



COMMON COUNCIL MEETING

Tuesday, May 21, 2024
Common Council Chambers

6:30 p.m.

I. ROLL CALL

II. REVIEW OF MINUTES:

**Common Council Public Hearing May 7, 2024 -Emergency Tenant Protection Act
Common Council Meeting – May 7, 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 MICAH JUMPP**, a presentation on behalf of the **PK B.A.Y (Poughkeepsie Board of Artistic Youth)** regarding their youth-let public art sculpture.
- 2. FROM BARBARA D. COHEN**, a notice of personal injury sustained on April 27, 2024.
- 3. FROM ABDU ALI AZEZ**, 30 Day Notice of adult-use dispensary license application.

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:

CONSENT AGENDA:

X. MOTIONS AND RESOLUTIONS:

1. **R-24-36**, Bond Resolution Authorizing the Improvements/Repairs of Water Treatment Facility Sludge Tanks
2. **R-24-37**, Bond Resolution Authorizing the Replacement of Water Treatment Facility Filters
3. **R-24-38**, Supplemental Bond Resolution for Funding Garden Street over Fall Kill Creek Bridge Replacement
4. **R-24-39**, Resolution Approving the Appropriation of Unspent ARPA Funds

XI. ORDINANCES AND LOCAL LAWS:

ACTION AGENDA:

XII. MOTIONS AND RESOLUTIONS:

1. **SEQRA Resolution R-24-40** and **Sale Resolution R-24-41**, authorizing the Sale of City Owned Property – vacant lot known as 149 Cannon St (Tax Map No. 131300-6161-23-276969)

XIII. ORDINANCES AND LOCAL LAWS:

XIV. ADJOURNMENT:



PK B.A.Y (Poughkeepsie Board of Artistic Youth)

Poughkeepsie Public Arts Commission

Art Installation on Public Property Proposal



Proposal Content

1. Background:
2. RFP Criteria:
3. Selected Artist: Lala Montaya:
4. Commissioned Artwork:
5. Installation and Maintenance:
6. Marketing and Promotion:
7. Timeline:
8. Renderings and Samples of the Artwork:



1. Background:

The Art Effect empowers young people to develop their creative voices to shape their futures and bring about positive social change. The Art Effect helps youth explore, experience, and excel in the arts, introducing them to visual arts and media, giving them the opportunity to develop real skills in these fields, and guiding them toward achieving their academic and career goals.

Currently, The Art Effect is partnering with the Poughkeepsie Children's Cabinet to expand the YAEZ ([Youth Arts Empowerment Zone](#)) as a model for youth civic engagement in the City of Poughkeepsie. With funding support from The Wallace Foundation, The Art Effect and the Poughkeepsie Children's Cabinet are collaborating with five of Poughkeepsie's out-of-school-time providers to convene adolescent leaders, The PK B.A.Y. (Poughkeepsie Board of Artistic Youth), from The Art Effect, Family Services, Community Matters 2, Nubian Directions II and The Boys and Girls Club to form a first-of-its-kind citywide youth initiative.

The PK B.A.Y. is a group of Poughkeepsie-based youth ranging from ages 14 to 18 who work within the YAEZ to advocate for art, entrepreneurship, and youth voice to be valued in community leadership. Nineteen youth have served as part of The PK B.A.Y. since it began in September 2023. The PK B.A.Y. believes that public art means bringing people together, but public art can also mean bringing awareness to the community. The PK B.A.Y. believes that making a difference is hard, but it is possible.

The YAEZ is a 10-year plan to establish a youth arts district along Main Street in Poughkeepsie, with The Art Effect at the Trolley Barn as the anchor arts institution. It focuses on youth-driven placemaking in and around the Trolley Barn. In its early stages, local community empowerment has been driven by annual arts festivals around community-inspired artworks, created by local youth and professional artists.

As part of their work, the PK B.A.Y. sought proposals for a public art installation within the YAEZ that enacts their mission. The youth selected artist Lala Montoya's "Portal," a large-scale archway conceived of as a portal within the heart of Poughkeepsie on the north-east lawn of Reservoir Square, at the intersection of Cannon St. and S. Clinton St., that embodies the dreams and aspirations of the community and features portraits of local residents who serve important roles in the youths' lives.



2. RFP Criteria:

This is a youth-led public art project, meaning from idea creation, RFP development, artist selection to art creation, Poughkeepsie youth have had a voice. After months of deliberation and brainstorming among the youth leaders, they formulated an RFP to call for proposals on a public art piece they envisioned would “promote positivity, provide inspiration and give the people of Poughkeepsie a little push in the direction of stopping violence and drug use going forward.”

The PK B.A.Y hopes that this project will reach both the hearts and minds of everyone who sees it in our city.

1. Youth Generated Project Parameters:

- a. In the cases of a sculptural or mural pieces: minimum dimensions are 10 feet tall, five feet wide (preference of large scale),
- b. Preference given to works in high-visibility areas,
- c. Must be weatherproof,
- d. Must aim to foster positivity,
- e. Must incorporate at least one of the following themes:
 - i. Unity: connection, and peace;
 - ii. Anti-violence:
 - iii. Poughkeepsie and its indigenous history,
 - iv. Drug abuse prevention and the negative effects of drugs.
- f. Must draw attention to themes without openly blaming or shaming anyone,
- g. Preference given to artist who enjoy working with youth,
- h. Preference given to works that involve a community interactivity component,
- i. Though preference is given to sculptural work, we invite proposals covering a wide variety of arts.

Once the RFP closed in February, the PK B.A.Y. group reviewed all twelve of the artist applications received. They almost unanimously choose the local artist and urban farmer, Lala Montoya.



3. Selected Artist: Lala Montaya:

Artist Bio: Currently rooted in the Hudson Valley in Poughkeepsie, NY, Lala was born and raised in Medellín, Colombia - a land of strong mountains, ancient lakes and careful campesinos. Lala draws inspiration from the abundant nature surrounding her, recognizing the inherent richness within each individual, manifesting itself through the body and the journey of life. This inspiration finds expression in her compelling earthy art, spanning ceramics, wood carving, painting, and printing blocks. Through these mediums, Montoya seeks to illuminate the beauty of time, of age - to make transparent the small details often missed in the rush of progress and perfection. It is by working with youth in her partnerships that this work stays vibrant and alive.

Lala's portfolio: <https://lalamontoya.myportfolio.com/>

4. Commissioned Artwork:

Artist Statement: Embodying the prospect of transcending into new territories, a "Portal" is a gateway to new realities. Building upon this concept, our proposal envisions the building of a portal in the heart of Poughkeepsie, constructed from discarded bricks and cinder blocks. This 10x10ft wall, bound together with cement and featuring a central arch, will invite individuals to walk through a symbolic threshold, challenging perceptions of waste by demonstrating that one person's garbage can be another's treasure.

On one side of the portal, an invitation instigates people to enter, explaining that the structure is crafted from recycled materials sourced from Poughkeepsie's discarded bricks and cinder blocks. On the other side, a mosaic of ceramic tiles, painted by Poughkeepsie's youth depicting the bright future, adorns the once-exposed raw bricks. The side pointing to the future column will feature portraits of local residents who serve important roles in the youths' lives (see [Section 8](#)). Inspired by Octavia Butler's visionary fiction, these tiles embody the dreams and aspirations of the community, creating a new reality born from discarded elements.

In contrast to the typical dystopian narratives in science fiction, visionary fiction grounds itself in our current reality, envisioning powerful social change within existing societal boundaries. The interplay between permanence and impermanence in the artwork mirrors the dynamic nature of visionary fiction, allowing viewers to witness that the messages etched on the tiles evolve and change over time, reinforcing the idea that change is the only constant in life.



5. Installation and Maintenance:

With generous support from the Wallace Foundation, the Poughkeepsie Children's Cabinet has secured the necessary funding for the commission, fabrication, and installation of the public artwork. The artist will retain all rights as the author of the artwork. Upon completion and delivery at the site, ownership of the artwork will transfer to The Art Effect. The artist will provide a maintenance guide with a description of all materials and products utilized in the artwork and the suggested care and upkeep involved. The Art Effect proposes an initial five year commitment to maintain the artwork on the Reservoir Square site. At the end of the five years, The Art Effect will convene a meeting with the City, artist, and project partners on next steps for the artwork whether it be ongoing conservation, relocation, or removal.

The artistic materials have been carefully selected with the consideration of a semi-permanent outdoor installation and the design incorporates the expectation of how the materials will weather over the duration of the installation. Cinder blocks and clay bricks, bound together with cement, will make up the primary structure of the artwork; chosen for their durability and weathering properties. The structural design is informed by the artist's expertise and decade long practice of working with clay as well as the consultation and review by architect Mató Ressler to ensure the integrity and public safety of the completed work. The artwork will be secured and reinforced with three foot lengths of rebar inserted underground.

In addition, The Art Effect has successfully produced a number of large scale public artworks and, as a lead partner and project manager, is responsible for offering guidance and oversight for the fabrication and installation of the artwork in collaboration with the artist and PK B.A.Y. youth. The artwork will be finished with wheatpaste posters, designed by the PK B.A.Y. youth. Wheatpaste is an easily replaceable surface, allowing the artwork to be updated and reinvigorated overtime and easily maintained should vandalism occur. Plantings will be added around the base of the artwork.

The Art Effect will be responsible for the maintenance of artwork and will reassess annually the soundness and condition of the artwork. Reservoir Square will become a new and vital site of community activation within the YAEZ. The Art Effect will program the site as a part of the ongoing development of the YAEZ and in coordination with exhibitions and events hosted at the Trolley Barn Gallery, including community clean up days, free hands-on art making activities, walking tours, festival gatherings and

[illegible]



6. Marketing and Promotion:

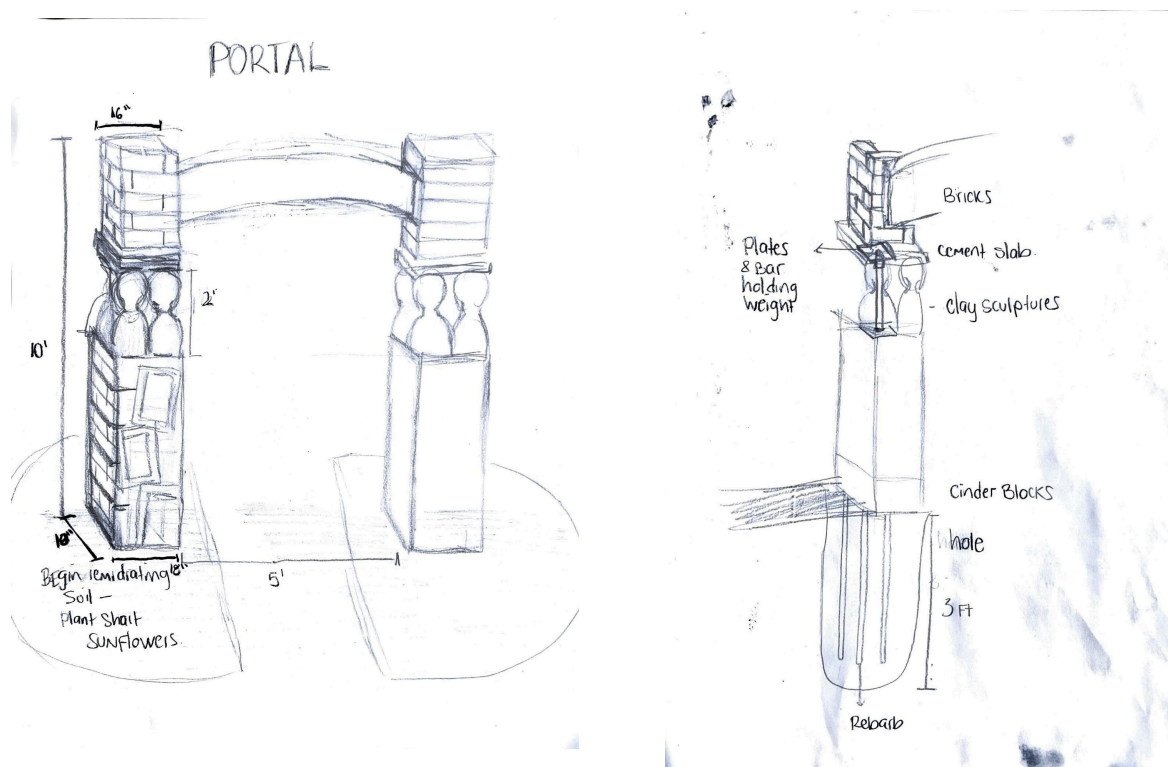
The Art Effect will coordinate and facilitate all program partners' involvement in publicizing the public artwork and unveiling, including generating and printing postcards for distribution by youth and partners, digital assets, a social media toolkit, and invitation template. The Art Effect will also conduct direct outreach for the unveiling, compiling an invite list with relevant stakeholders, press representatives and

