double the legal cap is also on tonight's agenda. Since the budget cannot be approved without that tax cap override, I am guessing both will be decided tonight. I ask each common council member to comment tonight on both of these agenda items.

VI. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

VII. REPORTS OF COMMITTEES AND BOARDS:

- NONE -

VIII. CHAIRWOMAN'S COMMENTS:

So I reserved my comments for last because there's a couple of things that I wanted to.

How did I get my words together? This is the last *Chairwoman's* comments [it's] about to be the *Chairman's* comments coming up.

First off, I want to say and I thank you, Vice Chairman Shook for your kind words, because we had a speaker come in last week and said that we had no vision, which, you know, I don't think members of the public actually have any idea on how much this council has accomplished in the last year. Not only have we built a solid foundation for the new council members coming in, we established a solid foundation with the administration as well.

Not to bash the former chair, but there was a ton of things that I had to shift through to bring some structure and some transparency to the council.

Um, you know, yes, we do have a lot of items on a consent agenda, but trust and believe that nothing goes on consent agenda without rigorous, intensive, deep conversations.

Council Member Thompson: She hated me when she came in. She could not stand me, and now I consider her a sister and a friend. So I think that's one of my biggest accomplishments in this last year was our relationship, and I thank you for that.

Dr. Long: Not only do I appreciate your time and your service on this council. What you're doing for the children and community, a lot of times goes unnoticed. And I want to be the first to say that we need more of what you're doing.

That cotillion, let me tell you something, that cotillion it was phenomenal. It was phenomenal. And I'm looking forward to being a part of the next one.

What you're doing outside with, even though we don't have many recovery coaches, but a lot of things that that Dr. Long does is overshadowed from the rhetoric in her...what's a nice way to put it... *outspoken demeanor* , but she's one of the people that's actually out there with the drug addicted helping people that have overdosed and talking to the homeless and giving them food. And I just want to take a minute to recognize those things because, us sitting up here, that's the only one... that's only one very small part of who we are when we walk out of these doors every day.

Official Minutes of the Common Council Meeting of December 18, 2023

We have lives. We have families, many of which, especially for those of us who have served our full eight years. You know, we spend more time. We take a lot of time away from our personal lives to serve this city.

And as Councilwoman Johnson said, we've taken some beatings up here. You know, if my skin was not tough before serving on the council, it is tough now. I don't think there's too much more about myself that I could hear than I already heard. So, you know, bring it on, so to speak, because we have gone through everything from the buses to the police retention plan to body cameras, to litigations. I mean, you name it.

And no matter what we went through, there were always going to be people who weren't happy with our decisions always, you know. So I definitely and taking this counsel, this experience as a life lesson, that I'm never going to make everyone happy. The only thing I can do is the best that I can do and and make sure that I go at everything I do with it with a sound mind and a sincere heart.

Dr. Martinez, working with you, sir, has been a pleasure. Yes, I have. A lot of people don't know I'm a numbers person. I'm educated, but you know that I'm kind of good at math. There's something I don't really tell anyone, but Dr. Martinez and both Mayor Nelson and both Councilwoman Flowers. You know, we spent many hours working on budgets together. In fact this last... which I'm going to segway into the schedule A You know, I'm in D.C. working on this, you know, at the Community Schools Conference because taking into account the public comment that had happened on December 4th.

With that said, we are tonight raising the tax levy.

And the reason why, I believe it was Ms. Brooks who asked why is it in the same meeting? Because we really desperately tried not to have to do this.

Every time that I had been part of a body, it was important to me, and I know most of my colleagues to build consensus. When we receive a budget, it's the Mayor's proposed budget. The Council has the power of the purse strings, but we don't have access to operations. So it's a trust system. We have to. We have to trust what the mayor's putting in his budget is what he needs or she -I can't wait to say she- has to run this city.

So it took – and Dr. Martinez, I can't thank you enough - because it took a lot a lot of hard work to get it down to 4.75 and desperate members of the public, We have to get it down two points to equal one 1% of a tax increase is no easy feat.

4.75 is an increase, but it's less than our surrounding municipalities and we did not want to sort of shock everyone with these exponential tax increases. And so I hope we will be voting on this tonight and approving it. And again, it was a compromise between the administration and the council. We think it's fair.

