COMMON COUNCIL MEETING
Tuesday, February 6, 2024
Common Council Chambers
6:30 p.m.

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Public Hearing – January 16, 2024
Common Council Meeting – January 16, 2024

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

IV. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM MITCHELL M. MEDINA, ESQ.,** a notice of property damage sustained on October 28, 2023

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

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VII. MAYOR'S COMMENTS

VIII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

IX. REPORTS OF COMMITTEES AND BOARDS:

<u>**CONSENT AGENDA:**</u>

X. MOTIONS AND RESOLUTIONS:

1. **R-24-12**, Resolution Supporting the NYS My Brother's Keeper (NYSMBK) Challenge

2. **R-24-13,** Bond Resolution Authorizing Improvements to Sewage Pump Stations and Wastewater Treatment Plant

3. **R-24-14,** Resolution Urging NYS to Fully Invest in Critical Water Infrastructure Improvements.

XI. ORDINANCES AND LOCAL LAWS:

<u>ACTION AGENDA:</u>

XII. MOTIONS AND RESOLUTIONS:

XIII. ORDINANCES AND LOCAL LAWS:

1. **LL-24-04,** adopting a Local Law of the City of Poughkeepsie, Dutchess County entitled "CITY OF POUGHKEEPSIE HOTEL AND MOTEL OCCUPANCY TAX LAW"

XIV. ADJOURNMENT:

RESOLUTION
R-24-12

A RESOLUTION SUPPORTING THE
<u>NEW YORK STATE MY BROTHER'S KEEPER (NYSMBK) CHALLENGE</u>

INTRODUCED BY <u>CHAIRMAN WILSON</u>

WHEREAS, many boys and young men of color contend with disparities in education, exposure to the criminal justice system, low employment rates, and other barriers as they attempt to reach their full potential; and

WHEREAS, in February 2014, President Obama launched the My Brother's Keeper (MBK) initiative to address persistent opportunity gaps in employment, educational outcomes and career skills and to eliminate barriers preventing boys and young men of color from realizing their potential; and

WHEREAS, MBK focuses on six milestones of achievement:
1. Entering School Ready to Learn;
2. Reading at Grade Level by 3rd Grade;
3. Graduate from High School;
4. Complete Post-secondary Education or Training;
5. All Youth Out of School are Employed; and
6. All Youth Remain Safe from Violent Crime.

WHEREAS, New York State My Brother's Keeper (NYSMBK) focuses on six additional priorities towards achievement:
1. Ensuring equitable access to high quality schools and programs;
2. Expanding prevention, early warning and intervention services;
3. Using differentiated approaches based on need and culture;
4. Responding to structural and institutional racism;
5. Making comprehensive and coordinated support services widely available; and
6. Engaging families and communities in a trusted and respectful way.

WHEREAS, the City wishes to accept the My Brother's Keeper Community Challenge.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The "Whereas" clauses set forth above are incorporated herein as if set forth at length; and

2. The Common Council of the City of Poughkeepsie formally declares its support of the MBK Initiative, the NYSMBK Community Challenge and the City's efforts to work with community leaders, educators, business leaders and youth development experts across

sectors to design and implement programs and strategies that expand opportunities for boys and young men of color, and all youth, to realize their full potential.

3. The City Council will work with the Mayor, the City of Poughkeepsie School District and the Poughkeepsie Children's Cabinet to extend appropriate effort and resources to support the implementation of the MBK Initiate and the NYSMBK Community Challenge.

SECONDED BY COUNCILMEMBER ____________________________________ .

RESOLUTION

R-24-13

EXTRACT OF MINUTES
[Supplemental Resolution for Pump Station Renovation,
CSO & WWTP Improvements]

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on February 6, 2024 at 6:30 o'clock p.m., local time.

The meeting was called to order by Chairman Wilson, and, upon roll being called, the following members were:

PRESENT:

Councilmember at Large Da'Ron Wilson
Councilmember Ernest Henry
Councilmember Evan Menist
Councilmember Terriciena Brown
Councilmember Nathan Shook
Councilmember Ondie James
Councilmember Christopher Grant
Councilmember Nedra Patterson Thompson
Councilmember Megan Deichler

ABSENT:

The following persons were ALSO PRESENT:

Commissioner of Finance Brian Martinez, PhD

The following resolution was offered by Councilmember______________, seconded by Councilmember_______________, to wit;

SUPPLEMENTAL BOND RESOLUTION DATED FEBRUARY 6, 2024

A RESOLUTION AUTHORIZING IMPROVEMENTS TO SEWAGE PUMP STATIONS, IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT, AND IMPROVEMENTS TO ADDRESS COMBINED SEWER OVERFLOW AT AN INCREASED ESTIMATED MAXIMUM COST OF $15,275,854

WHEREAS, the City of Poughkeepsie, Dutchess County, New York (the "City") has previously approved its Bond Resolution No. R15-16 dated February 17, 2015, as supplemented by a Supplemental Bond Resolution No. R15-70 dated September 8, 2015, and as supplemented by a Supplemental Bond Resolution No. 22-21 dated February 22, 2022 regarding Pump Station Renovation, CSO & WWTP Improvements (as supplemented, the "Bond Resolution"), authorizing the issuance of serial bonds for the purposes described therein in an aggregate principal amount not to exceed $11,256,000; and

WHEREAS, the City has previously issued its EFC Clean Water Facility Note-2017A (Bond Anticipation Note) in the principal amount of $8,419,500 dated April 27, 2017, renewed by its EFC Clean Water Facility Note—2022 (Bond Anticipation Note) in the principal amount of $8,350,146 dated April 7, 2022 pursuant to the Bond Resolution; and

WHEREAS, based on updated estimated costs of the improvements to be financed pursuant to the Bond Resolution, including certain costs to be financed with the proceeds of grants awarded to the City and costs in connection with secondary clarifiers, it is necessary to increase the estimated project cost by $2,905,854, without increasing the authorized amount of obligations;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

SECTION 1. Section 1 of the Bond Resolution is hereby amended and supplemented to read as follows:

> SECTION 1. The improvement of pump stations including Meyer Avenue Pump Station, Pine Street Pump Station and Cedar Avenue Pump Stations, the improvements to the Wastewater Treatment Plant, the completion of storm sewer line separation to eliminate the Riverview Combined Sewer Overflow, installation of bioretention and porous pavement at Liberty Street lot to reduce stormwater runoff to address combined sewer overflows; and the relining of sewer pipes at various locations in the City to address sanitary sewer overflows to the receiving waters, is hereby authorized at an increased estimated maximum cost of $15,275,854, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 4 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is thirty years.

SECTION 2. Nothing in this resolution shall be deemed to impair the obligations previously issued pursuant to the Bond Resolution.

SECTION 3. It is hereby determined that the above purposes constitute a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 4. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) Such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with;

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 5. The Chamberlain is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Poughkeepsie Journal, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Councilmember at Large Da'Ron Wilson	VOTING ____
Councilmember Ernest Henry	VOTING ____
Councilmember Evan Menist	VOTING ____
Councilmember Terriciena Brown	VOTING ____
Councilmember Nathan Shook	VOTING ____
Councilmember Ondie James	VOTING ____
Councilmember Christopher Grant	VOTING ____
Councilmember Nedra Patterson Thompson	VOTING ____
Councilmember Megan Deichler	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

Submitted to Council: Council Action: Roll call vote taken: Yes ___ No ___ Ayes __ Nays __ Abstain __ Absent __ Approved by Mayor on _______________ Mayor's Signature ________________________ Yvonne Flowers	I hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted at a regular meeting of the Common Council held February __, 2024. _________________________________ City Chamberlain

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 6th day of February, 2024 and entitled:

SUPPLEMENTAL BOND RESOLUTION DATED FEBRUARY 6, 2024

A RESOLUTION AUTHORIZING IMPROVEMENTS TO SEWAGE PUMP STATIONS, IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT, AND IMPROVEMENTS TO ADDRESS COMBINED SEWER OVERFLOW AT AN INCREASED ESTIMATED MAXIMUM COST OF $15,275,854