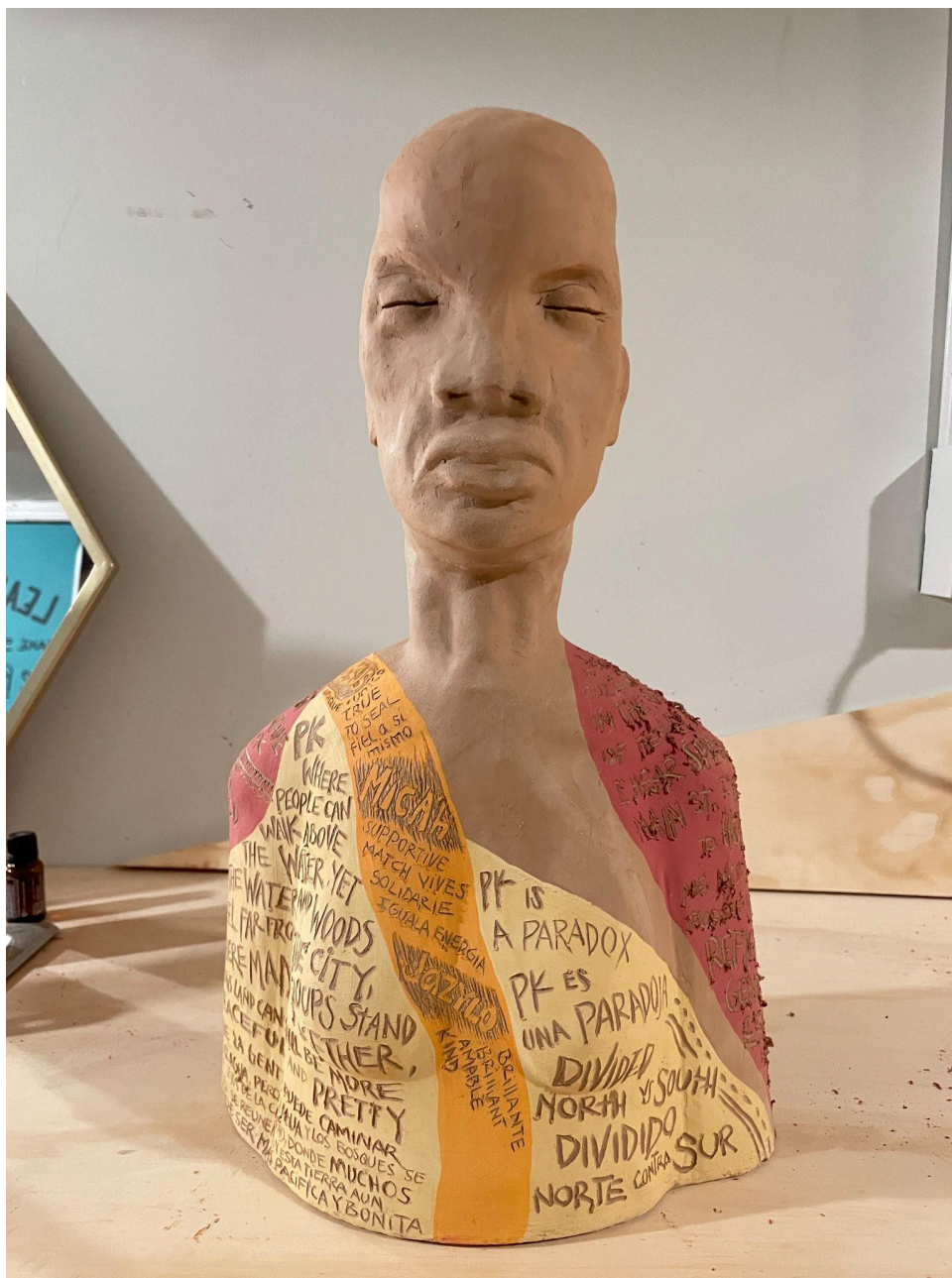
constituents to receive email communications, feature the artwork and unveiling in The Art Effect's e-newsletter, and post across The Art Effect's social media channels.

7. Timeline:

Following approval by the City of Poughkeepsie Public Arts Commission and the City Administrator, The Art Effect will immediately begin preparing the site for the build and installation of the artwork. A community build day with involvement from all five youth partner organizations will be hosted on Saturday, May 18, 2024. Build sessions with the PK B.A.Y. will then continue on Tuesday and Thursday afternoons for the next four weeks leading up to the formal unveiling ceremony and reception on Thursday, June 13, 2024 at 3:30pm in conjunction with the end of the school year.

8. Renderings and Samples of the Artwork:







RESOLUTION

R-24-36

EXTRACT OF MINUTES

(Poughkeepsies' Water Treatment Facility—Sludge Tanks)

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 May 21, 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 Terriciana 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 Councilmembers Grant, Shook, Patterson Thompson, Henry and Deichler, seconded by Councilmember_____, to wit;

BOND RESOLUTION DATED MAY 21, 2024

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,689,236 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CITY'S SHARE OF THE ESTIMATED \$3,056,958 COST OF THE POUGHKEEPSIES' WATER TREATMENT FACILITY SLUDGE TANKS AND AUTHORIZING THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

WHEREAS, the Poughkeepsies' Water Treatment Facility is owned and operated as a joint project of the City of Poughkeepsie and Town of Poughkeepsie pursuant to an inter-municipal agreement dated August 3, 1995, as amended (the "Inter-municipal Agreement"), entered into pursuant to Article 5-G of the General Municipal Law, and the Poughkeepsies' Joint Water Board has recommended certain improvements to the Poughkeepsie Water Treatment Facility including replacement of thickened sludge storage tanks, the cost of which is to be allocated

between the City of Poughkeepsie and the Town of Poughkeepsie pursuant to the Inter-municipal Agreement;

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. The improvement of the Poughkeepsies' Water Treatment Facility, consisting of the planning, design, construction and installation of equipment, machinery, apparatus, appurtenances, and incidental site and other improvements and expenses in connection with the replacement of sludge tanks, is hereby authorized at an estimated maximum joint project cost of \$3,056,958. The City's share of such estimated maximum joint cost has been determined to be \$1,689,236, hereby appropriated for such purpose. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty years.

SECTION 2. It has been determined that the aforesaid purpose constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQRA not to have a significant impact on the environment.

SECTION 3. The City plans to finance the City's share of the cost of said purposes by the issuance of serial bonds of the City in an amount not to exceed \$1,689,236, hereby authorized to be issued therefor pursuant to the Local Finance Law. The City plans to provide for amounts equal to annual debt service costs with respect to obligations issued hereunder from its Water Fund revenues. The remaining share of the total joint project cost is to be paid by the Town of Poughkeepsie pursuant to the Inter-municipal Agreement.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 6. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 7. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Commissioner of Finance, the Chief Fiscal Officer of the City. The Commissioner of Finance is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Chamberlain is hereby authorized to affix the corporate seal of the City to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 8. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Commissioner of Finance is further authorized, in his discretion, to execute a project financing and loan agreement and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Environmental Conservation and/or the New York State Department of Health, and amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the specific object or purpose set forth herein, or a portion thereof, by one or more notes or bond issues of the City and the sale of such issues to the New York State Environmental Facilities Corporation or its designee pursuant to the New York State Revolving Fund Program.

SECTION 10. 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 11. 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, a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 12. This resolution shall take effect immediately.

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 Terriciensa 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 _____, 2024. _____ Deputy City Chamberlain
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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 21st day of May, 2024 and entitled:

BOND RESOLUTION DATED MAY 21, 2024

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,689,236 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CITY'S SHARE OF THE ESTIMATED \$3,056,958 COST OF THE POUGHKEEPSIES' WATER TREATMENT FACILITY SLUDGE TANKS AND AUTHORIZING THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

(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 May, 2024.

-SEAL-

Deputy City Chamberlain

Executive Summary—Not a part of the Resolution

This New Resolution for the **(Poughkeepsies' Water Treatment Facility—TSST Tanks)** includes:

<u>Purpose</u>	<u>Capital Budget Items</u>	PPU (Max. Period for <u>Financing</u>)	<u>Total Project Cost</u>	<u>Other Funds</u> (Town of Poughkeepsie's share)	<u>Bonds Authorized</u>
Section 1: City's share of the Poughkeepsies' Water Treatment Facility--Sludge Tanks		40 years	\$3,056,958	\$1,367,722	\$1,689,236

RESOLUTION

R-24-37

EXTRACT OF MINUTES (Poughkeepsies' Water Treatment Facility—Filters)

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 May 21, 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 Terriciana 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 Councilmembers Grant, Shook, Patterson Thompson, Henry and Deichler, seconded by Councilmember_____, to wit;

BOND RESOLUTION DATED MAY 21, 2024

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,488,791 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CITY'S SHARE OF THE ESTIMATED \$4,515,700 COST OF THE POUGHKEEPSIES' WATER TREATMENT FACILITY FILTER REPLACEMENT AND AUTHORIZING THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

WHEREAS, the Poughkeepsies' Water Treatment Facility is owned and operated as a joint project of the City of Poughkeepsie and Town of Poughkeepsie pursuant to an inter-municipal agreement dated August 3, 1995, as amended (the "Inter-municipal Agreement"), entered into pursuant to Article 5-G of the General Municipal Law, and the Poughkeepsies' Joint Water Board has recommended certain improvements to the Poughkeepsie Water Treatment Facility

including replacement of filters, the cost of which is to be allocated between the City of Poughkeepsie and the Town of Poughkeepsie pursuant to the Inter-municipal Agreement;

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. The improvement of the Poughkeepsies' Water Treatment Facility, consisting of the planning, design, construction and installation of equipment, machinery, apparatus, appurtenances, and incidental site and other improvements and expenses in connection with the replacement of filters, is hereby authorized at an estimated maximum joint project cost of \$4,515,700. The City's share of such estimated maximum joint cost has been determined to be \$2,488,791, hereby appropriated for such purpose. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty years.

SECTION 2. It has been determined that the aforesaid purpose constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQRA not to have a significant impact on the environment.

SECTION 3. The City plans to finance the City's share of the cost of said purposes by the issuance of serial bonds of the City in an amount not to exceed \$2,488,791, hereby authorized to be issued therefor pursuant to the Local Finance Law. The City plans to provide for amounts equal to annual debt service costs with respect to obligations issued hereunder from its Water Fund revenues. The remaining share of the total joint project cost is to be paid by the Town of Poughkeepsie pursuant to the Inter-municipal Agreement.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 6. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. To the extent not paid from other sources, there shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 7. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Commissioner of Finance, the Chief Fiscal Officer of the City. The Commissioner of Finance is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Chamberlain is hereby authorized to affix the corporate seal of the City to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 8. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Commissioner of Finance is further authorized, in his discretion, to execute a project financing and loan agreement and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Environmental Conservation and/or the New York State Department of Health, and amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the specific object or purpose set forth herein, or a portion thereof, by one or more notes or bond issues of the City and the sale of such issues to the New York State Environmental Facilities Corporation or its designee pursuant to the New York State Revolving Fund Program.

SECTION 10. 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 11. 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, a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 12. This resolution shall take effect immediately.

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 Terriciensa 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 _____, 2024. _____ Deputy 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 21st day of May, 2024 and entitled:

BOND RESOLUTION DATED MAY 21, 2024

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,488,791 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CITY'S SHARE OF THE ESTIMATED \$4,515,700 COST OF THE POUGHKEEPSIES' WATER TREATMENT FACILITY FILTER REPLACEMENT AND AUTHORIZING THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

(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 May, 2024.

-SEAL-

Deputy City Chamberlain

Executive Summary—Not a part of the Resolution

This New Resolution for the **(Poughkeepsies' Water Treatment Facility—Filters)** includes:

<u>Purpose</u>	<u>Capital Budget Items</u>	PPU (Max. Period for <u>Financing</u>)	<u>Total Project Cost</u>	<u>Other Funds</u> (Town of Poughkeepsie's share)	<u>Bonds Authorized</u>
Section 1: City's share of the Poughkeepsies' Water Treatment Facility--Filters		40 years	\$4,515,700	\$2,026,909	\$2,488,791

**RESOLUTION
(R-24-38)**

Garden Street over Fall Kill Creek Bridge Replacement

Authorizing the implementation, and funding in the first instance of 100% of the federal-aid and State "Marchiselli" Program-aid (if applicable) eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

INTRODUCED BY COUNCILMEMBERS GRANT, SHOOK, PATTERSON THOMPSON, HENRY AND DEICHLER

WHEREAS, a Project for the Garden Street over Fall Kill Creek Bridge Replacement (BIN 2262680) in the City of Poughkeepsie, PIN 8761.96 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Poughkeepsie desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection; and

WHEREAS, this resolution shall supplement Resolution R-23-29

NOW, THEREFORE, the Common Council, duly convened does hereby:

RESOLVE, that the Common Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Poughkeepsie City Council hereby authorizes the City of Poughkeepsie to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$4,122,500 (\$4,811,697 minus the previous \$689,197) is hereby appropriated from Account 30-08-5110 7461 (Contract Ser-Engineering 19BRG.01) and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Administrator thereof, and it is further

RESOLVED, that the City Administrator of the City of Poughkeepsie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Poughkeepsie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the City Administrator the following municipal titles: Mayor, Commissioner of Public Works, City Engineer, and Commissioner of Finance are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER _____ .