And Mayor-elect Flowers, we think we're setting you up on good footing with this budget. And I just wanted to publicly say that.

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And lastly, there was public comment about 61 Academy St and Laurie. Oh, you know what? I need to recognize Laurie because Laurie's, probably, in the last eight years attended more meetings than I have. So I want to give Laurie credit for that. Not only has she been extremely critical of this council. Her criticism propelled me to do better. She would find things that I didn't know we were supposed to look for. And although her delivery comes off rough at times, Laurie, there's a lot of validity in the things that you say. And, you know, I hope in the next council and when the next council comes on that you all can find a place for Laurie because she is a wealth of knowledge, you know. This woman not only knows the charter back and front, she also knows municipal law like nobody's business. So, Laurie, I just want to say I appreciate you for your dedication to the city. You don't have to be at these meetings, but you choose to be. And that's commendable. Whether we like what you have to say or not. It's commendable that you get that level of commitment to the city. So can we get Laurie Sandow a round of applause with you? And lastly, before we transition into ordinances, local laws...

Mayor Nelson, I'm going to reiterate my comments from earlier. My fondest memories of you are when we were on the Finance Committee. Like you stated, you know, you do know numbers, you do know finance. And I know that where you're going, they're going to be blessed to have you, especially if your job involves anything with numbers, right? Because you are the numbers guy. Although at times we disagreed in leadership and, you know, I can always tell when I upset him because he turns red as a cherry. You know, you can upset Mark. His color changes like that. You always circle the block later on and had enough respect for me to talk to me about our difference of opinion. I appreciate that.

And last but not least, Miss Johnson.. it's like we've been together forever. From Warring School. From Warring School days to our eight years on the Council. You have been Ms.. Johnson is that like council member Flower said like a second mother, right. Because she would take the time out. She's the one that keeps me grounded because she was the one who wasn't afraid to call me on the phone. She calls me Tasha. I can't even say it like you say at one time. How do you say my name? Ah, we need to talk.

And then she'll get in my butt a little bit. And then she'll make me some seafood salad or something to soften the blow. So, Miss Johnson, I look forward to us continuing. She's at every community event that you can imagine. I look forward to you continuing to be a partner in the school district. And because we're always going to be Pioneers, right?

Councilmember Shook. We became best friends. The one who has always had my back through this tumultuous last year being the Chair. And I joke that I'm glad I had an attorney as my Vice Chair because before I said anything I would call a name, and ask, "is it okay for me to say this?" And they [would] say, "yeah".

And Becky, Becky, with the good hair is what I call her behind the scenes. Now, I share that today. Not only is Becky a phenomenal attorney, but Becky, all the things that you've done, no one knows because this woman is just super smart. She is just super smart. And I encourage that council, please leverage her. I know that Charter is a little precarious where, you know, Becky reports to the administration and to the council. So there has been people on this council who is

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skeptical of utilizing Becky. I can tell you firsthand, when Becky is serving the council, she is serving the council, she will not run back to the administration. You can trust her. She will advise you whether she likes what we want to do or what the mayor's office wants to do. She will advise her legal opinion. And I'm just, you know, please, please use her. And I'm glad to call you a friend because we've become friends throughout this all. And I thank you for making the transition into the chairwomanship easy for me and being on my side. That's why I had them both next to me. Very well protected up here. Two attorneys and I'm in the middle where they say "how you like me now?"

With that said...and how can I forget my sister girl over there? Beyonce's biggest fan. Jasmin, your energy, honey, is electrifying. I see you all over billboards and I can even see you being a newscaster, a talk show host or something. Please take that personality and that smile somewhere for the world to see. I know whatever you're going to do, you're going to be sensible. You handle your position with dignity and grace, you know, And you make us black women look well. And I'm really looking forward to following you and seeing how far you're going to go, because I know the sky's the limit with you.

Council Member Grant. Don't make me run against you in two years, please. Just make sure. Make sure you take care of my baby. The stakes were so far, so good. And one thing that I like about you is that you have respect. You know, that was something that I learned when I came in. You have to respect the people that were there before you and ask questions. And he doesn't come in like he knows it off. He wants to know someday he'll call me, you know, And that's a very important quality to have and make sure you keep that you go far. You know, too many times people come in office, they think they're going to save the world. And so they get knocked upside their head and realize it's not like that. So as long as you keep that same energy, sir, I know you're going to go far and I'll be always here to help you.