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ___ day of __________, 2024

-SEAL- ______________________________________

City Chamberlain

Executive Summary–Not a part of the Resolution

This Supplemental Bond Resolution for **Pump Station, CSO & WWTP Improvements** includes:

Purpose	Capital Budget Items	PPU (Max. Period for Financing)	Total Estimated Maximum Cost	Other Funds*	Bonds Authorized
Section 1. Renovation of Meyer Avenue Pump Station, Pine Street Pump Station, and Cedar Avenue Pump Station, WWTP Improvements and Storm Sewer Separation (including Liberty lot) and Sewer Pipe Lining	Pump Station renovation, WWTP improvements CSO Storm Sewer (including Liberty lot GIGP green infrastructure)	30 years	$7,756,000 2015 original resolution plus $3,500,000 2015 first supp. Resolution plus $1,114,000 2022 second supp. Resolution plus $2,905,854 2024 third supp Resolution for a total project cost of $15,275,854	$30,000 CWSRF Engineering Planning Grant $2,806,500 WIIA $1,200,000 GIGP	$7,756,000 2015 resolution plus $3,500,000 2015 first supp resolution Total borrowing authorized $11,256,000 [no change in borrowing authorization]
Grand Total			$15,275,854	$4,036,500	$11,256,000

*Estimated Other Funds, Sources:
CWSRF Engineering Planning Grant
WIIA 2015 Round 2 Grant, NYS EFC CWSRF Project C3-7348-03-00 PFA dated as of April 27, 2017
Green Innovation Grant Program Project C3-7348-05-00 GIGP Application 1583 Grant Agreement dated as of October 9, 2019

RESOLUTION
R-24-14

Resolution Of The Poughkeepsie Common Council Urging New York State To Fully Invest In Critical Water Infrastructure Improvements

INTRODUCED BY COUNCILMEMBER DEICHLER:

WHEREAS, the State of New York has appropriated $500 million for clean water infrastructure projects through the Water Infrastructure Investment Act and Intermunicipal Grant programs in each enacted budget since 2019; and,

WHEREAS, of the nearly 500 grant applications submitted to the Water Infrastructure Investment and Intermunicipal Grant programs in 2023, only 156 were at least partially funded; and,

WHEREAS, the American Society of Civil Engineers estimates that New York State must invest at least $44.2 billion to repair and improve its drinking water infrastructure over the next 20 years; and,

WHEREAS, Poughkeepsie and Dutchess County have benefited from over $52 million from Water Infrastructure Investment Act and Intermunicipal Grant projects supporting major water infrastructure upgrades, including new storage and water main upgrades, surface water treatment plant upgrades, the UV disinfection system upgrades, and other critical interventions; and,

WHEREAS, New York State law grants all people the right to clean water; and,

WHEREAS, bond counsels have expressed concerns that bonding for the full replacement of lead service lines may violate New York State's constitution; and,

WHEREAS, the City cannot reasonably replace all of the city's lead service lines in accordance with new and forthcoming US EPA guidelines and mandates without bonding;

NOW, THEREFORE, BE IT RESOLVED, that the Poughkeepsie Common Council urges New York State to appropriate $600 million for clean water infrastructure projects in the state budget for fiscal year 2025, $100 million of which must support lead service line replacement programs throughout the state; and,

BE IT FURTHER RESOLVED, that the Poughkeepsie Common Council urges New York State to explicitly, publicly, and unambiguously clarify the constitutionality of local governments bonding for the full replacement of lead service lines.

(LL 24-04)

A LOCAL LAW OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY ENTITLED "CITY OF POUGHKEEPSIE HOTEL AND MOTEL OCCUPANCY TAX LAW"

SPONSORED BY COUNCILMEMBER MENIST:

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

Section 1. The City Code shall be amended to amend the Administrative Code to add a new Section 14.85 entitled "City of Poughkeepsie Hotel and Motel Occupancy Tax Law."

14.85 City of Poughkeepsie Hotel and Motel Occupancy Tax Law

A. Definitions

For purposes of this Section, the following definitions shall apply:

EFFECTIVE DATE: The date that the local law creating this section 14.85 is filed with the Secretary of State.

HOTEL or MOTEL: Any facility consisting of rentable living space or spaces (units) and providing lodging on an overnight basis and shall include those facilities designated and commonly known as "Bed-and-Breakfast", "Air B&B," "short term rentals" and "tourist" facilities.

OCCUPANCY: The use or possession, or the right to the use or possession, of any room in a hotel.

OCCUPANT: A natural person who, for a consideration, uses, possesses or has the right to use or possess any room in a hotel under any lease, concession, permit, right of access, license to use or other agreement or otherwise.

OPERATOR: Any person operating a hotel or motel in the City of Poughkeepsie, including, but not limited to, an owner or proprietor of such premises, lessee, sublessee, mortgagee in possession, licensee or any other person otherwise operating such hotel or motel.

PERMANENT RESIDENT: Any natural person occupying any room or rooms in a hotel for at least 90 consecutive days shall be considered a "Permanent Resident" with regard to the period of such occupancy.

PERSON: An individual, partnership, society, association, joint-stock company, corporation, estate, receiver, trustee, assignee, referee or any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, or any combination of the foregoing.

RENT: The per diem rental rate received for occupancy of each room, valued in money, whether received in money or otherwise, for the occupancy of a room in a hotel for any period of time.

RETURN: Any return filed or required to be filed as herein provided.

ROOM: Any room or rooms of any kind in any part or portion of a hotel, which is available for or let out for any purpose other than a place of assembly.

B. Imposition of Tax

On or after the effective date of this Section, there is hereby imposed and there shall be paid a tax of 4% upon the rent for every occupancy of a room or rooms in a hotel or motel in this City, except that the tax shall not be imposed upon a permanent resident, or as otherwise provided herein.

C. Exempt organizations.

Except as otherwise provided in this section, any use or occupancy by any of the following shall not be subject to the tax imposed by this Section:

1. The state of New York, or any public corporation (including a public corporation created pursuant to agreement or compact with another state or the Dominion of Canada), improvement district or other political subdivision of the state;

2. The United States of America, insofar as it is immune from taxation;

3. Any corporation or association, or trust, or community chest, fund or foundation organized and operated exclusively for religious, charitable or educational purposes, or for the prevention of cruelty to children or animals, and no part of the net earnings of which insures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda or otherwise attempting to influence legislation; provided, however, that nothing in this paragraph shall include an organization operated for the primary purpose of carrying on a trade or business for profit, whether or not all of its profits are payable to one or more organizations described in this section;

4. A permanent resident of a hotel or motel.

D. Territorial limits

The tax imposed by this Section shall apply only within the territorial limits of the City of Poughkeepsie.

E. Registration

1. Within 10 days after the effective date of this Section or, in the case of operators commencing business after such effective date, within three days after such commencement or opening, every operator shall file with the Commissioner of Finance a certificate of registration in a form prescribed by the Common Council.

2. The Commissioner of Finance shall, within seven (7) business days after such

registration, issue without charge to each operator a certificate of authority empowering such operator to collect the tax from the occupant and a duplicate thereof for each additional hotel of such operator. Each certificate or duplicate shall state the hotel to which it is applicable. Such certificate of authority shall be prominently displayed by the operator in such manner that it may be seen and come to the notice of all occupants and persons seeking occupancy. Such certificate shall be non-assignable and nontransferable and shall be surrendered immediately to the Commissioner of Finance upon the cessation of business at the hotel named or upon its sale or transfer.

F. Administration and collection

1. The tax imposed by this Section shall be administered and collected by the Commissioner of Finance, or such other City employee as he/she may designate, by such means and in such manner as are other taxes which are now collected and administered or as otherwise provided by this Section.