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

I, Donna DeLuca, Acting City Chamberlain of the City of Poughkeepsie, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said City of Poughkeepsie Common Council at a meeting duly called and held at a meeting duly called and held at City Hall on May 21, 2024 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the City of Poughkeepsie, New York, this _____ day of _____, 2024.

Deputy City Chamberlain City of Poughkeepsie

PIN 8761.96
11/26/2018mg

Sponsor: **City of Poughkeepsie**
 PIN: **8761.96** BIN: **2262680**
 Comptroller's Contract No. **D036275**
 Supplemental Agreement No. **2**
 Date Prepared: **4/29/2024** By: **DR**
 Initials

Press F1 for instructions in the blank fields:

SUPPLEMENTAL AGREEMENT No. 2 to D036275 (Comptroller's Contract No.)

This Supplemental Agreement is by and between:

the New York State Department of Transportation ("NYSDOT"), having its principal office at 50 Wolf Road, Albany, NY 12232, on behalf of New York State ("State")
 and

City of Poughkeepsie (the Sponsor)
 Acting by and through the **City Administrator**
 with its office at **62 Civic Center Plaza, Poughkeepsie, NY 12601.**

This amends the existing Agreement between the parties in the following respects only:

Amends a previously adopted Schedule A by (check as applicable):

- ☐ amending a project description
- ☐ amending the contract end date
- ☒ amending the scheduled funding by:
 - ☒ adding additional funding (*check and enter the # phase(s) as applicable*):
 - ☒ adding phase **Construction** which covers eligible costs incurred on/after **4/5/2024**
 - ☐ adding phase _____ which covers eligible costs incurred on/after / /
 - ☒ increasing funding for a project phase(s)
 - ☒ adding a pin extension
 - ☐ change from Non-Marchiselli to Marchiselli
 - ☐ deleting/reducing funding for a project phase(s)
 - ☐ other (_____)

- ☐ Amends a previously adopted Schedule "B" (Phases, Sub-phase/Tasks, and Allocation of Responsibility)
- ☒ Amends a previously adopted Agreement by replacing the Appendix A dated October 2019 with the Appendix A dated June 2023.
- ☐ Amends a previously adopted Agreement by adding:
 - ☐ Appendix B M/WBE/SDVOB.
 - ☐ Retention Exhibit.
 - ☐ Other: _____

- ☐ Amends the text of the Agreement as follows (*insert text below*):

Sponsor: **City of Poughkeepsie**
 PIN: **8761.96** BIN: **2262680**
 Comptroller's Contract No. **D036275**
 Supplemental Agreement No. **2**
 Date Prepared: **4/29/2024** By: **DR**
 Initials

Press F1 for instructions in the blank fields:

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officials as of the date first above written.

SPONSOR:

SPONSOR ATTORNEY:

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

STATE OF NEW YORK

)ss.:

COUNTY OF **DUTCHESS**

On this _____ day of _____, 20____ before me personally came _____ to me known, who, being by me duly sworn did depose and say that he/she resides at _____; that he/she is the _____ of the Municipal/Sponsor Corporation described in and which executed the above instrument; (except New York City) that it was executed by order of the _____ of said Municipal/Sponsor Corporation pursuant to a resolution which was duly adopted on _____ and which a certified copy is attached and made a part hereof; and that he/she signed his/her name thereto by like order.

 Notary Public

APPROVED FOR NYSDOT:

APPROVED AS TO FORM:
STATE OF NEW YORK ATTORNEY GENERAL

BY: _____

 For Commissioner of Transportation

Agency Certification: In addition to the acceptance of this contract I also certify that original copies of this signature page will be attached to all other exact copies of this contract.

By: _____
 Assistant Attorney General

Date: _____

COMPTROLLER'S APPROVAL:

By: _____
 For the New York State Comptroller
 Pursuant to State Finance Law ' 112

SCHEDULE A – Description of Project Phase, Funding and Deposit Requirements
NYS DOT/ State-Local Agreement - Schedule A for PIN 8761.96

OSC Contract #: <u>D036275</u>	Contract Start Date: <u>3/18/2019</u> (mm/dd/yyyy) Contract End Date: <u>8/30/2028</u> (mm/dd/yyyy) ☐ Check, if date changed from the last Schedule A
Purpose: ☐ Original Standard Agreement ☒ Supplemental Schedule A No. 2	
Agreement Type: ☒ Locally Administered Municipality/Sponsor (Contract Payee): City of Poughkeepsie Other Municipality/Sponsor (if applicable): _____ ☐ State Administered <i>List participating Municipality(ies) and the % of cost share for each and indicate by checkbox which Municipality this Schedule A applies.</i> ☐ Municipality: _____ % of Cost share ☐ Municipality: _____ % of Cost share ☐ Municipality: _____ % of Cost share	
Authorized Project Phase(s) to which this Schedule applies: ☒ PE/Design ☒ ROW Incidentals ☒ ROW Acquisition ☒ Construction/CI/CS	
Work Type: BR REPLACE	County (If different from Municipality): Dutchess
(Check, if Project Description has changed from last Schedule A): ☐ Project Description: PIN 8761.96 (BIN 2262680) Garden Street over Fall Kill Creek Bridge Replacement, City of Poughkeepsie, Dutchess County	
Marchiselli Eligible ☒ Yes ☐ No	

A. Summary of Participating Costs FOR ALL PHASES For each PIN Fiscal Share below, show current costs on the rows indicated as "Current.". Show the old costs from the previous Schedule A on the row indicated as "Old." All totals will calculate automatically.

PIN Fiscal Share	"Current" or "Old" entry indicator	Funding Source (Percentage)	TOTAL Costs	FEDERAL Funds	STATE Funds	LOCAL Funds	LOCAL DEPOSIT AMOUNT (Required only if State Administered)
8761.96.121	Current	STP (80%)	\$624,000.00	\$499,200.00	\$93,600.00	\$31,200.00	\$0.00
	Old	STP (80%)	\$624,000.00	\$499,200.00	\$93,600.00	\$31,200.00	\$0.00
8761.96.221	Current	STP (80%)	\$42,582.00	\$34,065.00	\$6,388.00	\$2,129.00	\$0.00
	Old	STP (80%)	\$42,582.00	\$34,065.00	\$6,388.00	\$2,129.00	\$0.00
8761.96.222	Current	STP (80%)	\$22,613.00	\$18,090.00	\$3,392.00	\$1,131.00	\$0.00
	Old	STP (80%)	\$22,613.00	\$18,090.00	\$3,392.00	\$1,131.00	\$0.00
8761.96.321	Current	STP (80%)	\$3,898,700.00	\$3,118,960.00	\$0.00	\$779,740.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
8761.96.NPS	Current	100% Local	\$223,800.00	\$0.00	\$0.00	\$223,800.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
. .	Current		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Old		\$ 0.00	\$0.00	\$0.00	\$0.00	\$0.00
TOTAL CURRENT COSTS:			\$4,811,695.00	\$3,670,315.00	\$103,380.00	\$1,038,000.00	\$ 0.00

NYSDOT/State-Local Agreement – Schedule A PIN 8761.96

B. Local Deposit(s) from Section A:	\$ 0.00
Additional Local Deposit(s)	\$0.00
Total Local Deposit(s)	\$ 0.00

C. Total Project Costs <i>All totals will calculate automatically.</i>			
Total FEDERAL Cost	Total STATE Cost	Total LOCAL Cost	Total ALL SOURCES Cost
\$3,670,315.00	\$103,380.00	\$1,038,000.00	\$4,811,695.00
		Total FEDERAL Cost	\$3,670,315.00
		Total STATE Cost	\$103,380.00
SFS TOTAL CONTRACT AMOUNT			\$3,773,695.00

D. Point of Contact for Questions Regarding this Schedule A (Must be completed)	Name: <u>Danielle Rispoli</u> Phone No: <u>845-431-5724</u>
--	--

See Agreement (or Supplemental Agreement Cover) for required contract signatures.

Footnotes (FN): (See [LPB's](#) SharePoint for link to sample footnotes)

- Project description continued: The project consists of the replacement of the entire existing Garden Street bridge structure, including both abutments.
- This Schedule A add the construction and construction inspection phases and funds.
-
-
-
-
-
-
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-
-

APPENDIX A

STANDARD CLAUSES FOR NEW YORK STATE CONTRACTS

**PLEASE RETAIN THIS DOCUMENT
FOR FUTURE REFERENCE.**

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STANDARD CLAUSES FOR NYS CONTRACTS

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, “the contract” or “this contract”) agree to be bound by the following clauses which are hereby made a part of the contract (the word “Contractor” herein refers to any party other than the State, whether a contractor, licenser, licensee, lessor, lessee or any other party):

1. EXECUTORY CLAUSE. In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

2. NON-ASSIGNMENT CLAUSE. In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State’s previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller’s approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor’s business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State’s prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

3. COMPTROLLER’S APPROVAL. In accordance with Section 112 of the State Finance Law, if this contract exceeds \$50,000 (or \$75,000 for State University of New York or City University of New York contracts for goods, services, construction and printing, and \$150,000 for State University Health Care Facilities) or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$25,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller’s approval of contracts let by the Office of General Services, either for itself or its customer agencies by the Office of General Services Business Services Center, is required when such contracts exceed \$85,000. Comptroller’s approval of contracts established as centralized contracts through the Office of General Services is required when such contracts exceed \$125,000, and when a purchase order or other procurement transaction issued under such centralized contract exceeds \$200,000.

4. WORKERS’ COMPENSATION BENEFITS. In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers’ Compensation Law.

5. NON-DISCRIMINATION REQUIREMENTS. To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment, nor subject any individual to harassment, because of age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or domestic violence victim status or because the individual has opposed any practices forbidden under the Human Rights Law or has filed a complaint, testified, or assisted in any proceeding under the Human Rights Law. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

6. WAGE AND HOURS PROVISIONS. If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor’s employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in

accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

7. NON-COLLUSIVE BIDDING CERTIFICATION. In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

8. INTERNATIONAL BOYCOTT PROHIBITION. In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2 NYCRR § 105.4).

9. SET-OFF RIGHTS. The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, the "Records"). The Records

must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION. (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.

In accordance with Section 312 of the Executive Law and 5 NYCRR Part 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;

(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "(a), (b) and (c)" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not

apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this clause. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

13. CONFLICTING TERMS. In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

14. GOVERNING LAW. This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

15. LATE PAYMENT. Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

16. NO ARBITRATION. Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

17. SERVICE OF PROCESS. In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS. The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this

law will be the responsibility of the contractor to establish to meet with the approval of the State.

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in § 165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES (APPLICABLE ONLY IN NON-FEDERAL AID NEW YORK STATE CONTRACTS). In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

20. OMNIBUS PROCUREMENT ACT OF 1992 (APPLICABLE ONLY IN NON-FEDERAL AID NEW YORK STATE CONTRACTS). It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority- and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development
Division for Small Business and Technology Development
625 Broadway
Albany, New York 12245
Telephone: 518-292-5100

A directory of certified minority- and women-owned business enterprises is available from:

NYS Department of Economic Development
Division of Minority and Women's Business Development
633 Third Avenue 33rd Floor
New York, NY 10017
646-846-7364
email: mwbusinessdev@esd.ny.gov
<https://ny.newnycontracts.com/FrontEnd/searchcertifieddirectory.asp>

The Omnibus Procurement Act of 1992 (Chapter 844 of the Laws of 1992, codified in State Finance Law § 139-i and Public

Authorities Law § 2879(3)(n)-(p)) requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority- and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

21. RECIPROCITY AND SANCTIONS PROVISIONS. Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively, codified in State Finance Law § 165(6) and Public Authorities Law § 2879(5)) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 2023, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii.

22. COMPLIANCE WITH BREACH NOTIFICATION AND DATA SECURITY LAWS. Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law §§ 899-aa and 899-bb and State Technology Law § 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW. If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4)(g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual

employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

24. PROCUREMENT LOBBYING. To the extent this agreement is a “procurement contract” as defined by State Finance Law §§ 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law §§ 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.

To the extent this agreement is a contract as defined by Tax Law § 5-a, if the contractor fails to make the certification required by Tax Law § 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law § 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

26. IRAN DIVESTMENT ACT. By entering into this Agreement, Contractor certifies in accordance with State Finance Law § 165-a that it is not on the “Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012” (“Prohibited Entities List”) posted at: <https://ogs.ny.gov/iran-divestment-act-2012>

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.