Thank you.

Did I miss anyone? Oh, I did. One more, Councilmember Deichler, out of all the council, I think I spent the least amount of time with you. But the amount of times that we did spend were quality time. And I'm looking forward because in our community schools model next year, I'm really diving deep into health and wellness and I'm really looking forward to working with you in that capacity. And hopefully we can bring a public health clinic into our schools in the next couple of years and I think that's all I have to say.

Oh, we have received emails from members of the public about why is this cease fire resolution not on the agenda? It's a very delicate situation and it's not that this.. the council decided as a whole that we would not pass a resolution because we don't want to alienate any groups of people.

But I do want to make a public statement, and I sincerely hope that the fires cease very soon and we can have talks of peace.

Council Member Deichler, did you want to say anything to that?

Councilmember Deichler: Yeah, no, I mean, you summed it up. This we all want peace and we have members of our community representing both sides of this conflict. And the purpose of the resolution was again, reiterating peace. And it's, you know, we're not passing it. But anyway, just that. That's all I have to say.

*A motion to approve the consent agenda was made by **Councilmember Shook** and seconded by **Councilmember Thompson**.*

CONSENT AGENDA:

IX. ORDINANCES AND LOCAL LAWS:

- 1. LOCAL LAW LL-23-08**, to override the Tax Levy Limit established in General Municipal Law § 3-c for fiscal year 2024

LOCAL LAW NO. 8 OF 2023
LL-23-08

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW § 3-c**

INTRODUCED BY CHAIRWOMAN BROWN:

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

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the City of Poughkeepsie, County of Dutchess pursuant to General Municipal Law § 3-c, and to allow the City of Poughkeepsie, County of Dutchess to adopt a budget for the 2024 fiscal year that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. AUTHORITY

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the City Council to override the tax levy limit by the adoption of a local law approved by the Common Council.

Section 3. TAX LEVY LIMIT OVERRIDE

The City of Poughkeepsie Common Council is hereby authorized to override the Tax Levy Limit established pursuant to N.Y. General Municipal Law §3-c, for Fiscal Year 2024, and to adopt a budget for Fiscal Year 2024 that requires a real property tax levy in excess of the amount otherwise prescribed in N.Y. General Municipal Law §3-c.

Section 4. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

SECONDED BY COUNCILMEMBER SHOOK

LL-23-08 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

X. MOTIONS AND RESOLUTIONS:

1. R-23-79, Resolution approving the 2024 Budget with Amendments.

RESOLUTION (R-23-79)

INTRODUCED BY CHAIRWOMAN BROWN:

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WHEREAS, pursuant to the Administrative Code of the City of Poughkeepsie, estimates of budget requirements for the year 2024 have been certified to the Mayor, City Administrator and the Commissioner of Finance by the various departments, officers, agencies and boards of the City of Poughkeepsie; and

WHEREAS, the Mayor with the help of the City Administrator and the Commissioner of Finance did review the aforementioned estimates with the various departments, officers, agencies and boards; and

WHEREAS, the Mayor did prepare a proposed budget for the year 2024 based on these aforementioned reviews, which proposed budget with the Mayor's budget message was submitted to the Common Council on October 15, 2023; and

WHEREAS, subsequent to a notice of public hearing being published in the official newspaper, in compliance with provisions of the City Administrative Code, a public hearing was duly held on December 4, 2023; and

NOW, THEREFORE, BE IT

RESOLVED, that the 2024 preliminary budget, as amended by the attached Schedule A, be and hereby is adopted and declared to be the budget of the City of Poughkeepsie for the year 2024; and, be it further

RESOLVED, that the amounts of said budget appropriations, estimated revenues, and contributions from fund balances, be and are hereby appropriated as therein specified in accordance with the provision of the Charter and Administrative Code of the City of Poughkeepsie and General and Special laws of the State of New York applicable to said City; and, be it further

RESOLVED, that the aforementioned general ad valorem taxes required to be raised for such budget purposes would need a homestead tax rate of \$10.26 per one thousand dollars and a non-homestead tax rate of \$13.98 of assessed valuation upon all taxable property of the City of Poughkeepsie according to the valuation of the assessment roll for the current year; and, be it further