2. The tax to be collected shall be stated and charged separately from the rent and shown separately on any record thereof, at the time when the occupancy is arranged or contracted for and charged for, and upon every evidence of occupancy or any bill or statement of charges made for said occupancy issued or delivered by the operator, and the tax shall be paid by the occupant to the operator as trustee for and on account of the City, and the operator shall be liable for the collection thereof and for the tax. The operator and any officer of any corporate operator shall be personally liable for the tax collected or required to be collected under this Section, and the operator shall have the same right in respect to collecting the tax from the occupant, or in respect to nonpayment of the tax by the occupant, as if the tax were part of the rent for the occupancy payable at the time such tax shall become due and owing, including all rights of eviction, dispossession, repossession and enforcement of any innkeeper's lien that he/she may have in the event of nonpayment of the rent by the occupant; provided, however, that the Commissioner of Finance or employees or agents duly designated by him/her shall be joined as a party in any action or proceeding brought by the operator to collect or enforce collection of the tax.

3. The Commissioner of Finance may, whenever he/she deems it necessary for the proper enforcement of this Section, provide by regulation that the occupant shall file returns and pay directly to the Commissioner of Finance the tax imposed at such times as returns are required to be filed and payment made over by the operator.

4. The tax imposed by this Section shall be paid upon any occupancy on and after the effective date of this Section, although such occupancy is had pursuant to a contract, lease or other arrangement made prior to such date. Where rent is paid or charged or billed or falls due on either a weekly, monthly or other term basis, the rent so paid, charged, billed or falling due shall be subject to the tax herein imposed to the extent that it covers any portion of the period on and after the effective date of this Section. Where any tax has been paid hereunder upon any rent which has been ascertained to be worthless, the Commissioner of Finance may, by regulation, provide for credit and/or refund of the

amount of such tax upon application therefor as provided in Section 14.85(L) of this Section

5. For the purpose of the proper administration of this Section and to prevent evasion of the tax hereby imposed, it shall be presumed that all rents are subject to tax until the contrary is established, and the burden of proving that a rent for occupancy is not taxable hereunder shall be upon the operator or occupant. Where an occupant claims exemption from the tax under the provisions of Section 14.85(C), the rent shall be deemed taxable hereunder unless:

a. The operator shall receive from the occupant claiming such exemption a copy of a New York State sales tax exemption certificate; or

b. Unless the operator shall receive from the occupant claiming such exemption a certificate duly executed by an exempt corporation or association certifying that the occupant is its agent, representative, or employee, together with a certificate executed by the occupant that the occupancy is paid or to be paid by such exempt corporation or association, and is necessary or required in the course of or in connection with the occupant's duties as a representative of such corporation or association.

G. Records to be kept.

Every operator shall keep records of every occupancy and of all rent paid, charged or due thereon and of the tax payable thereon, in such form as the Commissioner of Finance may by regulation require. Such records shall be available for inspection and examination at any time upon demand by the Commissioner of Finance or his/her duly authorized agent or employee and shall be preserved for a period of three years, except that the Commissioner of Finance may consent to their destruction within that period or may require that they be kept together.

H. Returns

1. Every operator shall file with the Commissioner of Finance a return of occupancy and of rents and of the taxes payable thereon for the three-month periods ending the last day of March, June, September and December on and after the effective date of this Section. Such returns shall be filed within 30 days from the expiration of the period covered thereby. The Common Council may permit or require returns to be made for other periods upon such dates as it may specify. If the Common Council deems it necessary in order to ensure the payment of the tax imposed by this Section, it may require returns to be made for shorter periods than those prescribed pursuant to the foregoing provisions of this section and upon such dates as it may specify.

2. The forms of return shall be prescribed by the Common Council and shall contain such information as it may deem necessary for the proper administration of this Section. The Commissioner of Finance may require amended returns to be filed within 20 days after notice and to contain the information specified in the notice.

3. If a return required by this Section is not filed, or if a return is incorrectly filed or is insufficient on its face, the Commissioner of Finance shall take such steps as he/she deems necessary to enforce the filing of such return or of a corrected return.

I. Payment of Tax

At the time of filing a return of occupancy and of rents, each operator shall pay to the Commissioner of Finance the taxes imposed by this Section upon the rents required to be included in such return, as well as all other moneys collected by the operator acting or purporting to act under the provisions of this Section; even though it be judicially determined that the tax collected is invalidly required to be filed, it shall be due from the operator and payable to the Commissioner of Finance on the date prescribed herein for the filing of the return for such period, without regard to whether a return is filed or whether the return which is filed correctly shows the amount of rents and taxes due thereon. Where the Commissioner of Finance in his/her discretion deems it necessary to protect revenues to be obtained under this Section, he/she may require any operator required to collect the tax imposed by this Section to file with him/her a bond, issued by a surety company authorized to transact business in this state and approved by the Superintendent of Insurance of this state as to solvency and responsibility, in such amount as the Commissioner of Finance may find to secure the payment of any tax and/or penalties and interest due or which may become due from such operator. In the event that the Commissioner of Finance determines that an operator is to file such bonds, he/she shall give notice to such operator to that effect, specifying the amount of the bond required. The operator shall file such bond within five days after the giving of such notice unless, within such five days, the operator shall request, in writing, a hearing before the Commissioner of Finance at which the necessity, propriety and amount of the bond shall be determined by the Commissioner of Finance. Such determination shall be final and shall be complied with within 15 days after the giving of notices thereof. In lieu of such bond, securities approved by the Commissioner of Finance or cash in such amount as he/she may prescribe may be deposited with him/her, which shall be kept in the custody of the Commissioner of Finance, who may at any time, without notice of the depositor, apply them to any tax and/or interest or penalties due, and for that purpose the securities may be sold by him/her at public or private sale without notice to the depositor thereof.

J. Determination of Tax

Any final determination of the amount of any tax payable hereunder shall bereviewable for error, illegality or unconstitutionality or any other reason whatsoever by a proceeding under Article 78 of the Civil Practice Law and Rules if application therefor is made to the Supreme Court within thirty days after the giving of the notice of such final determination; provided, however, that any such proceeding under Article 78 of the Civil Practice Law and Rules shall not be instituted unless:

1. The amount of any tax sought to be reviewed, with such interest and penalties thereon as may be provided for by local law shall be first deposited and there is filed an undertaking, issued by a surety company authorized to transact business in this state and approved by the Superintendent of Insurance of this State as to solvency and responsibility, in such amount as a Justice of the

Supreme Court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding; or

2. At the option of the petitioner, such undertaking may be in a sum sufficient to cover the taxes, interests and penalties stated in such determination plus the costs and charges which may accrue against it in the prosecution of the proceeding, in which event the petitioner shall not be required to pay such taxes, interest or penalties as a condition precedent to the application.

K. Disposition of Revenues

All revenue resulting from the imposition of the tax under this Section shall be paid into the treasury of the City and shall be credited to and deposited in the general fund of the City. Such revenues may be used for any lawful purpose.

L. Refunds

1. In the manner provided in this section, the Commissioner of Finance shall refund or credit, without interest, any tax penalty or interest erroneously, illegally or unconstitutionally collected or paid if application to the Commissioner of Finance for such refund shall be made within one year from the payment thereof. Whenever a refund is made by the Commissioner of Finance, he/she shall state his/her reason therefor, in writing. Such application may be made by the occupant, operator or other person who has actually paid the tax. Such application may also be made by an operator who has collected and paid over such tax to the Commissioner of Finance, provided that the application is made within one year of the payment to the operator, but no actual refund of moneys shall be made to such operator until it shall first establish to the satisfaction of the Commissioner of Finance, under such regulations as the Commissioner of Finance may prescribe, that it has repaid to the occupant, or other person who has actually paid the tax, the amount for which the application for refund is made. The Commissioner of Finance may, in lieu of any refund required to be made, allow credit therefor on payments due or to become due from the applicant.

2. Where any tax imposed hereunder shall have been erroneously, illegally or unconstitutionally collected and application for the refund thereof duly made to the Commissioner of Finance, and such Commissioner of Finance shall have made a determination denying such refund, such determination shall be reviewable by a proceeding under Article 78 of the Civil Practice Law and Rules; provided, however, that such proceeding is instituted within thirty days after the giving of the notice of such denial, that a final determination of tax due was not previously made, and that an undertaking is filed with the Commissioner of Finance in such amount and with such sureties as a Justice of the Supreme Court shall approve to the effect that if such proceeding be dismissed or the tax confirmed, the petitioner will pay all costs and charges which may accrue in the prosecution of such proceeding.