During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law § 165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions,

seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

27. ADMISSIBILITY OF REPRODUCTION OF CONTRACT. Notwithstanding the best evidence rule or any other legal principle or rule of evidence to the contrary, the Contractor acknowledges and agrees that it waives any and all objections to the admissibility into evidence at any court proceeding or to the use at any examination before trial of an electronic reproduction of this contract, in the form approved by the State Comptroller, if such approval was required, regardless of whether the original of said contract is in existence.

SAMPLE RESOLUTION BY MUNICIPALITY
(Locally Administered Project)
RESOLUTION NUMBER: _____

Authorizing the implementation, and funding in the first instance 100% of the federal-aid [[[and State "Marchiselli" Program-aid]]] eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Garden Street over Fall Kill Creek Bridge Replacement (BIN 2262680) in the City of Poughkeepsie, PIN 8761.96 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Poughkeepsie desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of construction and construction inspection.

NOW, THEREFORE, the Poughkeepsie City Council, duly convened does hereby

RESOLVE, that the Poughkeepsie City Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the Poughkeepsie City Council hereby authorizes the City of Poughkeepsie to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$4,122,500 (\$4,811,697 minus the previous \$689,197) is hereby appropriated from _____ [or, appropriated pursuant to _____] and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Poughkeepsie City Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Administrator thereof, and it is further

RESOLVED, that the City Administrator of the City of Poughkeepsie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Poughkeepsie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that in addition to the City Administrator the following municipal titles: Commissioner of Public Works, City Engineer, City Comptroller, _____ are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

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

I, _____, Clerk of the City of Poughkeepsie, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said _____ at a meeting duly called and held at the _____ on _____ by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the City of Poughkeepsie, New York, this _____ day of _____, 2024.

Clerk, City of Poughkeepsie

**RESOLUTION OF THE CITY OF POUGHKEEPSIE TO
APPROPRIATE UNSPENT AMERICAN RESCUE PLAN ACT
OF 2021 (ARPA) FUNDS IN 2024**

(R-24-39)

**INTRODUCED BY COUNCILMEMBERS GRANT, SHOOK, PATTERSON
THOMPSON, HENRY AND DEICHLER**

WHEREAS, the City was awarded \$20,863,783 in federal funding through the American Rescue Plan Act of 2021 (ARPA) to aid recovery from the COVID-19 pandemic; and

WHEREAS, the City received the funding in two equal tranches in 2021 and 2022, to be appropriated by December 31, 2024; and

WHEREAS, by the close of fiscal year 2023, the City spent \$15,276,955.58 of these ARPA funds on budgeted, legislatively-approved expenses; and

WHEREAS, the City has an additional \$2,070,387.72 of ARPA funds encumbered as open purchase orders for budgeted, legislatively-approved expenses; and

WHEREAS, the City budgeted \$1,500,000 of ARPA funds in the 2024 Adopted Budget;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council amends the 2024 Adopted Budget to appropriate \$1,717,000 in unspent, unencumbered ARPA funds for purposes identified in “Schedule A”, leaving an additional \$299,439.70 in unspent, unencumbered ARPA funds that need to be appropriated by December 31, 2024.

Schedule A

Amending the 2024 Adopted Budget to appropriate unspent, unencumbered American Rescue Plan Act of 2021 (ARPA) funds.

G/L	Description	Amount Increase	
01-02-1210 7469.AR	Outreach Resource Recovery (partner w/ Hudson River Housing & County)	\$	100,000
01-02-1210 7469.AR	Affordable Housing Taskforce	\$	250,000
01-04-1310 7469.AR	Training for IDA & Staff to Rewrite UTEP	\$	7,000
01-08-1440 7440.AR	FPD Stair Repairs	\$	99,000
01-08-1440 7441.AR	Disability Rights Sidewalk & Street Repairs	\$	250,000
01-08-1440 7443.AR	Pershing Park Electrical Shed	\$	50,000
01-08-1440 7461.AR	City Hall Engineering & Resilience Consulting	\$	160,000
01-08-1440 7461.AR	Transfer Station Engineering Study	\$	125,000
01-08-1620 7440.AR	Hooker Firehouse Emergency Repairs	\$	28,000
01-08-1620 7440.AR	Emergency Electrical Repairs at City Hall	\$	48,000
01-08-1640 7233.AR	Purchase of DPW Multi-Purpose Vehicle	\$	240,000
01-08-5650 7218.AR	FPD Paystations	\$	100,000
01-08-7110 7421.AR	Academy St. Sign	\$	30,000
01-10-3410 7444.AR	Fire Truck Emergency Repairs	\$	30,000
01-11-8020 7469.AR	Business Improvement District	\$	100,000
01-11-8020 7469.AR	Façade Program	\$	100,000
Total:		\$	1,717,000

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-24-40)**

**INTRODUCED BY COUNCILMEMBERS GRANT, SHOOK, PATTERSON
THOMPSON AND HENRY**

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 149 Cannon Street and identified as Tax Map Nos. 131300-6161-23-276969.

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 attached Short Environmental Assessment Form (EAF).

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above-described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above-described action does not involve any other agencies; and
4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above-described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above-described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. In accordance with Section 617.5(a)(5) the Common Council determines that the above-described project will not require a long EAF since the short EAF provides

sufficient information; and

6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER _____ .

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Name of Action or Project: Sale of City-owned property located at 149 Cannon Street, City of Poughkeepsie, County of Dutchess, and State of New York			
Project Location (describe, and attach a location map): Cannon Place, City of Poughkeepsie, County of Dutchess, and Sate of New York			
Brief Description of Proposed Action: The City is selling a vacant City-owned lot located on Cannon Street. The Buyer has proposed to purchase the property and construct a 3 family building.			
Name of Applicant or Sponsor: City of Poughkeepsie Common Council		Telephone: 845-451-4200 E-Mail: citychamberlain@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		0.22 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.22 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☒ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☒	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☒	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	NO	YES
	☒	☐
	☐	☐
	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	☒	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	☒	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) hazardous waste? If Yes, describe: <u>Per the NYS DEC EAF Mapper, an adjacent parcel was the subject of remediation. However, a search on the DEC website has not revealed any remediation sites on this block.</u>	NO	YES
	☐	☒
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>City of Poughkeepsie Common Council</u> Date: <u>May 21, 2024</u> Signature: _____ Title: _____		

Project:

Date:

Short Environmental Assessment Form

Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

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

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

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

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

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

CITY OF POUGHKEEPSIE COMMON COUNCIL

May 21, 2024

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

PRINT FORM

RESOLUTION
(R-24-41)

INTRODUCED BY COUNCILMEMBERS GRANT, SHOOK, PATTERSON THOMPSON AND HENRY

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot located at 149 Cannon Street and known as Tax Map No. 131300-6161-23-276969 in the City of Poughkeepsie by reason of Treasurer's Deed for unpaid taxes; and

WHEREAS, the above-mentioned property has been offered for sale by the City in accordance with the policy for the sale of City owned property; and

WHEREAS, an offer has been received from Kaylas & Jessica Bhiri to purchase this property for the sum of \$20,000.00; and

WHEREAS, the Common Council hereby finds that the offer from Kaylas & Jessica Bhiri 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 Kaylas & Jessica Bhiri to purchase the vacant lot located at 149 Cannon Street and known as Tax Map No. 131300-6161-23-276969 in the City of Poughkeepsie for the sum of \$20,000.00 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 sixty (60) 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 _____.

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: 5/1/2024

NAME AND ADDRESS OF EACH CLAIMANT:

Barbara D. Cohen
61 Whittier Blvd.
Poughkeepsie, N.Y. 12603

TELEPHONE NUMBER: Cell 914-475-3263 H. 845 434 1259

NAME AND ADDRESS OF ATTORNEY (IF ANY):

hora Gleicher

Silbowitz Garafola Silbowitz & Shatz
55 Water Mill Lane Suite 400 Great Neck N.Y.

212-354-6800

212-354-3737

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

Saturday April 27 2024 around 2:30 PM. My husband and I were walking North on South Grand Ave. just before the driveway to Krieger School. 165 South Grand Ave Poughkeepsie, NY 12603 I tripped on elevated sidewalk. The sidewalk was uneven. See Attached Photos
ITEMS DAMAGED OR INJURIES SUSTAINED: I sustained injuries on my face, to my teeth, my right hand and both my knees

Barbara D. Cohen
Signature of Claimant

Signature of Claimant

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

Barbara Cohen 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.

Barbara D. Cohen
Signature of Claimant

Signature of Claimant

Sworn to before me this
day of May 2024

Nicole M. Mekeel
Notary Public

Nicole M. Mekeel
Notary Public, State of New York
Reg. No. 01ME6137858

My Commission Expires 07/23/2026

Dutchess County

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.









RE: Notification of adult-use retail dispensary license application

License Type: New Establishment

Previous DBA: _____

License Number (if applicable): _____

Applicant Name: ABDU ALI AZEZ

Phone Number: (845)464-4485

Email Address: khaledazez1987@yahoo.co

CITY OF Poughkeepsie
CITY CLERK
2024 MAY -3 PM 3:40

Dear Municipal Clerk/NYC Community Board:

This serves as notification that I (name) abdu ali azez

of (dba) main st convenience store 1 corp

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

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

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

Address Line 1: 388 main st

Address Line 2: _____

City: poughkeepsie

Zip code: 12601

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

Address Line 1: same

Address Line 2: same

City/Town/Village: same

State: _____

Zip code: _____

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

Name: _____

Address Line 1: _____

Address Line 2: _____

City/Town/Village: _____

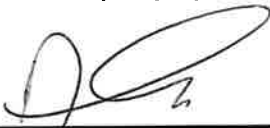
State: Zip code: _____

Telephone with area code: _____

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

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

Signed



Today's date:

Print

ABDU ALI AZEZ



THE CITY OF POUGHKEEPSIE NEW YORK

PUBLIC HEARING

Tuesday, May 7, 2024 6:00 pm

Common Council Chambers

Welcome to the scheduled Public Hearing in the City of Poughkeepsie. The date is May 7, 2024, and the time is 6:03 pm.

This Hearing is for the purpose of receiving comments on whether the City of Poughkeepsie should opt in to the Emergency Tenant Protection Act (ETPA)

I. WELCOME

II. ROLL CALL: 7 present, 2 absent (*Councilmembers Grant & Henry arrived after roll call was taken*)

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

1. Olivia Brock – S. Clinton St / Baxter
2. Nicholas Kalogris – Maryland Ave / For the Many
3. Rich Lanzarone – HVPOA *
4. Mark Rafal – Suncrest St
5. Ken Levinson – Garfield St*
6. Michael de Cordova – Hammersley Ave
7. Darrett Roberts – Hooker Ave / For the Many
8. June Nemon – Union St
9. Kane Bowers – Union St
10. Melissa Hoffman – Lexington Ave
11. Michael Morris – Snow Terrace / For the Many
12. Kaleb Croft – Hook Rd
13. Ken Stickle – Catharine St
14. Linda Bartee – Garden St
15. William McDonald – Hook Rd
16. Jacob Miller – Academy St
17. Colleen Barberan – Flannery Rd

Official Minutes of the Public Hearing of May 7,2024 for the purpose of receiving comments on whether the City of Poughkeepsie should opt in to the Emergency Tenant Protection Act (ETPA)

18. Djuro Lulaj – Main St
19. Michele Caraway
20. Jeffrey Dash – Carroll St / MHVDSA
21. Matthew Dodson - Hammersley Ave
22. Dan Axtmann**
23. Robert Magrino**

*Submitted written statement

**Submitted written statement ONLY

IV. ADJOURNMENT:

Chairman Wilson closed the Public Hearing at 7:27pm

Dated: May 11, 2024

I hereby certify that this is a true and correct copy of the Minutes of the Common Council Public Hearing held on Tuesday, May 7, 2024.

**Respectfully submitted,
Donna M. DeLuca
Deputy City Chamberlain**



HUDSON VALLEY PROPERTY OWNERS ASSOCIATION, INC.

AUDIT OF THE CITY OF POUGHKEEPSIE HOUSING VACANCY RATE ANALYSIS REPORT

Executive Summary

On March 6th, 2024, through the Freedom of Information Act, HVPOA obtained certain internal files and documents of the Collective for Community, Culture and Environment (CCCE) containing information in their possession of vacancies in subject surveyed buildings in Poughkeepsie, NY.

A careful audit of those internal documents was conducted and compared the number of vacancies indicated in those files to what was reported in the published Vacancy Study dated April 3rd, 2024, the "Study".

The audit revealed that there were an additional 57 vacancies documented in those files that were not reported in the Study. The total number of documented vacancies is actually 115 vacancies, not the 58 vacancies the study reports. Essentially the published Study only reported 1 out every 2 vacancies documented by CCCE.

The 115 vacancies result in a 7.78% vacancy rate, therefore CCCE's Study shows that a declaration of an emergency cannot be declared, and the City of Poughkeepsie cannot adopt the Emergency Tenant Protection Act of 1974 (ETPA) .

Detail

The 22 properties where variances were observed are shown on Page 2. Columns 1 -8 are copied directly from the Study, columns 9 & 10 are added to show the variance of unreported vacancies and the source documents that provided the information.