RESOLVED, that the required water rate for taxable and nontaxable properties is established at \$5.65 per 100 cubic feet; and, be it further

RESOLVED, that the required sewer rate for taxable and nontaxable properties is established at \$4.65 per 100 cubic feet; and, be it further

RESOLVED, that pursuant to Local Law 3 of 2012 the required sanitation rate for eligible taxable and nontaxable parcels is established as follows:

Single family residence: \$120.00 a quarter

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Two family residence: \$237.50 a quarter
Three family residence: \$375.00 a quarter

4 yard dumpster \$671.88 a quarter
6 yard dumpster \$931.25 a quarter
8 yard dumpster \$1,234.38 a quarter

Mixed-use property: \$234.38 a quarter

NOW THEREFORE,

BE IT RESOLVED, in accordance with the Charter and Administrative Code of the City of Poughkeepsie and on or before the date therein specified, a warrant shall be issued to the Commissioner of Finance as City Treasurer, to collect such taxes in accordance with the provisions of the Charter and Administrative Code of the City of Poughkeepsie applicable thereto, with penalties and interest therein provided.

SECONDED BY COUNCILMEMBER SHOOK

R-23-79 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

*A motion to amend **Resolution R-23-81** to include the clawback provision was made by Chairwoman Brown and seconded by Councilmember Shook.*

2. **SEQRA Resolution R-23-80** and Sale Resolution **R-23-81**, authorizing the Sale of City Owned Property - vacant lot known as 61 Academy Street (Tax Map No. 6161-21-093964)

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-23-80)**

INTRODUCED BY COUNCILMEMBER MENIST:

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 SHOOK

**R E S O L U T I O N
(R-23-81)**

INTRODUCED BY COUNCILMEMBER MENIST:

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

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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 SHOOK

R-23-80 and R-23-81 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

3. **SEQRA Resolution R-23-82** and Sale Resolution **R-23-83**, authorizing the Sale of City Owned Property located at unnumbered Cannon Street (Tax Map No. 6161-23-276969

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-23-82)**

BY COUNCILMEMBER GRANT:

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at unnumbered Cannon Street and identified as Tax Map No. 6161-23-276969; 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

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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 SHOOK

R E S O L U T I O N
(R-23-83)

INTRODUCED BY COUNCILMEMBER GRANT:

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as unnumbered Cannon Street (Tax Map No. 6161-23-276969), 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 JARROD JONES and STACIAN JONES to purchase this property for the sum of \$50,000.00; 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 JARROD JONES and STACIAN JONES 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 JARROD JONES and STACIAN JONES to purchase premises known as unnumbered Cannon Street (Tax Map No. 6161-23-276969), in the City of Poughkeepsie for the sum of \$50,000.00 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. Promptly after the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law.
- E. Purchaser shall commence an Article 15 bar claim action promptly after closing. In the event that this action takes more than sixty (60) days, purchaser shall request an extension from Corporation Counsel.
- F. 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
- G. Purchaser agrees that once the Article 15 bar claim action is completed, they will promptly apply for any necessary building permits. Further, they will commence work on the project, by first abating all code violations, if any, within sixty (60) days of

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completion of the Article 15.

- H. Purchaser shall, to the extent practical, utilize local labor with preference given to residents of the City of Poughkeepsie, for any construction/renovation of the proposed project.
- I. Purchaser agrees to complete the project and obtain a certificate of occupancy within twelve (12) months of the issuance of the building permit (the "Completion Date"). In the event the project cannot be accomplished by the Completion Date at no fault of Purchaser, a reasonable extension may be granted by Corporation Counsel upon the written request of Purchaser.
- J. During the construction of the Improvements, Purchaser will not place any additional liens or encumbrances on the Property except as consented to by the City. In that regard, the City agrees not to unreasonably withhold its consent to any construction loan financed with a commercial bank or similar lender intended to fund the construction and development of the Improvements. In such an event, the City will enter into a Subordination Agreement in form satisfactory to such lender. Upon completion of the Improvements satisfactory to the City, the City agrees to issue a letter acknowledging the release of the reverter rights described herein.
- K. In the event the Improvements are not completed by the Completion Date, and the Property reverts back to the City, upon the request of the City, the Purchaser/Grantor will provide a general warranty deed to the Property in form and substance acceptable to the City evidencing the reconveyance of the Property.