3. A person shall not be entitled to a revision, refund or credit of a tax, interest or penalty which had been determined to be due pursuant to the provisions of Section 14.85(O) where it has had a hearing or an opportunity for a hearing, as provided in said section, or has failed to avail itself of the remedies therein provided. No refund or credit shall be made of a tax, interest or penalty paid after a determination by the Commissioner of Finance made pursuant to Section 14.85(O) unless it be found that such determination was erroneous, illegal or unconstitutional or otherwise improper by the Commissioner of Finance after a hearing or on his/her own motion or in a proceeding under Article 78 of the Civil Practice Law and Rules, pursuant to the provisions of said section, in which event refund or credit without interest shall be made of the tax, interest or penalty found to have been overpaid.

M. Reserves

In cases where the occupant or operator has applied for a refund and has instituted a proceeding under Article 78 of the Civil Practice Law and Rules to review a determination adverse to him/her on his/her application for refund, the Commissioner of Finance shall have the option of crediting future tax payments to meet the cost of any settlements or judgments or, at his/her option, may, in the first instance, set up appropriate reserves to meet any decision adverse to the City.

N. Remedies Exclusive

The remedies provided by Section 14.85(J) and Section 14.85(L) shall be the exclusive remedies available to any person for the review of tax liability imposed by this Section, and no determination or proposed determination of tax or determination on any application for refund shall be enjoined or reviewed by an action for declaratory judgment, an action for money had and received or by any action or proceeding other than a proceeding in a nature of a certiorari proceeding under Article 78 of the Civil Practice Law and Rules; provided, however, that a taxpayer may proceed by declaratory judgment if he/she institutes suit within 30 days after a deficiency assessment is made and pays the amount of the deficiency assessment to the Commissioner of Finance prior to the institution of such suit and posts a bond for costs as provided in Section 14.85(I).

O. Penalties and Interest

1. Any person failing to file a return or to pay or pay over any tax to the Commissioner of Finance within the time required by this Section shall be subject to a penalty of 5% of the amount of tax due plus interest at the rate of 1% of such tax for each month of delay excepting the first month after such return was required to be filed or such tax became due. Such penalties and interest shall be paid and disposed of in the same manner as other revenues from this Section. Unpaid penalties and interest may be enforced in the same manner as the tax imposed by this Section.

2. Any operator or occupant and any officer of an operator or occupant failing to file a return required by this Section, or filing or causing to be filed or making or causing to be made or

giving or causing to be given any return, certificate, affidavit, representation, information, testimony or statement required or authorized by this Section which is willfully false, and any operator and any officer of a corporate operator willfully failing to file a bond required to be filed pursuant to Section 14.85(I), or failing to file a registration certificate and such data in connection therewith as the Commissioner of Finance may by regulation or otherwise require, or failing to display or surrender the certificate of authority as required by this Section or assigning or transferring such certificate of authority; and any operator or any officer of a corporate operator willfully failing to charge separately from the rent the tax herein imposed or willfully failing to state such tax separately on any evidence of occupancy and on any bill or statement or receipt of rent issued or employed by the operator or willfully failing or refusing to collect such tax from the occupant; any operator or any officer of a corporate operator who shall refer or cause reference to be made to this tax in a form or manner other than that required by this Section, and any such person or operator failing to keep records required by this Section, shall, in addition to the penalties herein or elsewhere prescribed, be guilty of a misdemeanor, punishable by a fine of up to $1,000, imprisonment for not more than one year, or both such fine and imprisonment. Officers of a corporate operator shall be personally liable for the tax collected or required to be collected by such corporation under this Section and penalties and interest thereon and subject to the fines and imprisonment herein authorized.

3. The certificate of the Commissioner of Finance to the effect that a tax has not been paid, that a return, bond or registration certificate has not been filed or that information has not been supplied pursuant to the provisions of this Section shall be presumptive evidence thereof

4. **Returns to be Confidential**

   It shall be unlawful, except in accordance with proper judicial order or as otherwise provided to the fullest extent permitted by law, for the Commissioner of Finance or employee or designee of the Commissioner of Finance to divulge or make known in any manner the rents or other information relating to the business of a taxpayer contained in any return required under this Section. The officers charged with the custody of such returns shall not be required to produce any of them or evidence of anything contained in them in any action or proceeding in any court, except on behalf of the Commissioner of Finance in an action or proceeding under the provisions of this Section or on behalf of any party to any action or proceeding under the provisions of this Section when the returns or facts shown thereby are directly involved in such action or proceeding, in either of which events the court may require the production of, and may admit in evidence, so much of said returns or of the facts shown thereby as are pertinent to the action or proceeding and no more. Nothing herein shall be construed to prohibit the delivery to a taxpayer or his/her duly authorized representative of a certified copy of any return filed in connection with his/her tax nor to prohibit the publication of statistics so classified to prevent the identification of particular returns and items thereof or the inspection by the City's Corporation Counsel or other legal representatives of the City or by the District Attorney of any county of the return of any taxpayer who shall bring action to set aside or review the tax based thereon, or against whom an action or proceeding has been instituted for the collection of a tax or penalty. Returns shall be preserved for three years and thereafter, until the Commissioner of Finance permits them to be destroyed.

5. Notices and Limitations of Time

1. Any notice authorized or required under the provisions of this Section may be given to the person to whom it is intended in a postpaid envelope addressed to such person at the address given in the last return filed by him/her pursuant to the provisions of this Section or in any application made by him/her or, if no return has been filed or application made, then to such address as may be obtainable. The mailing of such notice shall be presumptive evidence of the receipt of the same by the person to who addressed. Any period of time which is determined according to the provisions of this Section by the giving of notice shall commence five days after the date of mailing of such notice.

2. The provisions of the Civil Practice Law and Rules or any other law relative to limitations of time for the enforcement of a civil remedy shall not apply to any proceeding or action taken by the City to levy, appraise, assess, determine or enforce the collection of any tax or penalty provided by this Section. However, except in the case of a willfully false, fraudulent return with intent to evade the tax, no assessment of additional tax shall be made after the expiration of more than three years from the date of filing of a return; provided, however, that where no return has been filed as provided by law, the tax may be assessed at any time.

3. Where, before expiration of the period prescribed herein for the assessment of an additional tax, a taxpayer has consented, in writing, that such period be extended, the amount of such additional tax due may be determined at any time within such extended period. The period so extended may be further extended by subsequent consents in writing made before the expiration of the extended period.

4. Proceedings to Recover Tax

Whenever any operator, any officer of a corporate operator, any occupant, or other person fails to collect and pay over any tax and/or penalty or interest as imposed by this Section, the City Corporation Counsel shall, at the request of the Common Council, bring or cause to be brought an action to enforce the payment of the same on behalf of the City in any court of the State of New York or of any other state or of the United States. If, however, the Commissioner of Finance believes that any such operator, officer, occupant, or other person is about to cease business, leave the state, or remove or dissipate the assets out of which the tax or penalties might be satisfied, and that any such tax or penalty will not be paid when due, such tax or penalty may be declared to be immediately due and payable, and the Commissioner of Finance may issue a warrant immediately.

5. General Powers of Commissioner of Finance

In addition to the powers granted in this Section, the Commissioner of Finance is hereby authorized and empowered to:

1. Extend for cause shown, the time of filing any return for a period not exceeding 30 days; and for cause shown, to remit penalties, but not interest; and to compromise disputed claims in connection with the taxes hereby imposed;

2. Request information from the Tax Commission of the State of New York or the Treasury Department of the United States relative to any person; and to afford information to such Tax Commission or Treasury Department relative to any person, notwithstanding any other provision of this Section;

3. Delegate functions hereunder to any employee of Commissioner of Finance;

4. Prescribe methods for confirming the rents for occupancy and to confirm the accuracy of information on the taxable and nontaxable rents;

5. Require any operator within the City, if it is determined that adequate records are not being maintained, to keep detailed records of the nature and type of hotel maintained; nature and type of service rendered; number of rooms available and occupied; daily leases, occupancy contracts or arrangements; rents received, charged, and accrued; the names and addresses of the occupants; whether or not any occupancy is claimed to be subject to the tax imposed by this Section; and to furnish such information at the request of the Commissioner of Finance;

6. Impose as a penalty upon any operator within the City any necessary costs of auditing services generated by discrepancies discovered upon audit, in the records of the operator; and

7. Make, adopt, and amend such other rules and regulations appropriate to the carrying out of this Section and the purposes thereof as may be approved by the City of Poughkeepsie Common Council.