The attached exhibits are the source documents which record the responses and observations of written emails received, online surveys submitted, phone calls and site visits.

As you examine the attached Exhibits 1 through 9, please note that the exhibit numbers, titles and line numbers in red text were added to assist you in navigating through the exhibits and to allow you to quickly locate the information source.

Exhibit 9 is a corrected tally of the number of units, the number of unavailable , number of vacancies and the resulting vacancy percentage calculation.

Richard J. Lanzarone, Executive Director,
Hudson Valley property Owners Association, Inc.
May 7th, 2024

AUDIT OF THE CITY OF POUGHKEEPSIE HOUSING VACANCY RATE ANALYSIS REPORT

Year Built	Property Address	Total No. of Units	No. of vacant units 11/1/2023	No. of vacant units not available for rent 11/1/2023	Total units for vacancy count (TRH)	Total vacant units available for rent 11/1/2023 (TVH)	Vacancy rate	Documented but Unreported Vacancies	Source
1900	548 Main	10	0	0	10	0	0.00%	2	EXHIBIT 1 written response
1900	98 Montgomery	6	1	1	5	0	0.00%	1	EXHIBIT 2 written response
1926	558 Main	28	0	0	28	0	0.00%	4	EXHIBIT 3 written response
1900	28 Hooker	6	2	1	5	1	20.00%	1	EXHIBIT 4 written response
1920	9 Liberty	8	1	0	8	1	12.50%	1	EXHIBIT 5 written response
1925	1 Fountain	13	0	0	13	0	0.00%	4	EXHIBIT 6 Line 13
1905	32 Forbus	6	1	1	5	0	0.00%	1	EXHIBIT 6 Line 9
1922	120 Cannon	14	1	1	13	0	0.00%	1	EXHIBIT 7 Page 3 Line 11
1940	172 Winnikee	12	0	0	12	0	0.00%	3	EXHIBIT 7 Page 3 Line 4
1968	166 Winnikee	6	0	0	6	0	0.00%	2	EXHIBIT 7 Page 3 Line 8
1900	37 S. Hamilton	6	0	0	6	0	0.00%	1	EXHIBIT 8 Page 3 Line 6
1963	94-96 S. Hamilton	51	0	0	51	0	0.00%	8	EXHIBIT 8 Page 3 Line 8
1932	4 Roosevelt	13	0	0	13	0	0.00%	3	EXHIBIT 8 Page 4 Line 11
1920	101 S. Hamilton	11	0	0	11	0	0.00%	2	EXHIBIT 8 Page 3 Line 14
1900	57-65 S. Hamilton	24	2	0	24	2	8.33%	1	EXHIBIT 8 PAGE 3 Line 3
1920	194 Main	14	0	0	14	0	0.00%	5	EXHIBIT 6 Line 24
1870	2 Rose	7	0	0	7	0	0.00%	6	EXHIBIT 6 Line 18
1920	45 N. Clinton	6	0	0	6	0	0.00%	4	EXHIBIT 7 Page 3 Line 6
1938	7-9 S. White	8	0	0	8	0	0.00%	2	EXHIBIT 7 Page 3 Line 7
1920	242 Mansion	6	1	1	5	0	0.00%	2	EXHIBIT 8 Page 8 Line 9
1880	458-460 Main	6	1	1	5	0	0.00%	1	EXHIBIT 8 Page 2 Line 5
1930	66 Worrall	6	0	0	6	0	0.00%	2	EXHIBIT 8 Page 5 Line 14

Note: 9 Liberty Street is included in this list. They were sent a survey, had a site visit, and submitted a written survey response with vacancies, Exhibit 5. However, 9 Liberty does not appear in the CCCE published Study.



Collective for
Community, Culture
and Environment

vacancystudy@gmail.com
City of Poughkeepsie Housing Vacancy Study

Please use this form in replying to the request for information about vacancies at your property. This form asks for information as of **November 1, 2023** as referenced in the cover letter. Please return by November 17, 2023. Thank you.

PROPERTY INFORMATION

Parcel No: Block: 23 Lot: 374953
Street Address: 548 Main, Poughkeepsie, NY

OWNER/MANAGER NAME: 548 MAIN UC

Total no. of Units: 12

Total no. of vacant units as of November 1, 2023: 2

Were these vacant units available for rent on November 1, 2023: yes

If not, what was the reason they were not available for rent: could not rent.

Length of time units were vacant: 6 months.

Name of the person filling out the form: [REDACTED]

Signature: [REDACTED] Date: 11/15/2023

Utilice este formulario para responder a la solicitud de información sobre las unidades vacantes en su propiedad. Este formulario solicita información a partir del **1° de noviembre de 2023**, como se indica en la carta de presentación. Por favor, envíe la información solicitada antes del 17 de noviembre de 2023. Muchas gracias.

INFORMACIÓN SOBRE LA PROPIEDAD

Parcela nº: Block: 23 Lot: 374953
Dirección postal: 548 Main, Poughkeepsie, NY

NOMBRE DEL PROPIETARIO/GERENTE: _____

Nº total de Unidades: _____

Nº total de unidades vacantes a partir del 1° de noviembre de 2023: _____

¿Estaban estas unidades vacantes disponible para alquiler el 1° de noviembre de 2023: _____

Si no es así, ¿cuál fue la razón de que no esté disponible para alquiler? _____

Tiempo durante el cual las unidades estuvieron vacantes: _____

Nombre completo de la persona que llena el formulario: _____

Firma: _____ Fecha: _____



Collective for
Community, Culture
and Environment

vacancystudy@ic@gmail.com
City of Poughkeepsie Housing Vacancy Study

Please use this form in replying to the request for information about vacancies at your property. This form asks for information as of **November 1, 2023** as referenced in the cover letter. Please return by November 17, 2023. Thank you.

PROPERTY INFORMATION

Parcel No: Block: 21 Lot: 87940
Street Address: 98 Montgomery, Poughkeepsie, NY

OWNER/MANAGER NAME: DUTCHES MONTGOMERY LLC

Total no. of Units: 60

Total no. of vacant units as of November 1, 2023: 1

Were these vacant units available for rent on November 1, 2023: Yes

If not, what was the reason they were not available for rent: _____

Length of time units were vacant: was vacated on previous weekend

Name of the person filling out the form: _____

Signature: _____ Date: 12/4/23

Utilice este formulario para responder a la solicitud de información sobre las unidades vacantes en su propiedad. Este formulario solicita información a partir del **1° de noviembre de 2023**, como se indica en la carta de presentación. Por favor, envíe la información solicitada antes del 17 de noviembre de 2023. Muchas gracias.

INFORMACIÓN SOBRE LA PROPIEDAD



Collective for
Community, Culture
and Environment

vacancystudypr@gmail.com
City of Poughkeepsie Housing Vacancy Study

Please use this form in replying to the request for information about vacancies at your property. This form asks for information as of **November 1, 2023** as referenced in the cover letter. Please return by **November 17, 2023**. Thank you.

PROPERTY INFORMATION

Parcel No: _____ Block: 24 Lot: 400940

Street Address: 558 Main, Poughkeepsie, NY

OWNER/MANAGER NAME: 558 MAIN S+LL

Total no. of Units: 33

Total no. of vacant units as of November 1, 2023: 4

Were these vacant units available for rent on November 1, 2023: yes

If not, what was the reason they were not available for rent: _____

Length of time units were vacant: 2 to 3 months

Name of the person filling out the form: _____

Signature: _____ Date: 11/20/23

Utilice este formulario para responder a la solicitud de información sobre las unidades vacantes en su propiedad. Este formulario solicita información a partir del **1° de noviembre de 2023**, como se indica en la carta de presentación. Por favor, envíe la información solicitada antes del 17 de noviembre de 2023.



CCCE Poughkeepsie <vacancystudypk@gmail.com>

28 Hooker Avenue Poughkeepsie, NY. Vacancy

3 messages

[REDACTED] Tue, Dec 19, 2023 at 7:11 AM

To: vacancystudypk@gmail.com

This is in response to the letter I received regarding a vacancy survey for the above referenced premises. Please be advised that I currently have two vacant apartments. Apartment 1, which is a two bedroom and Apartment 3 which is a one bedroom.

Should you have any further questions, please contact m at (516) 644-6807. I was unable to get to the website to fill out the form.

Thank you

[REDACTED]

CCCE Poughkeepsie <vacancystudypk@gmail.com>

Tue, Dec 19, 2023 at 9:21 AM

To: [REDACTED], [REDACTED]
[REDACTED], [REDACTED], [REDACTED]

Begin forwarded message:

[Quoted text hidden]

Tue, Dec 19, 2023 at 10:04 AM

To: CCCE Poughkeepsie <vacancystudypk@gmail.com>

Co: [REDACTED]
[REDACTED]



Collective for
Community, Culture
and Environment

vacancystudy@pk@gmail.com
City of Poughkeepsie Housing Vacancy Study

Please use this form in replying to the request for information about vacancies at your property. This form asks for information as of **November 1, 2023** as referenced in the cover letter. Please return by November 17, 2023. Thank you.

PROPERTY INFORMATION

Parcel No: _____ Block: 77 Lot: 78067
Street Address: **9 Liberty, Poughkeepsie, NY**

OWNER/MANAGER NAME: 9 LIBERTY STREET, LLC

Total no. of Units: 8

Total no. of vacant units as of November 1, 2023: 1

Were these vacant units available for rent on November 1, 2023: YES. BUT IT WAS JUST RENTED ON

If not, what was the reason they were not available for rent: NOV 15, 2023

Length of time units were vacant: TWO MONTHS - IT TOOK TIME TO REPAIR & PAINT AND CLEAN UP. AND TO MARKET.

Name of the person filling out the form: [REDACTED]

Signature: [REDACTED] Date: 11/15/23

Utilice este formulario para responder a la solicitud de información sobre las unidades vacantes en su propiedad. Este formulario solicita información a partir del **1° de noviembre de 2023**, como se indica en la carta de presentación. Por favor, envíe la información solicitada antes del 17 de noviembre de 2023. Muchas gracias.

	Timestamp	PROPERTY OWNER/MANAGER NAME	Parcel No:	Street Address:	Total number of Units:	Total no. of vacant units as of November 1, 2023	Were these vacant units available for rent on November 1, 2023	If not, what was the reason they were not available for rent:	Length of time Units were vacant:	Signature
1	11/19/2023 8:25:52	Kenneth Levinson	31-292841	25 Hammersley Avenue	13	2	Yes		2 months	11/19/2023
2	11/19/2023 8:29:25	Kenneth Levinson	22-219876	45 S. Clinton Street	6	1	Yes		2 months	11/19/2023
3	11/19/2023 8:33:10	Kenneth Levinson	22-232900	6 State Street	7	1	Yes	N/A	2 months	11/19/2023
						1	Yes		1.5 Months	11/21/2023
4	11/21/2023 11:12	Mana Tree Union Street LP	84 Lot:882064	140 Union Street Poughkeepsie, NY 12601	6	1	Yes	N/A	1.5 Months	11/21/2023
5	11/21/2023 11:17:25	Mana Tree Union Street LP	Block: 84 Lot: 885065	144 Union Street Poughkeepsie, NY 12601	6	2	Yes	N/A	2 Months	11/21/2023
6	11/28/2023 16:45:10	22 Lexington Avenue LLC	32-453836	22 Lexington Avenue LLC	6	0	Yes	N/A	N/A	11/28/2023
7	11/28/2023 16:46:40	Main White Apartments LLC	24-404959	559 Main Street, Poughkeepsie, NY	23	0	Yes	N/A	N/A	11/28/2023
8	12/9/2023 1:01:32	Kenneth Levinson	71-254208	171 Mansion Street	6	1	Yes		2 months	12/9/2023
9	12/9/2023 1:03:19	Kenneth Levinson	31-301818	32 Forbus Street	6	1	Yes		1 month	12/9/2023
10	12/9/2023 1:05:35	Kenneth Levinson	22-178892	145 Montgomery Street	6	1	Yes		2 months	12/9/2023
11	12/9/2023 1:08:24	Kenneth Levinson	71-254208	171 Mansion Street	6	1	Yes		1 month	12/9/2023
12	12/17/2023 19:23:36	carroll Estate LLC	131300 6161-29-071774-0000	82 Carroll Street	19	6	Yes		3 Months	12/17/2023
13	12/18/2023 8:47:22	Djuro Lulaj "George" Djuro Lulaj		One Fountain Place Poughkeepsie NY 12603 398 Church St Poughkeepsie NY 12601	18	4	Yes		4 to 6 months	12/18/2023
	12/18/2023 8:48:57				14	6	Yes	Yes	4 months to 8 months	12/18/2023
14	12/18/2023 8:50:09	Djuro Lulaj		548 Main Street Poughkeepsie NY 12601	12	4	Yes		3 months to 9 months	12/18/2023
15	12/18/2023 8:51:30	Djuro Lulaj		537 Main Street Poughkeepsie NY 12601	6	2	Yes		6 Months to 8 months	12/18/2023
16	12/18/2023 8:53:12	Djuro Lulaj		530 Main St Poughkeepsie NY 12601	6	2	Yes		6 months to 8 months	12/18/2023
17	12/18/2023 8:54:14	Djuro Lulaj		2 Rose Street Poughkeepsie NY 12601	7	6	Yes		7 months to 9 months	12/18/2023
18	12/18/2023 8:55:13	Djuro Lulaj		74 North Bridge Street Poughkeepsie NY 12601	3	2	Yes		4 months to 6 months	12/18/2023
19	12/18/2023 10:15:51	OWNER	131300606136902825 0000	34 Lincoln Avenue poughkeepsie ny 12601	7	2	Yes		4 months	12/18/2023
20								Repairs ongoing in one and the other is available for rent	One had tenant who did not pay rent for over 4 months and the other had tenant who owed 2 months rent before moving out.	
	12/18/2023 15:59:55	Malloy Mortoo		254 Mansion Street Poughkeepsie NY 12601	6	2	No			12/18/2023
22	12/18/2023 18:09:47	169 Mansion Street, LLC	307160	169 Mansion Street, Pok NY 12601	6	1	Yes		4 months to date (still vacant)	12/18/2023
23	12/19/2023 13:11:51	manager	131300616277078000	48 cannon st poughkeepsie ny 12601	9	3	Yes		4 months	12/19/2023
24	12/23/2023 14:40:34	Lent 51 LLC/Jay Allen	131300-6062-84-957122	194 Main Street	14	5	Yes		4 months	12/23/2023