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 SHOOK

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R-23-82 and R-23-83 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

4. **SEQRA Resolution R-23-84 and Sale Resolution R-23-85**, authorizing the Sale of City Owned Property - three vacant lots located at Hector Place (Tax Map Nos. 131300-6161-48-395621-0000, 131300-6161-48-391617-0000, and 131300-6161-39-373635-0000)

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-23-84)**

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at Hector Place and identified as Tax Map Nos. 131300-6161-48-395621-0000, 131300-6161-48-391617-0000, and 131300-6161-39-373635-0000.

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 SHOOK

R E S O L U T I O N
(R-23-85)

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, the City of Poughkeepsie has previously taken title to three vacant lots located at Hector Place (Tax Map Nos. 131300-6161-48-395621-0000, 131300-6161-48-391617-0000, and 131300-6161-39-373635-0000), in the City of Poughkeepsie by reason of Treasurer's Deeds; 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 Williams Assets LLC to purchase this property for the sum of \$15,000.00; and

WHEREAS, the Common Council hereby finds that the offer from Williams Assets LLC 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 Williams Assets LLC to purchase three vacant lots located at Hector Place (Tax Map No. 131300-6161-48-395621-0000, 131300-6161-48-391617-0000, and 131300-6161-39-373635-0000), 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 SHOOK

R-23-84 and R-23-85 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

5. **R-23-86**, Resolution Setting a Public Hearing on the Proposed Local Law entitled “CITY OF POUGHKEEPSIE HOTEL AND MOTEL OCCUPANCY TAX LAW”

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-23-86)**

INTRODUCED BY COUNCILMEMBER MENIST:_____

WHEREAS, pursuant to New York State Tax Law §1202-nn as added by L.2023, c. 294, §1, the City of Poughkeepsie is authorized to impose a Hotel and Motel Occupancy Tax.

NOW, THEREFORE, BE IT

RESOLVED, that an introductory Local Law, entitled “A LOCAL LAW OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY ENTITLED “CITY OF POUGHKEEPSIE HOTEL AND MOTEL OCCUPANCY TAX LAW” be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o’clock P.M., on January 16, 2024 and

BE IT FURTHER RESOLVED that the Clerk 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 SHOOK

R-23-86 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

6. **R-23-87**, Resolution Approving of Settlement terms of : *The O’Neill Group-Dutton, LLC v. The Assessor of the City of Poughkeepsie, New York, et al.* Appellate Div. Docket No. 2020-05080.” ***Moved to Action Agenda***

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

1. **R-23-87**, Resolution Approving of Settlement terms of : *The O'Neill Group-Dutton, LLC v. The Assessor of the City of Poughkeepsie, New York, et al.* Appellate Div. Docket No. 2020-05080.”

RESOLUTION

R-23-87

INTRODUCED BY CHAIRWOMAN BROWN:

WHEREAS, the Common Council wishes to enter into a settlement agreement *The O'Neill Group-Dutton, LLC v. The Assessor of the City of Poughkeepsie, New York, et al*, Index No. 2020-05080 attached hereto at Exhibit A; and

NOW, THEREFORE, be it resolved that the Common Council hereby authorizes the Mayor to execute the settlement agreement attached at Exhibit “A.”

SECONDED BY COUNCILMEMBER SHOOK

R-23-87 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Shook	Voter	☒	☐	☐	☐
	Chairwoman Brown	Voter	☒	☐	☐	☐

XI. ORDINANCES AND LOCAL LAWS:

A motion was made to defer the below communication/petitions to Corporation Counsel by Councilmember Shook and seconded by Councilmember Long.

XII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM DONNA FARANDA**, a notice of personal injury sustained on September 6, 2023
2. **FROM VIJAY CHARY TIPPARTHI**, a notice of property damage sustained on November 15, 2023

XIII. ADJOURNMENT:

A motion was made by Councilmember Long and was seconded by Councilmember Thompson to adjourn the meeting at 8:09pm.

Dated: December 22, 2023

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, December 18, 2023.

Respectfully submitted,

Donna M. DeLuca
Deputy City Chamberlain