6. Administration of oaths; compelling testimony

1. The Commissioner of Finance or employees or agent(s) duly designated and authorized shall have the power to administer oaths and take affidavits in relation to any matter or proceeding in the exercise of their powers and duties under this Section. The Commissioner of Finance shall have power to subpoena and require the attendance of witnesses and the production of books, papers, and documents to secure information pertinent to the performance of the duties hereunder in the enforcement of this Section, and to examine them in relation thereto. The Commissioner of Finance shall also have the power to issue commissions for the examination of witnesses who are out of the state, unable to attend, or who are excused from attendance.

2. A Supreme Court Justice, either in court or in chambers, shall have the power to summarily enforce by proper proceedings the attendance and testimony of witnesses and the production and examination of books, papers, and documents called for by the subpoena of the Commissioner of Finance under this Section.

3. Any subpoenaed person who refuses to testify or produce books or records, or who testifies falsely in any material matter pending before the Commissioner of Finance under this Section shall be guilty of a misdemeanor, punishment for which shall be a fine of not more than $1,000 or imprisonment for not more than one year, or both such fine and imprisonment.

4. The officers who serve the summons or subpoena of the Commissioner of Finance and witnesses attending in response thereto shall be entitled to the same fees as are allowed to officers and witnesses in civil cases in courts of record, except as herein provided otherwise. Such officers shall be the City of Poughkeepsie police, or any officers or employees of the Commissioner of Finance’s office designated to serve such process.

7. **Accounting and Reporting of Tax**

From time to time, but no less than quarterly each year, the Commissioner of Finance shall provide a report to the Common Council, for its audit and review, of all actions taken pursuant to this Section. The Commissioner of Finance's report shall contain a list of all certificates of registration filed or issued to any operator in the City of Poughkeepsie, and for each operator shall state the returns filed all operators; the returns that have not been timely filed by any operator; the amount of tax determined to be payable by any operator; the tax paid and collected from any operator; any tax that may be due and owing or past due from any operator, and any enforcement action taken to collect any tax due under this Section.

<u>Section 2</u>. Authority

This Local Law is enacted pursuant to special legislation adopted by the State of New York, authorizing the City of Poughkeepsie to impose a hotel and motel occupancy tax. If any provision of this Local Law, or the application thereof to any person or circumstance, shall be held invalid, the remainder of this Local Law and the application of such provision to other persons or, circumstances shall not be affected thereby.

<u>Section 3</u>. Separability

If any part or provision of this Local Law or the application thereof to any person or circumstance be adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part or provision or application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this Local Law or the application thereof to other persons or circumstances, and the Common Council of the City of Poughkeepsie hereby declares that it would have passed this Local Law or the remainder thereof had such invalid application or invalid provision been apparent.

<u>Section 4</u>. Construction and Enforcement

This Local Law shall be construed and enforced in conformity with Articles 28 and 29. of the Tax Law of the State of New York," including, but not limited to New York State Tax Law §1202-nn as added by L.2023, c. 294, §1, which expires and is deemed repealed on August 23, 2026, pursuant to which the same is enacted. **Accordingly, this Local Law shall remain in effect for three (3) years from the date of its enactment**.

Section 5. Rules & Regulations

The Common Council is authorized to adopt rules and regulations, by resolution, to further implement the provisions of this Local Law.

Section 6. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed.

PLEASE PRINT OR TYPE FORM CLEARLY

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

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 24 Janaury 2024

NAME AND ADDRESS OF EACH CLAIMANT:

Mitchell M. Medina, Esq.
450 Lexington Ave. #3180
New York, NY 10163

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2024 JAN 26 AM 11:53

TELEPHONE NUMBER: 212-235-1211

NAME AND ADDRESS OF ATTORNEY (IF ANY):

Mitchell M. Medina, Esq.
450 Lexington Ave. #3180
New York, NY 10163

DESCRIBE WHAT HAPPENED AND AMOUNT CLAIMED (PLEASE STATE DATE, TIME, LOCATION, AND MANNER IN WHICH CLAIM AROSE): Claim arose after dark in unsuccessful attempt to exit pkg lot by making right-hand turn toward eastern-most vehicle ingress/egress lane connected to Cannon St. Vehicle fwd movement was impeded by poorly labeled, large, and inadequate concrete curbs that straddle this entry/exit lane. Frt/left bumper guard and right rocker panel became partly lodged onto left + right curbs, respectively. Had to exit through westernmost exit along Cannon St, which lacks straddling concrete curbs.

DATE: 10/28/2023 TIME: around 7:00PM-9:00PM ET

LOCATION: Academy St Municipal Parking Lot (Lot L03)
50 Cannon St, Poughkeepsie, NY 12601

AMOUNT CLAIMED: $671.09

ITEMS DAMAGED OR INJURIES SUSTAINED:

Right/passenger side lower rocker molding/cladding damage from deep curb scrape. Rocker panel needs repair, repaint, and refinish

2022 Dodge Charger: sustained damage to left-front bumper guard and substantial damage to right/passenger side rocker panel/sidesill cladding

Signature of Claimant

Signature of Claimant

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

Mitchell M Medina 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.

Signature of Claimant

Signature of Claimant

Sworn to before me this 24 day of Jan, 2024

Notary Public

MARIA C. AIDONIS
Notary Public, State of New York
No. 01AI0003977
Qualified in Queens County
Commission Expires: 03/27/2027

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.


CITY OF POUGHKEEPSIE
ACADEMY ST MUNICIPAL PARKING LOT
PARKING RULES:
24 HOUR PAID PARKING
$1.50 PER HOUR - PAY METER IN ADVANCE
$30 MONTHLY RESIDENTIAL PERMIT*
$55 MONTHLY NON-RESIDENTIAL PERMIT*
*BASED ON AVAILABILITY
CITY CONTACT INFO:
CITY OF POUGHKEEPSIE PARKING DEPARTMENT
62 CIVIC CENTER PLAZA - POUGHKEEPSIE, NY 12601
845-451-4120
NEW YORK
KXM-9852


CITY OF POUGHKEEPSIE
ACADEMY ST MUNICIPAL PARKING LOT
PARKING RULES:
24 HOUR PAID PARKING
$1.50 PER HOUR - PAY METER IN ADVANCE
$30 MONTHLY RESIDENTIAL PERMIT*
$55 MONTHLY NON-RESIDENTIAL PERMIT*
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62 CIVIC CENTER PLAZA - POUGHKEEPSIE, NY 12601
845-451-4120


CITY OF POUGHKEEPSIE
P
24 HOUR PARKING
PAY METER IN ADVANCE
ZONE L03


POUGHKEEPSIE

CERTIFIED COLLISION OF LONG ISLAND

BRUCE@CERTIFIEDLI.COM
50 East Merrick Rd., Freeport, NY 11520
Phone: (516) 868-4969
FAX: (866) 531-0803

Workfile ID:	78a84[illegible]b
PartsShare:	7[illegible]S
Federal ID:	4745343[illegible]
State ID:	7120532
License Number:	7120532

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Preliminary Estimate

Customer: MEDINA, MITCHELL

Written By: Bruce Gerard

Insured:	MEDINA, MITCHELL	Policy #:		Claim #:	
Type of Loss:		Date of Loss:		Days to Repair:	0
Point of Impact:	03 Right T-Bone (Right Side)				

Owner:
MEDINA, MITCHELL
(212) 235-1211 Cell

Inspection Location:
CERTIFIED COLLISION OF LONG ISLAND
50 East Merrick Rd.
Freeport, NY 11520
Repair Facility
(516) 868-4969 Business

Insurance Company:

VEHICLE

2022 DODG Charger Scat Pack RWD 4D SED 8-6.4L Gasoline Sequential MPI FROSTBITE BLUE PEARL

VIN:	2C3CDXGJXNH224618	Interior Color:		Mileage In:		Vehicle Out:	
License:	KXM9852	Exterior Color:	FROSTBITE BLUE	Mileage Out:			
State:		Production Date:		Condition:	Excellent	Job #:	

TRANSMISSION
Automatic Transmission
POWER
Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Heated Mirrors
Power Driver Seat
DECOR
Dual Mirrors
Tinted Glass
Console/Storage
Overhead Console
CONVENIENCE
Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Rear Defogger
Keyless Entry
Alarm
Message Center
Steering Wheel Touch Controls
Telescopic Wheel
Heated Steering Wheel
Climate Control
Remote Starter
Backup Camera
Parking Sensors
Home Link
RADIO
AM Radio
FM Radio
Stereo
Search/Seek
Auxiliary Audio Connection
Premium Radio
Satellite Radio
SAFETY
Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Front Side Impact Air Bags
Head/Curtain Air Bags
Positraction
Communications System
Hands Free Device
SEATS
Cloth Seats
Bucket Seats
Reclining/Lounge Seats
Heated Seats
WHEELS
20" Or Larger Wheels
PAINT
Three Stage Paint
OTHER
Fog Lamps
Traction Control
Stability Control
Rear Spoiler
Power Trunk/Liftgate

Get live updates at www.carwise.com/e/4GymxA

Customer: MEDINA, MITCHELL

DG Charger Scat Pack RWD 4D SED 8-6.4L Gasoline Sequential MPI FROSTBITE BLUE PEARL

Line		Oper	Description	Part Number	Qty	Extended Price $		Labor	Paint
1	PILLARS, ROCKER & FLOOR								
2		R&I	RT Rocker molding w/wide body					0.8	
3	*	Rpr	RT Rocker molding w/wide body					3.0	1.7
4			Add for Three Stage						1.2
5	#	Repl	Flex additive		1	10.00	T		
6	#		Color tint / color match		1			0.5	
7	#	Rpr	Color sand and buff					0.5	
			SUBTOTALS			10.00		4.8	2.9

ESTIMATE TOTALS

Category	Basis		Rate	Cost $
Parts				0.00
Body Labor	4.8 hrs	@	$ 65.00 /hr	312.00
Paint Labor	2.9 hrs	@	$ 65.00 /hr	188.50
Paint Supplies	2.9 hrs	@	$ 37.00 /hr	107.30
Miscellaneous				10.00
Subtotal				617.80
Sales Tax	$ 617.80	@	8.6250 %	53.29
Grand Total				671.09

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR COMMERCIAL INSURANCE OR A STATEMENT OF CLAIM FOR ANY COMMERCIAL OR PERSONAL INSURANCE BENEFITS CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, AND ANY PERSON WHO, IN CONNECTION WITH SUCH APPLICATION OR CLAIM, KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

You are entitled to the return of all replaced parts, except warranty and exchange parts, but you must ask for them in writing before any work is done. If you authorize work by phone, the shop must keep any replaced parts, and make them available when you pick up the vehicle.

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide DR3PB11, CCC Data Date 01/09/2024, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2023 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:
m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category. X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:
D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category. M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:
Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Blnd=Blend. BOR=Boron steel. CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel. HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace. R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel. Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Intelligent Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:
BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

Official Minutes of the Public Hearing of January 16, 2024 for the purpose of receiving comments on the proposed introductory Local Law entitled "City of Poughkeepsie Hotel & Motel Occupancy Tax Law.

THE CITY OF POUGHKEEPSIE
NEW YORK

PUBLIC HEARING

Tuesday, January 16, 2024 6:00 pm **Common Council Chambers**

Welcome to the scheduled Public Hearing in the City of Poughkeepsie. The date is January 16th and the time is 6:05 pm.

This Hearing is for the purpose of receiving comments on the proposed introductory Local Law entitled "City of Poughkeepsie Hotel and Motel Occupancy Tax Law"

Chairman Wilson called the meeting to order at 6:05 pm.

I. WELCOME

II. ROLL CALL: 7 present, 2 absent (Absent: Councilmembers Menist and James**)**

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

1. Laurie Sandow – S.Grand Ave.
2. Daniel Atonna – 116 College Ave / For The Many
3. Ethan Rignanese – 2nd Ward Resident (submitted written comments)

IV. ADJOURNMENT:

Chairman Wilson *closed the Public Hearing at 6:15pm*

Dated: January 17, 2024

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on Tuesday, January 16th, 2024.

Respectfully submitted,
Donna M. DeLuca
Deputy City Chamberlain

The proposed tax law is not enough to ensure the impact of short term-rentals on our community is balanced out by a reasonable tax burden. In addition to the proposed tax, properties used as short-term rentals should also be subject to the non-homestead tax rate as outlined in Real Property Tax Law, Article 19, § 1903. This optional tax program according to NYS "..prevents any large shift of the property tax burden to the residential class of property owners after a revaluation." This *should* mean a lower tax rate for residential property (homestead tax), and a higher rate for all other property (non-homestead tax). As the law is written "*One-, two-, and three-family residential units; farm homes; mobile homes* ***that are owner-occupied*** *and separately assessed, and condominiums that were built as condominiums and not converted from some other form, such as rental apartments, qualify as residential property.*".

Crosschecking current Airbnb listings with property tax rolls, it's nearly impossible to find a short-term rental property that is being rightfully being assessed as a non-homestead property. In many cases a property or properties may be owned by an LLC that is based out of the area or even out of state. One such example is Laca Marketing LLC, a NYC based company which owns and operates at least 5 such properties within the city of Poughkeepsie. This clearly shows the short-term rental industry in Poughkeepsie is not simply homeowners renting out spare bedrooms, but essentially clandestine hotel chains designed to dodge the costs and regulations associated with operating a real hotel.

One month ago, the city opted to override the tax cap, citing a budget shortfall and other financial difficulties. On the other hand, the Industrial Development Agency continues to grant significant tax breaks to developers aiming to encourage growth in the city's population and turn tax base. Using the proper non-homestead tax rate for residential properties being run as hotels would boost tax revenue while increasing housing availability by discouraging the accumulation of residential properties by single entities. An increase tax rate would also mitigate unreported taxes when operators opt to conceal revenue by accepting reservations "under the table" or "off the books", which is a common strategy used to circumvent both local hotel taxes and fees associated with booking platforms.

Converting residential housing into short term rentals directly impacts our community by removing housing options, inflating housing prices, and reducing the city's tax base. This impact is not limited to the reported rental periods and neither should the tax implications. If the city cares about a balanced budget, housing availability, and the residential feel of local neighborhoods, they must treat these properties like the commercial operations they are with suitable classifications and tax rates.

Ethan Rignanese, Resident 2nd Ward

THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING MINUTES

Tuesday, January 16, 2024, 6:30 p.m. **Common Council Chambers**

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is Tuesday, January 16, 2024, and the time is 6:30 pm.

I. ROLL CALL: 8 Present, 1 Absent (Councilmember Menist arrived after roll call)

II. REVIEW OF MINUTES:

Common Council Organization Meeting – January 2, 2024
Common Council Meeting – January 2, 2024

Motion to accept the minutes: Vice Chair Shook, Seconded by Councilmember Grant

CC Organization & CCM Minutes of January 2, 2024 - VOICE VOTE						
			Yes/Aye	**No/Nay**	**Abstain**	**Absent**
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Henry	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☑
	Councilmember Brown	Voter	☑	☐	☐	☐
	Councilmember James	Voter	☑	☐	☐	☐
	Councilmember Grant	Voter	☑	☐	☐	☐
	Councilmember Deichler	Voter	☑	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☑	☐	☐	☐
	Vice Chair Shook	Voter	☑	☐	☐	☐
	Chairman Wilson	Voter	☑	☐	☐	☐

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

<u>ADD TO CONSENT AGENDA:</u>

IX. MOTIONS AND RESOLUTIONS:

2. **R-24-11,** Resolution Amending the 2024 Rules of Conduct and Procedure of the Common Council of the City of Poughkeepsie

IV. PUBLIC PARTICIPATION:

1. **Suprina Troché – 3 Delafield St.**
2. **Joseph Troché – 3 Delafield St.**
3. **Jamar Cummings – 415 Maple St.**
4. **Daniel Atonna – 116 College Ave / For the Many**
5. **Laurie Sandow – S. Grand Ave ***

***Submitted written comments**

Laurie Sandow public comments,
City of Poughkeepsie Common Council meeting, January 16, 2024

It's the second Common Council meeting of the year, and what have we learned so far? That this Council wasn't ready on "Day One". And also that this Council, rather than being dedicated to public service, has wasted no time in establishing dedication to self-service. Half the members of this Council don't even have their phone numbers posted to the City website. Is that what they've meant by "Poughkeepsie Before Politics"? Councilmembers collecting a stipend for their digital devices, yet—in this city with a digital divide—making sure that no resident is able to reach them by phone, no matter what the urgency?