	Building address	Date	Number of phone call attempts	Did you leave a message ?	How many units are there in your building?	Were there any vacancies as of November 1, 2023?	IF YES: How many units were vacant?	IF YES: Were they available for rent on November 1, 2023?	IF NOT AVAILABLE FOR RENT: Why were they not available for rent? Was there any renovation, painting, cleaning, repairs being done? Was the Unit being used for storage or something else?	How long have these units been vacant?	IF NO VACANCIES: When was the last time you had a vacancy? How long have these units been vacant?	Is there any other information about your building that you think we should know?
1	217-219 Mill	12/7/2023	First Attempt	No	8	YES	1	No	Undergoing renovations	mid October onwards		Takes a while to rent. There are many applicants but many don't show up or don't complete applications
2	98 Montgomery	12/7/2023	First Attempt	No	6	YES	1	No	Tenant vacated at end of October, Unit on market now			
3	8-22 N Bridge Street	12/7/2023	First Attempt	No	44	YES	2	no	Painting and getting ready for rent			
4	12 Delano Street	12/7/2023	First Attempt	No	6	No						
5	91 S Hamilton Street	12/7/2023	First Attempt	No	24	YES	3	no	painting renovation			These units are now on the market. one has rented and 2 are available
6	55 N. Clinton St	12/11/2023	Second Attempt	No	8	No	0	No				Owners claims that this building should not be included in the study as it was converted from single family to 8 family in 2010
7	548 Main ST	12/7/2023	First Attempt					yes		5 months		not able to rent as in 2 Rose St
8	140 Union Street		First Attempt		as on our chart	YES		yes		1 to 2 months		usually takes 1 to 2 months to rent usually takes 1 to 2 months to rent after apts are prepped and put on the market
9	144 Union	12/7/2023	First Attempt		as on survey	YES			not under construction	2 months		usually takes 1 to 2 months to rent after units put on the market
10	1 Flannery	12/13/2023	First Attempt		292	No						
11	51 Hooker	12/12/2023	First Attempt	No								Left message with lawyer to inform her client who is the owner
12	309 Main	12/12/2023	First Attempt, Second Attempt, Third Attempt	Yes								Claims responded, asked to call back, called about 4 times, left message with reception
13	13 S. Grand	12/12/2023	First Attempt	Yes								Left message with construction company at same address. Said will convey to owner
14	358 Main	12/13/2023	First Attempt	Yes	Call back at 5:30 pm today, left message with my name							
15	146-148 Mansion	12/12/2023	First Attempt	No	6	No				Currently 2 vacancies . Been vacant couple of weeks		
16	24 Vassar	12/12/2023	First Attempt	No	4	No						Building should be removed from list since it has 4 units only

	Building address	Date	Number of phone call attempts	Did you leave a message ?	How many units are there in your building?	Were there any vacancies as of November 1, 2023?	IF YES: How many units were vacant?	IF YES: Were they available for rent on November 1, 2023?	IF NOT AVAILABLE FOR RENT: Why were they not available for rent? Was there any renovation, painting, cleaning, repairs being done? Was the Unit being used for storage or something else?	How long have these units been vacant?	IF NO VACANCIES: When was the last time you had a vacancy? How long have these units been vacant?	Is there any other information about your building that you think we should know?
1	67 Verazzano	12/12/2023	First Attempt	Yes	6	No						
2	66 Worrall	12/12/2023	First Attempt	Yes								Person I spoke to said she couldn't guarantee that the owner would receive the message in a timely fashion. Said to call back after 8 pm. I didn't as that is an odd time to call.
3	358 Main	12/13/2023	Second Attempt	No	6 residential 2 commercial	No						All 2 bd apts. A recent new tenant will be leaving soon and there will be a vacancy. They usually don't have a vacancy for too long. They take care of the units and do a good job.
4	700 Second Mile	12/11/2023	First Attempt, Second Attempt	No	99	YES	3 units	2 available 1 not	Unit was being renovated	2 mo. (see explanati on below)		There is a waitlist and takes some time to pick (checking the qualifications) the person and to give them time to give notice to their current landlords
5	154 Mill St	12/14/2023	First Attempt		6	No					"we don't kill people with our rents so as soon as there is a vacancy it is filled.	
6	174 Mill St.	12/14/2023	First Attempt		6 (not 11 as we have from TA)	No					we had one but it was long time ago	" we do not kill people with our rents. When one is available, it is filled right away.
7	132 Franklin	12/15/2023	First Attempt, Second Attempt	Yes	6	No					Dec.1	Problem with Sec.8 tenant
8	138 Franklin	12/15/2023	First Attempt, Second Attempt	Yes	7	No						
9	303-307 Main	12/18/2023	First Attempt	No	8	YES	2	No, they weren't	they were going through renovation, cleaning repairs between tenants	about a month	just november	There are two other units he filed for eviction. One of them had tenants who bought a house elsewhere and renting his unit for airbnb, he filed about a year ago and they sued him. they haven't paid him rent the last year.
10	637 Main	12/18/2023	First Attempt	No	8	YES	1	yes	it was available for rent and still available	1 month 18 days		Other than the mentioned vacancy there have been two other units that became available then one rented and another one's rental contract starting next week.
11	160 Union	12/18/2023	First Attempt	No	39	YES	3	yes all 3 were available for rent		2 months		N/A

	Building address	Date	Number of phone call attempts	Did you leave a message ?	How many units are there in your building?	Were there any vacancies as of November 1, 2023?	IF YES: How many units were vacant?	IF YES: Were they available for rent on November 1, 2023?	IF NOT AVAILABLE FOR RENT: Why were they not available for rent? Was there any renovation, painting, cleaning, repairs being done? Was the Unit being used for storage or something else?	How long have these units been vacant?	IF NO VACANCIES: When was the last time you had a vacancy? How long have these units been vacant?	Is there any other information about your building that you think we should know?
1	135 Main St	12/18/2023	First Attempt, Second Attempt		119	YES	~5	yes		3-6 months		Said they are market rate units - forgot to ask if senior housing which it apparently is...
2	45 Williams	12/18/2023	First Attempt		200	No					long time ago	It is HUD 30% of tenant income based - public - housing
3	28 Hooker	12/19/2023	Second Attempt	No	6	YES	2	1 was available for rent	1 was being renovated			
4	172 Winnikee	12/18/2023	Second Attempt	No	12	YES	3	Yes				
5	137 Cannon	12/18/2023	Second Attempt	No	6	YES	1	Yes				
6	45 N. Clinton Street	12/18/2023	Second Attempt	No	6	YES	4	yes		Long time. All evictions - takes a long time to evict		
7	7-9 S. White	12/18/2023	Second Attempt	No	8	YES	2	Yes				
8	166 Winnikee	12/18/2023	Second Attempt	No	6	YES	2	Yes				
9	66 Worrall	12/19/2023	Second Attempt, Third Attempt	No	Tried to leave a message but the person didn't want to take message asked to call back. I called back and got a strange message							
10	166 Academy	12/15/2023	First Attempt		36	YES	1	yes		1 mo	only 1	
11	120 Cannon St	12/15/2023	First Attempt, Second Attempt, Third Attempt	Yes	14	YES	1	Marked yes (but probably meant NO)	was vacant due to eviction and work on it was slow due to owner finances.	January of last year		
12	10 Rinaldi	12/14/2023	First Attempt, Second Attempt	Yes	179	YES	6	yes				HUD subsidy - NO MARKET RATE UNITS
13	71-75 Garden	12/14/2023	First Attempt, Second Attempt, Third Attempt	Yes	26							LIHTC
14	305-307 Mill	12/14/2023	First Attempt, Second Attempt, Third Attempt	Yes								HOME program
15	7 Lafayette	12/18/2023	First Attempt, Second Attempt	Yes	6	No						
16	22 Lexington	12/18/2023	First Attempt		6	No						He sent in the form online

	Building address	Date	Number of phone call attempts	Did you leave a message ?	How many units are there in your building?	Were there any vacancies as of November 1, 2023?	IF YES: How many units were vacant?	IF YES: Were they available for rent on November 1, 2023?	IF NOT AVAILABLE FOR RENT: Why were they not available for rent? Was there any renovation, painting, cleaning, repairs being done? Was the Unit being used for storage or something else?	How long have these units been vacant?	IF NO VACANCIES: When was the last time you had a vacancy? How long have these units been vacant?	Is there any other information about your building that you think we should know?
1	1 Fountain Place	12/15/2023	First Attempt		13	No	2 were vacant but were rented by Nov.1	No were rented by Nov.1			Both were vacant for a long time until then. One since March. the other since June 2023	
2	4 S. Clinton	12/15/2023	First Attempt		7	YES	2	No	Due to code violations	1 for 6 months, the other for 1 year		
3	31 Forbus	12/15/2023	First Attempt		24	YES	2	NO	Cleaning, painting	2 months		
4	50 Gifford	12/14/2023	First Attempt		6	YES	6	No	Being renovated	Long time - will be available in June 2024		
5	51 N. Clinton	12/21/2023	First Attempt, Second Attempt	Yes	6	YES	1	yes	available	tenant moved out in July		(He was in transit the first time I called, asked me to call this week and responded).
6	20-24 Cottage	12/21/2023	First Attempt, Second Attempt	Yes	6	No						
7	202-204 Main	12/21/2023	First Attempt	Yes called back	8	No						
8	398 Church	12/8/2023	First Attempt	No	14	YES	5	Yes		4 for 4 months, 1 for a year		
9	2 Rose	12/8/2023	First Attempt	No	6	YES	4	Yes				This crack alley so it is hard to rent

	Building address:	Date(s) of visit	Number of Doorbells	Number of Mailboxes	Number of Electric/Gas Meters	Signs of Construction (trucks/equipment/dumpsters etc.)	Property management/rental office phone numbers (if available)	Additional notes/any other relevant information (incl. neighbor/tenant comments)	Photos	Interviewee Name and role	How many units are there in your building?	Are there any vacancies?	If YES, How many units are vacant?	If YES, Were these vacant units available for rent on November 1, 2023?	If not, what was the reason they were not available for rent?	How long have these units been vacant?	If NO VACANCIES, When was the last time you had a vacancy?	If NO VACANCIES, Is there any other information about your building that you think we should know?
1	303-307 main st	11/10/2023	8	10		n/a			bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction, property management/rental office phone number if visible	mailman		Yes	2					
2	309 Main St	11/10/2023						6 units	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	mailman	6 units							
3	9 liberty	11/23/2023	1	8				no names on mailboxes	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
4	22 Montgomery St	11/10/2023	Not visible - there was a doorman	Not visible	Not visible	No	845-473-9283 (Eastman and Brixley)	Spoke to property manager they reported they have 4 vacancies. unsure of vacancy factor, siphoning electric, open front door. could not inspect...dangerous conditions	property management/rental office phone number if visible		159	Yes	4	Yes		Several months		
5	48 cannon	11/10/2023	0	8	0	n/a			bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
6	45 Williams St	11/10/2023	Not visible	Not visible	Not visible	No	845-473-2205	This is a large subdivision. The leasing office was closed. Call back Monday, Wednesday, Friday. They take a lunch break 12-1pm.	photos of observations - doorbells, mailboxes, meters, signs of construction, property management/rental office phone number if visible									
7	12 Delano St	11/10/2023	6	6	6	No	Na	No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
8	140 Union st	11/10/2023	6	6	6	No	Na	No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
9	144 Union St	11/10/2023	Na	6	6	No	Na	Apparently no vacancies. Meter had space for 8 units, only 6 had connections (see photo)	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
10	146 Union St	11/10/2023	Did not see	6	Did not see	No	No	No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
11	160 Union St	11/10/2023	Electronic keypad	None seen	44	No	Walkway Realty LLC	Large building. We were unable to reach the super. contact management.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
12	356 Main	11/10/2023							bldg address	retail owner	6	No					5 units occupied, 1 has retail	
13	358 main street	11/10/2023						neighbor says all full	bldg address	n/a								
14	166 Union St	11/10/2023	7	None	None	Yes possibly - there is caution tape (see photo)	Na	Looks entirely vacant. perhaps under construction	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
15	12 S Hamilton	11/10/2023			9				bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a		No					gas and electric indicate full occupancy	
16	189 Union St	11/10/2023	4	1	None seen	No	Na	CHECK BUILDING. we were only able to see 4 units. Check if 187 Union is part of the lot.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
17	19 s hamilton	11/10/2023	4	3				2 basement apts	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
18	220 Main St	11/10/2023	10	10. Only 8 have names	None seen	No	Na		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									