This Council has yet to post their meeting schedule for 2024. But at just 12:20pm this afternoon—and only if one is a subscriber to "CivicPlus"—came notice of a change to the Council agenda. A consent agenda item was added, with changes well concealed: changing Council meetings to Tuesdays, as well as changing the order of business at Council meetings. With those changes, the people who want to make public comments, and the people who watch at home to hear public comments, will have to either/both remain in attendance or stay tuned long into the meeting before they hear the voices, thoughts and concerns of their neighbors.

Not one current Councilmember has ever tested themselves by speaking as an ordinary citizen during the Council's 3-minute time limit, never mind being a regular audience attendee at council meetings. That's a pitiable contrast to myself and others, who are entirely unpaid, yet have the courage and commitment to consistently attend, speak, and enter thoughts and opinions on this body's record. Myself and others are the very public commenters and voices that Da'Ron Wilson labelled "complaints" within minutes of being sworn into office. Too bad Mr. Wilson did not make his hostility clear while on the campaign trail, same as he and other recent electeds—Mayor Flowers included—never revealed their membership in the private Exempt Firemen's club—a club that saw fit to "honor" Dr. Martin Luther King on his holiday with a membership bus trip to a casino.

Have residents of this City also noticed the Code of Ethics violations by Councilmembers Nedra Thompson and Terriciena Brown, with Ms. Thompson using her Council seat to promote her family's foundation; and Ms. Brown promoting her private business enterprise from her Council seat. And what about Open Meetings Law violations, where a majority of Council members have gathered more than once at various venues under the guise of "just celebratory meals".

Last October, Da'Ron Wilson asked me to provide a sample consent agenda policy (see the document provided, further below). Has that policy, or any policy, been added to the Council's procedure? Of course not, because then items of a questionable or controversial nature would be prohibited from appearing on a consent agenda, and each and every Councilmember would actually have to state on the record whether they'd read, understand and agree with the items they're approving under cover of consent and caucus darkness.

Do members of this Council even know the dates—let alone attend the meetings—held by other City boards and committees, and/or the Dutchess County legislature? Do members of this Council know that those boards have already set and published their own 2024 meeting schedules? And that changes in the Council dates will be creating rather than reducing conflicts? Why should City residents and City boards scramble to rearrange their calendars to suit the unexplained whim of this Council, who won't even reveal or defend why, after decades, a meeting date change is necessary? Will any member of this Council explain why they need to change meeting dates to Tuesdays? Were they unaware of the Monday dates while seeking office? Were they well aware of the intention to change to Tuesdays, yet never consulted or surveyed constituents prior to agreeing to this change? will this Council's love of backroom wheeling and dealing keep that information shrouded in secret, too? Need the public and city residents beware the "precedent" that Chair Wilson promised in his inaugural address?

Provided to Mr. Da'Ron Wilson on October 12, 2023, including the note: "Below is one link regarding consent agendas. There are many others available online. I'm sending this particular article because it contains sublinks to other sources. I draw your attention especially to its last paragraph": https://www.cityethics.org/content/misuse-consent-agendas

Misuse of Consent Agendas

Thursday, March 20th, 2014 – Robert Wechsler

https://www.cityethics.org/content/misuse-consent-agendas

Consent agendas, also known as consent calendars, are an excellent way to get around the disclosure of conflicts (and, as Dallas showed us in 2011, to amend ethics provisions without a discussion (see my blog post on this)).

A consent agenda is a way to deal, in a single motion and a single vote, with routine, non-controversial items, in order to save often a great deal of time. Board members are allowed to request the movement of a specific item on a consent agenda to the regular meeting agenda, but this is rarely done. Often, few board members have a clear idea what is on a consent agenda. Voting for it becomes a habit, like voting to approve the minutes. However, sometimes matters are placed there, with or without the knowledge of board members, in order to be passed with no attention or to prevent the need for particular members to disclose conflicts they would have to disclose were there to be a discussion and vote on the particular matter.

In a 2011 blog post, I noted that a grand jury criticized the Broward County (FL) school board for using the consent agenda to expend funds in ways, and benefiting individuals, the board didn't want the public to know about:

> The way the Board carries out its day to day business is set up to allow wasteful and dubious spending on ill-conceived ideas, and to direct that spending towards friends, acquaintances or supporters of Board members without any accountability. One way they do that is by making informal decisions at Board workshops and retreats or even during training sessions, and then ratifying their decisions by use of a consent agenda.

Consent agendas do make meetings shorter, but they are a great way to hide serious and often expensive decisions from the public. In Broward County, only expenditures of over $1 million were required to be debated. That figure is far too high.

An article in today's New York *Times* celebrates a "sea change" at the Port Authority for New Jersey and New York, an agency that has been drawing a great deal of attention for its misuse by board members for their political and financial interests and for the interests of their political allies. That "sea change" is having the authority's board actually deal with such things as lease agreements publicly, with a roll call vote, and with the vice chairman asking if anyone needs to withdraw from participation in the matter due to a conflict. Doing this would be a big change for thousands of councils, boards, and commissions throughout this country.

How did this change come about? Due to the criticism of the authority that began with the infamous George Washington Bridge lane closures, a special oversight committee was created. A few hours before the meeting, the committee voted to do away with the consent agenda. The question is, to get rid of a consent agenda, does it take a debacle that makes the national news?

Consent agendas do save a lot of time. But they can be seriously abused. Robert's Rules has only a short paragraph on them (it uses the term "consent calendar"), providing little guidance. If they are to be used, there should be clear restrictions, such as no contracts, grants, or permits that involve more than, say, $5,000. Appointments are often included on consent agendas. If they are to be included, the names should be read and members should be asked whether they have a special relationship with anyone on the list.

No item should be placed on a consent agenda unless it has been sent to all members at least three days in advance of the meeting, so that they have an opportunity to determine whether they would like to ask for a discussion of the item and whether they have a conflict. When the consent agenda is raised at a meeting, members should be asked whether they have read it, fully understand each item in it, have any conflicts with respect to any item, or know of another member who has a conflict, and believe that there is no reason to open any item to discussion. Conflicts should be disclosed, and any item where a member has a conflict should be moved to the ordinary agenda. If even one member hasn't read and fully understood the consent agenda, the items on the consent agenda should be placed on the regular agenda and brought up individually. Otherwise, there is no informed consent. These rules should be placed in the board's bylaws and carefully followed.

—Robert Wechsler, Director of Research-Retired, City Ethics

V. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

So, I can personally address some of the concerns that were brought up earlier.

One of the things is that, like Mr. Troché said, that is that I will take full ownership on the Rules and Code of Conduct and changing the dates. We were looking - I -was looking at that same very thing, that making sure that the Council and others in this community would have opportunities to attend the County meetings, as well as the Common Council meetings. So that was one of the - that is the main reason for switching the meeting to Tuesday.

One of the reasons [is] for that, and the reason that we wanted to talk to the other planning board [was]to make sure that they were okay with moving the meeting to moving their meeting. That was why the delay was in place and took - was not in place on the January 2nd meeting. We just want to make sure, we want to hear from them, to make sure that they were okay with moving the meeting. That is the exact reason why it did not go on to that January 2nd meeting.

As far as making the city and the Common Council aware of what's going on with the County [that] is one of the things that we're trying to move in a direction to. In order for that to happen, we have to try to have our meetings on a different day and time. I will take full ownership on that. That was me looking at it and thinking, let's try to do something different this time.

In regards to the phone numbers, many of the new Councilmembers do not have a city, uh, city phone issued to them. So, I do feel that they are either, they are waiting or they are have their email addresses, or if they do have an alternate phone that will be given out, but they do not have city issued phones to them at this time for them, they will be posting to the public. As we all know, they have that right to have a private number as their own personal number versus having the city official number. But all their contact information via email is listed on the City's website.

Also, as far as.. I want to celebrate and make announcement, uh, Beulah Baptist Church had a great celebration for Martin Luther King Jr. [A] celebration where many of our elected officials throughout the state came.

We were addressed by Lt Governor Delgado, Sue Serino, County Executive, State Senator Rob Rolison, uh, Assemblyman Jonathan Jacobson, our county legislator Barrington Atkins, various council members. So it was a great event that took place at Beulah Baptist, showing that the interest and the love in the City of Poughkeepsie is still there. Um, thank you to Reverend Bottoms and the African-American Clergy Association for that event.

And also, I just want to know, as we know, that we are moving into 2024, that I will state for the record, Mr. Wilson is not perfect, and Mr. Wilson is not trying to be perfect. So, there will be some mistakes made, just like anything in life. And I will do my best to make sure that I don't continue those mistakes. And I will do my best to make sure that I am a servant leader.

As far as the regards to the comments made about my inaugural address, I did not say nothing there that I have not said in plenty of other speaking engagements or anything about the City of Poughkeepsie. There was nothing new to not be addressed during my campaign trail. If individuals want to walk with me next time door to door, they can hear exactly what I tell the citizens as I'm walking door to door about the City of Poughkeepsie, so there won't be any confusion moving forward.

That is it for my comments. Mr. Knapp, will you be speaking on behalf of the mayor, please?

VI. MAYOR’S COMMENTS: *Interim City Administrator Knapp on behalf of Mayor Flowers*

I will, thank you. First of all, I would just like to thank the mayor for the faith she put in me and appointing me to this position. I promise that I will do my best to work with each of you on the issues in your wards.

Uh, having said that, my first day as, uh, Interim City Administrator was Sunday. We had a snowstorm. Twelve inches, one of the biggest ones we’ve had in two years. And today, the mayor's out of town, so I am taking care of her side of the floor as well and we have another snowstorm.

So the goal here is that don't appoint me to anything else.

The mayor is attending the U.S.Conference of Mayors, and she's meeting with mayors across the country and then also meeting with federally elected officials to discuss funding opportunities.

So, she does want to make sure that you are all aware that as far as the housing vacancy study that -I know was brought up at the first meeting - our staff met with the group that's conducting that study. We got an update from them, and we hope to have it finished by the end of February with a presentation to the Council in March. So, again, the key there is, uh, getting accurate data.

The mayor also wanted to say that she wants to set up training for all the Council members. That will include tours of the police department, the fire department, the DPW and water and sewer plants. Plus visits within building and finance departments as well. So, I think she wants everybody to have the opportunity to get out and meet with the staff and see the various areas, which is a good thing.

More importantly, right now with the weather we've been having in the last week she wanted to thank all the departments that were involved in the in the snow, the cleanup. Obviously, DPW was [at] the front with the, you know, the most hours and most involvement, but we went from a 12 inch storm to four inches of rain. And now, you know, kind of a nuisance storm. DPW, like I said, took that lead. Police was involved. We had a snow meeting prior. We had a debrief on Friday, and we're, you know, trying to learn from there.

And I think you might have seen it already. We've been doing postings on the snow emergency routes with a new, high visibility sign that says that they are snow emergency routes and that if a snow emergency is declared, that, you know, those routes would be subject to the ordinance so that those postings begin on Sunday with the traffic officers and are going to eventually hit all the snow routes, because signage is important And the visibility of the signs, I think, will improve because the goal is to get people off the snow emergency routes as opposed to an enforcement, uh, of anything near. I know the icehouse was just, uh, brought up a few minutes ago and everybody is aware an RFP was done in the fall for the leasing of the Icehouse. Many, uh, different people applied to the RFP, and we did interviews, uh, towards the end of the year with them. And we're in the final selection of somebody to operate the Icehouse with the goal of not only full, uh, food there, but being an asset for the community. The site, as you say, uh, did get flooding over the weekend. I was down there personally on Saturday. I took some photos and we're going to work with the engineering department, who's doing a flood mitigation study with the county. As far as we know, there was no internal damage to the ice house. But as you say, getting it back into somebody's hand and operating is the best purpose. And, you know, then that relieves the city of maintaining.

Other than that, that’s it for me. Thank you. Thank you.

VII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

VIII. REPORTS OF COMMITTEES AND BOARDS: NONE

A motion to approve the consent agenda was made by ***Councilmember Brown*** *and seconded by* ***Councilmember Grant****.*

<u>CONSENT AGENDA</u>:

IX. MOTIONS AND RESOLUTIONS:

A motion was made by Councilmember Menist and seconded by Councilmember Deichler to move Addendum item R-24-11 to the ACTION AGENDA.

X. ORDINANCES AND LOCAL LAWS:

1. **LL-24-03,** a Local Law Amending CHAPTER 9 “Garbage, Trash and Weeds,” ARTICLE V “Solid Waste Management,” SECTION 9-68 “Solid Waste Collection Fees,” § (E) “EXEMPTIONS”

(LL 24-03)

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: COUNCILMEMBER GRANT

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

~~STRIKETHROUGH~~ INDICATES DELETION
<u>BOLD and UNDERLINE INDICATES ADDED LANGUAGE</u>

<u>SECTION 1</u>: 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.

<u>(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.</u>

<u>SECTION 2</u>. 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 BROWN

LL-24-03 –Voice Vote			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Henry	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☑	☐	☐	☐
	Councilmember Brown	Voter	☑	☐	☐	☐
	Councilmember James	Voter	☑	☐	☐	☐
	Councilmember Grant	Voter	☑	☐	☐	☐
	Councilmember Deichler	Voter	☑	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☑	☐	☐	☐
	Vice Chair Shook	Voter	☑	☐	☐	☐
	Chairman Wilson	Voter	☑	☐	☐	☐

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

Addendum item moved to ACTION AGENDA:

1. **R-24-11,** Resolution Amending the 2024 Rules of Conduct and Procedure of the Common Council of the City of Poughkeepsie

RESOLUTION
R-24-11

INTRODUCED BY CHAIRMAN WILSON

BE IT RESOLVED, that the Common Council hereby amends the 2024 Rules of Conduct and Procedure of the Common Council of the City of Poughkeepsie as shown on the attached document which is made a part of this Resolution. This resolution shall replace the Rules of Conduct adopted by Resolution R-24-02.

SECONDED BY COUNCILMEMBER GRANT

R-24-11 Roll Call Vote			Yes/Aye	No/Nay	Abstain	Absent
☑ Accepted ☐ Defeated ☐ Tabled	Councilmember Henry	Voter	☑	☐	☐	☐
	Councilmember Menist	Voter	☐	☑	☐	☐
	Councilmember Brown	Voter	☑	☐	☐	☐
	Councilmember James	Voter	☑	☐	☐	☐
	Councilmember Grant	Voter	☑	☐	☐	☐
	Councilmember Deichler	Voter	☑	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☑	☐	☐	☐
	Vice Chair Shook	Voter	☑	☐	☐	☐
	Chairman Wilson	Voter	☑	☐	☐	☐

A motion was made to defer the below communication/petitions to Corporation Counsel by ***Councilmember Deichler*** *and seconded* ***by Councilmember Grant.***

XII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM TEVAN DENNIS,** a notice of property damage sustained on December 18, 2023

XIII. ADJOURNMENT:

A motion was made by ***Vice Chair Shook*** *and was seconded by* ***Councilmember Brown*** *to adjourn the meeting at* ***7:24pm.***

Dated: January 19, 2024

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, January 16, 2024.

Respectfully submitted,

Donna M. DeLuca
Deputy City Chamberlain