	Building address:	Date(s) of visit	Number of Doorbells	Number of Mailboxes	Number of Electric/Gas Meters	Signs of Construction (trucks/equipment/dumpsters etc.)	Property management/rental office phone numbers (if available)	Additional notes/any other relevant information (incl. neighbor/tenant comments)	Photos	Interviewee Name and role	How many units are there in your building?	Are there any vacancies?	IF YES, How many units are vacant?	IF YES, Were these vacant units available for rent on November 1, 2023:	If not, what was the reason they were not available for rent:	How long have these units been vacant?	IF NO VACANCIES, When was the last time you had a vacancy?	IF NO VACANCIES, Is there any other information about your building that you think we should know?
1	403 main	11/10/2023							bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	bldg manager		6 Yes	2 Yes					
2	192-194 Main St	11/10/2023	14	12	None seen	No	Na	Called "Willow Court Apartments." We peaked into the basement apartment and it looked empty (see photo)	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
3	453 main	11/10/2023		15					bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
4	135 Main St	11/10/2023	119	119	None seen	No	646-745-0836 owner: 914-263-4138 prop manager 845-559-9558	8 doorbells did not have names, likely vacant. Contact management office.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
5	460 Main	11/10/2023		6: 1 with no name				for rent sign. same owner as 453 main	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
6	464 main	11/10/2023	12	12					bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
7	4 s clinton	11/10/2023		3				2 empty	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
8	8-22 N Bridge st	11/10/2023	32	32	Not seen	No	845-473-5095	This complex had 32 units. But we only had 15 in our excel sheet. Perhaps because the other half were built after 1974.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
9	137 cannon	11/10/2023		6	6			all meters blinking, assume full vacancy	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
10	120 cannon	11/10/2023		14			845 -401-1782	names on all- assume full vacancy	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
11	170-174 Mill St. 43 N Perry St.	11/10/2023	11	Not seen	Not seen	No	Na	This includes a larger and small building. No apparent vacancies.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
12	154 Mill st	11/10/2023	6	None seen	6	No	Na	No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
13	58 noxon	11/10/2023			8 meters: shared . all blinking			8 parking spots.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
14	113 Mill st	11/10/2023	7	None seen	None seen	No	Na	No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
15	60 academy	11/10/2023						6 numbered doors.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
16	110 N Mill St	11/10/2023	20	None	None seen	No	Tinkelman Architecture 845-473-0200	No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
17	69 academy	11/10/2023		6 mailboxes: all named				assume full occupancy	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
18	76 academy	11/10/2023						windows suggest full occupancy; no mailboxes or doorbells visible	bldg address	n/a								
19	98 montgomery	11/10/2023	6					unclear; windows appear occupied	bldg address	n/a								

	Building address:	Date(s) of visit	Number of Doorbells	Number of Mailboxes	Number of Electric/Gas Meters	Signs of Construction (trucks/equipment/dumpsters etc.)	Property management/rental office phone numbers (if available)	Additional notes/any other relevant information (incl. neighbor/tenant comments)	Photos	Interviewee Name and role	How many units are there in your building?	Are there any vacancies?	IF YES, How many units are vacant?	IF YES, Were these vacant units available for rent on November 1, 2023:	If not, what was the reason they were not available for rent:	How long have these units been vacant?	IF NO VACANCIES, When was the last time you had a vacancy?	IF NO VACANCIES, Is there any other information about your building that you think we should know?
1	43 Verazzano Blvd	11/10/2023	6	Could not see	10	No	Na	10 names next to the doorbells. No apparent vacancies. Complex is called Verazzano Apartments. No apparent vacancies. We spoke to a resident who suspects no vacancies.	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
2	54-69 Verazzano Blvd	11/10/2023	6	6	None seen	No	Na		bidg address									
3	57-65 S. Hamilton	11/10/2023							bidg address	manager	24	Yes	3	Yes		not very long		
4	50 Gifford St	11/10/2023	None	None	7	None	Office: 631-285-7220 Mobile: 631-484-6160	Abandoned building. No apparent vacancies given that it's abandoned and boarded up.	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
5	51 s hamilton	11/10/2023	5	7			bragadaproperties.com		bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
6	37 s hamilton	11/10/2023		6; 1 says "Vac"	7; 1 landlord			3 if electric meters not blinking	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
7	2 Parker Ave	11/10/2023	None seen	None seen	None seen	No	Na		bidg address									
8	94-96 s hamilton	11/10/2023					845 473 5347	tenant says about 8 or 9...mostly in units a or b	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
9	97 N Bridge st	11/10/2023	None seen	6	7	Maybe. One apartment has cardboard in the window.	No	One apartment appears vacant.	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
10	91 s hamilton	11/10/2023	24	24		sounds of construction coming from bidg. mattresses and other items on curb		9 with no names: 2 of those have mail, one explicitly says vacant	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
11	80 N Bridge St	11/10/2023	6	None seen	6	No	Na	No apparent vacancies	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
12	89 s hamilton	11/10/2023		1 visible	7			6 meters blinking	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
13	66 Washington St	11/10/2023	139		None seen	No	None found but should be easy to find online. Search "interfaith towers"		bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
14	101 s hamilton	11/10/2023		11				2 with no names	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
15	21 Charles St	11/10/2023	92	92	None seen	No	NA	Unable to determine vacancies	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
16	138 franklin	11/10/2023						tenants said fully occupied	bidg address	n/a								
17	132 franklin	11/10/2023		6				1 mailbox says "no name- no mail"	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
18	197 Mill St	11/10/2023	24	24	None seen	No	Na	2 mailboxes have no names	bidg address, photos of observations - doorbells, mailboxes, meters, signs of construction									

	Building address:	Date(s) of visit	Number of Doorbells	Number of Mailboxes	Number of Electric/Gas Meters	Signs of Construction (trucks/equipment/dumpsters etc.)	Property management/rental office phone numbers (if available)	Additional notes/any other relevant information (incl. neighbor/tenant comments)	Photos	Interviewee Name and role	How many units are there in your building?	Are there any vacancies?	IF YES, How many units are vacant?	IF YES, Were these vacant units available for rent on November 1, 2023:	If not, what was the reason they were not available for rent:	How long have these units been vacant?	IF NO VACANCIES, When was the last time you had a vacancy?	IF NO VACANCIES, Is there any other information about your building that you think we should know?
1	120 franklin	11/10/2023		6				all mailboxes have name; assume full occupancy	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a roberto-manager								
2	60 carrol	11/10/2023					914-382-6657	Tenant said there are only 4 units. However the depth of the lot makes it seem possible there are more.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction		25	Yes	3	Yes				takes section 8
3	211 Mill St	11/10/2023	3	3	7	No	845-401-1782		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
4	219 Mill St	11/10/2023	None seen	9	9	No	Na	One mailbox had "vacant" written. See phot	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
5	24 Vasser St	11/10/2023	4	5	5	No	Na	Potential there are more units than we saw through back entrance. No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
6	7 Lafayette St	11/10/2023	5	None seen	None seen	No	Na	No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
7	699 main	11/11/2023		9; 3 with names			800-518-1202		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
8	704 main	11/11/2023	6		7				bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
9	2 roosevelt	11/11/2023		14				some windows covered with cardboard; unclear if vacant. bicycles present in parking lot	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
10	1 Flannery ave	11/11/2023	Large complex - call management	Large complex - call management	Na	No	8452448655 Coleen	Spoke to a resident who wasn't sure what the vacancy rate is. She said there are often residents coming in and out and never a waitlist. She provided management number and encouraged to call Monday - Friday.	bldg address									
11	4 roosevelt	11/11/2023		14; 8 are unlabeled with 3 or 4 opened and clearly out of use					bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
12	56 Pershing Ave	11/11/2023	1	1	1	No	Na	One window was boarded up. Did not see all 6 units.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
13	691 main	11/11/2023		8; 3 labeled					bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
14	641 main	11/11/2023		8; 4, possibly 5				backyard in state or disrepair; some windows appear to be occupied. vacancy status unclear	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
15	350 Mansion St	11/11/2023	7	Na	13	No	Na	This was not on the list but was on the map. On the list it said 45 N Clinton. On the building the address is 172 Winnikee (see photo)	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
16	166 Winikkee	11/11/2023	6	Na	6	No	Na		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
17	639 Main	11/11/2023	4	4	5; 1 has been removed		914-489-4155	worker from downstairs says some people live here; unsure of how many	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								

	Building address:	Date(s) of visit	Number of Doorbells	Number of Mailboxes	Number of Electric/Gas Meters	Signs of Construction (trucks/equipment/dumpsters etc.)	Property management/rental office phone numbers (if available)	Additional notes/any other relevant information (incl. neighbor/tenant comments)	Photos	Interviewee Name and role	How many units are there in your building?	Are there any vacancies?	If YES, How many units are vacant?	If YES, Were these vacant units available for rent on November 1, 2023:	If not, what was the reason they were not available for rent:	How long have these units been vacant?	If NO VACANCIES, When was the last time you had a vacancy?	If NO VACANCIES, Is there any other information about your building that you think we should know?
1	637 main	11/11/2023			10; 1 removed. function of others unclear		838-218-9791	commercial space also not occupied	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
2	254 Mansion St	11/11/2023	6	6	Na	No	Na	Spoke to a resident who said there are no vacancies.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
3	1 fountain	11/23/2023	12	13; 2 unlabeled			lorgio - 845 844 0922	flyer says 3 apts for rent	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
			No doorbells - electronic keypad															
4	54-58 Smith St	11/11/2023		Na	Na	No	Na	Recently renovated. Still had stickers on window.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
5				12 mailboxes; 6 unlabeled; 1 posted with a label from energy company to turn off power														
	400 church	11/11/2023					colonial property management; 845 367 4240		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
6	21 Smith St	11/11/2023	Na	8	9	No	Na	Extra unit in the back. No apparent vacancies.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
7	398 church	11/11/2023					lulaj property management; 917-418-5958	vacancy status unclear; some windows have protective covering; music playing from building suggesting occupancy	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
8	45 N Clinton St	11/11/2023	0	5	Na	No	Na	Does not correspond to excel sheet	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
9	51 N Clinton St	11/11/2023	Na	6	7	No	Na		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
10	55 N ClintonSt	11/11/2023	8	8	9	No	Na		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
11	13 s grand	11/11/2023	6 doorbells; 3 w/ names	1 mailbox; 4 names labeled	1				bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
12	180-182 Mansion St	11/11/2023						Did not see evidence of unit count	bldg address									
13	24 Cottage St	11/11/2023	1	0	6	No	Na		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
14	66 worrall	11/11/2023		6; 4 names 2 stated as vacant					bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
15	169 Mansion St	11/11/2023	6	Na	0	No	No	All mailboxes have names	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
				6 mailboxes; 4 with names, two labeled as "vacant"														
16	66 worrall	11/11/2023							bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
17	171 Mansion St	11/11/2023	0	0	Na	No	No	Not on the list but was on the map. The list said 6 State st	bldg address									
18									bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
	46 N Hamilton St	11/11/2023		6		No	Na	All but one mailbox have mail										

	Building address:	Date(s) of visit	Number of Doorbells	Number of Mailboxes	Number of Electric/Gas Meters	Signs of Construction (trucks/equipment/dumpsters etc.)	Property management/rental office phone numbers (if available)	Additional notes/any other relevant information (incl. neighbor/tenant comments)	Photos	Interviewee Name and role	How many units are there in your building?	Are there any vacancies?	IF YES, How many units are vacant?	IF YES, Were these vacant units available for rent on November 1, 2023:	If not, what was the reason they were not available for rent:	How long have these units been vacant?	IF NO VACANCIES, When was the last time you had a vacancy?	IF NO VACANCIES, Is there any other information about your building that you think we should know?
1	22 Lexington	11/11/2023			6 gas 6 electric; 5 blinking			a/c; 2 bikes locked on porch	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
2	26-32 N Hamilton	11/11/2023	12	16	0	No	Cardinal Assets of NY LLC 845-345-1722	We included #32	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
	8 Jewett	11/11/2023							bldg address	owner	6	No					n/a	
3	146-148 Mansion St	11/11/2023	5	6	0	No	No	No apparent vacancies	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
4	144 Mansion St	11/11/2023	0	0	0			Looks like room for 6 units but no evidence	bldg address									
5	559 main	11/11/2023		16; 8 w/ names		repair work being done			bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
6	64-66 Catharine	11/11/2023	6	6	0	No	Cornerstone Property Management 845-501-4141		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
7	566 main	11/11/2023		16; 7 w/ names					bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
8	558 main	11/11/2023		8; 3 w/names					bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
9	550 main	11/11/2023		5		decks being built in back			bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
10	320-322 Mill St	11/11/2023	6	8	0	Yes - Facade work	Na		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
							There are 3 buildings. Including all of them it would be more than 7 units		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
11	302 - 306 Mill st	11/11/2023							bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
12	548 Main	11/11/2023		10; 1 no name			lulaj properties (see number above)		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction	n/a								
13	305-307 Mill St	11/11/2023	8 - only 4 have names	8	Na	No	Na		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
14	71-75 Garden St	11/11/2023	26	None	None seen	No	Na		bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
15	77-79 Garden St	11/11/2023		8		Yes - building permit signs			bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
16	79 Garden St	11/11/2023		7					bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
17	521 main	11/11/2023						no visible indications of vacancy	bldg address	n/a								
									bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
19	78-80 Garden St	11/11/2023	3	6	4				bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									
19	267 Mill at	11/11/2023		9				Building was called The Legion. We spoke to a resident who said there are no vacancies.	bldg address, photos of observations - doorbells, mailboxes, meters, signs of construction									

[illegible]

[illegible]

	A	B	C	D	E	F	G	H	I	J
1	Year Built	Property Address	Total No. of Units	No. of vacant units 11/1/2023	No. of vacant units not available for rent 11/1/2023	Total units for vacancy count (TRH)	Total vacant units available for rent 11/1/2023 (TVH)	Vacancy rate	Documented but Unreported Vacancies	Source
2	1900	60 Academy	7	0	0	7	0	0.00%		
3	1920	69 Academy	6	0	0	6	0	0.00%		
4	1912	76 Academy	14	0	0	14	0	0.00%		
5	1958	166 Academy	36	1	0	36	1	2.78%		
6	1936	24 Barclay	14	0	0	14	0	0.00%		
7	1925	80 N. Bridge	6	0	0	6	0	0.00%		
8	1890	97 N. Bridge	6	0	0	6	0	0.00%		
9	1950	48 Cannon	9	3	0	9	3	33.33%		
10	1922	120 Cannon	14	1	1	13	0	0.00%	1	EXHIBIT 7 Page 3 Line 11
11	1920	137 Cannon	6	2	0	6	2	33.33%		
12	1922	55 Carroll	24	7	7	17	0	0.00%		
13	1922	60 Carroll	25	3	0	25	3	12.00%		
14	1931	76 Carroll	7	0	0	7	0	0.00%		
15	1922	82 Carroll	19	7	0	19	7	36.84%		
16	1910	64-66 Catharine	6	2	0	6	2	33.33%		
17	1900	398 Church	14	6	0	14	6	42.86%		
18	1950	400 Church	12	4	4	8	0	0.00%		
19	1920	45 N. Clinton	6	0	0	6	0	0.00%	4	EXHIBIT 7 Page 3 Line 6
20	1910	51 N. Clinton	6	1	0	6	1	16.67%		
21	1920	4 S. Clinton	7	2	2	5	0	0.00%		
22	1900	45 S. Clinton	6	1	0	6	1	16.67%		
23	1900	3 College	8	0	0	8	0	0.00%		
24	1920	20-24 Cottage	9	0	0	9	0	0.00%		
25	1920	12 Delano	6	0	0	6	0	0.00%		
26	1922	1 Flannery	292	0	0	292	0	0.00%		
27	1968	31 Forbus	44	2	2	42	0	0.00%		
28	1905	32 Forbus	6	1	1	5	0	0.00%	1	EXHIBIT 6 Line 9 online survey also confirmed by site visit note EXHIBIT 8 Page 7 Line 9
29	1925	1 Fountain	13	0	0	13	0	0.00%	4	EXHIBIT 6 Line 13
30	1900	120 Franklin	6	0	0	6	0	0.00%		
31	1905	132 Franklin	6	0	0	6	0	0.00%		
32	1922	138 Franklin	7	0	0	7	0	0.00%		
33	1920	77 Garden	6	0	0	6	0	0.00%		
34	1910	78-80 Garden	7	1	0	7	1	14.29%		
35	1920	79 Garden	6	0	0	6	0	0.00%		
36	1920	46 N. Hamilton	6	0	0	6	0	0.00%		
37	1900	19 S. Hamilton	7	0	0	7	0	0.00%		
38	1900	37 S. Hamilton	6	0	0	6	0	0.00%	1	EXHIBIT 8 Page 3 Line 6
39	1890	51 S. Hamilton	6	0	0	6	0	0.00%		
40	1900	57-65 S. Hamilton	24	2	0	24	2	8.33%	1	EXHIBIT 8 PAGE 3 Line 3
41	1927	82 S. Hamilton	27	0	0	27	0	0.00%		
42	1890	89 S. Hamilton	6	0	0	6	0	0.00%		
43	1922	91 S. Hamilton	24	3	3	21	0	0.00%		
44	1963	94-96 S. Hamilton	51	0	0	51	0	0.00%	8	EXHIBIT 8 Page 3 Line 8
45	1920	101 S. Hamilton	11	0	0	11	0	0.00%	2	EXHIBIT 8 Page 3 Line 14
46	1927	25 Hammersley	13	2	0	13	2	15.38%		

	A	B	C	D	E	F	G	H	I	J
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1	1900	28 Hooker	6	2	1	5	1	20.00%	1	EXHIBIT 4 written response
47	1905	43 Hooker	7	0	0	7	0	0.00%		
48	1915	51 Hooker	7	0	0	7	0	0.00%		
49	1900	130 Hooker	7	0	0	7	0	0.00%		
50	1890	8 Jewett	6	0	0	6	0	0.00%		
51	1880	7 Lafayette	6	0	0	6	0	0.00%		
52	1930	22 Lexington	6	0	0	6	0	0.00%		
53	1920	9 Liberty	8	1	0	8	1	12.50%	1	EXHIBIT 5 written response says 1 vacancy, property not included in report
54	1920	34 Lincoln	7	2	0	7	2	28.57%		
55	1920	194 Main	14	0	0	14	0	0.00%	5	EXHIBIT 6 Line 24
56	1900	202-204 Main	8	0	0	8	0	0.00%		
57	1920	220 Main	10	0	0	10	0	0.00%		
58	1872	303-307 Main	8	2	2	6	0	0.00%		
59	1872	309 Main	6	0	0	6	0	0.00%		
60	1900	403 Main	6	2	0	6	2	33.33%		
61	1900	453 Main	17	0	0	17	0	0.00%		
62	1880	458-460 Main	6	1	1	5	0	0.00%	1	EXHIBIT 8 Page 2 Line 5
63	1900	464 Main	12	0	0	12	0	0.00%		
64	1880	468 Main	12	3	0	12	3	25.00%		
65	1900	521 Main	32	0	0	32	0	0.00%		
66	1900	548 Main	10	0	0	10	0	0.00%	2	EXHIBIT 1 written response
67	1900	550 Main	6	0	0	6	0	0.00%		
68	1926	558 Main	28	0	0	28	0	0.00%	4	EXHIBIT 2 written response
69	1923	559 Main	14	0	0	14	0	0.00%		
70	1915	566 Main	13	0	0	13	0	0.00%		
71	1930	637 Main	8	1	0	8	1	12.50%		
72	1920	639 Main	8	0	0	8	0	0.00%		
73	1925	641 Main	8	0	0	8	0	0.00%		
74	1924	691 Main	13	0	0	13	0	0.00%		
75	1900	699 Main	11	0	0	11	0	0.00%		
76	1922	704-706 Main	6	0	0	6	0	0.00%		
77	1920	144 Mansion	6	0	0	6	0	0.00%		
78	1910	146-148 Mansion	6	0	0	6	0	0.00%		
79	1920	169 Mansion	6	1	0	6	1	16.67%		
80	1920	171 Mansion	6	1	0	6	1	16.67%		
81	1910	182 Mansion	6	3	0	6	3	50.00%		
82	1920	242 Mansion	6	1	1	5	0	0.00%	2	EXHIBIT 8 Page 8 Line 9
83	1920	254 Mansion	6	2	1	5	1	20.00%		
84	1886	154 Mill	6	0	0	6	0	0.00%		
85	1932	174 Mill	11	0	0	11	0	0.00%		
86	1900	197 Mill	24	0	0	24	0	0.00%		
87	1900	211 Mill	6	0	0	6	0	0.00%		
88	1900	217-219 Mill	8	1	1	7	0	0.00%		
89	1900	267 Mill	7	0	0	7	0	0.00%		
90	1900	320-322 Mill	8	0	0	8	0	0.00%		
91	1900	98 Montgomery	6	1	1	5	0	0.00%	1	EXHIBIT 3 written response
92	1920	145 Montgomery	6	1	0	6	1	16.67%		

	A	B	C	D	E	F	G	H	I	J
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94	1900	58 Noxon	12	4	0	12	4	33.33%		
95	1855	2 Parker	6	0	0	6	0	0.00%		
96	1900	56 Pershing	6	0	0	6	0	0.00%		
97	1932	2 Roosevelt	14	0	0	14	0	0.00%		
98	1932	4 Roosevelt	13	0	0	13	0	0.00%	3	EXHIBIT 8 Page 4 Line 11
99	1870	2 Rose	7	0	0	7	0	0.00%	6	EXHIBIT 6 Line 18
100	1900	21 Smith	8	2	2	6	0	0.00%		
101	1890	54-58 Smith	6	0	0	6	0	0.00%		
102	1920	6 State	7	1	0	7	1	14.29%		
103	1940	7 Suncrest	22	0	0	22	0	0.00%		
104	1920	140 Union	6	1	0	6	1	16.67%		
105	1920	144 Union	6	2	0	6	2	33.33%		
106	1912	160 Union	39	3	0	39	3	7.69%		
107	1880	166 Union	6	0	0	6	0	0.00%		
108	1920	187/189 Union	10	0	0	10	0	0.00%		
109	1928	43 Verazzano	9	0	0	9	0	0.00%		
110	1954	67 Verazzano	6	0	0	6	0	0.00%		
111	1938	7-9 S. White	8	0	0	8	0	0.00%	2	EXHIBIT 7 Page 3 Line 7
112	1968	166 Winnikee	6	0	0	6	0	0.00%	2	EXHIBIT 7 Page 3 Line 8
113	1940	172 Winnikee	12	0	0	12	0	0.00%	3	EXHIBIT 7 Page 3 Line 4
114	1930	66 Worrall	6	0	0	6	0	0.00%	2	EXHIBIT 8 Page 5 Line 14
115										
116		TOTAL	1494	88	30	1464	58	3.96%	57	Unreported vacancies
117			1502	115	24	1478	115	7.78%		
118			Actual Total # of Apts	Actual number of vacancies recorded	Actual # apts not available to rent	actual # of apts	Actual number of vacancies recorded	Actual Vacancy Rate		

Presented on May 7, 2024 at the Common Council Public Hearing

Concerns Regarding Rent Stabilization Resolution and the Vacancy Housing Study for Poughkeepsie

To Mayor Flowers and Members of the Common Council:

My name is Kenneth Levinson, and I residing on Garfield Place in Poughkeepsie. I have invested my time and money in the City of Poughkeepsie for more than 38 years. I raised my family here; my children went to public schools here and I ran for mayor twice. As a landlord I rent to many low-income households that cannot afford higher rents. 90% of my properties are BELOW market rate rents. With rent stabilization, local owners will disappear and liquidate to out of town operators, who are better equipped to handle the myriad of paperwork and filing requirements. Smaller owners will be stretched thin and likely exit Poughkeepsie's real estate market.

Unfortunately, the vacancy survey performed is flawed. It was poorly implemented, survey requests were received after the deadline and reported vacancies were not counted. The City of Poughkeepsie was supposed to send letter to property owners alerting them to comply with a survey request from an unknown source. I received no such notice.

I received 6 certified survey letters from the Collective Community, Culture and Environment (CCCE), (one for each property) all received past the deadline to respond which was stated as November 17th, 2023. I took a chance and responded anyway hoping my responses to be counted. But many owners, representing over 600 units (nearly 40% of the rentals) did not respond, one reason being past the deadline. No notice was provided that the deadline was extended.

For one of my properties, located at 32 Forbus Street, I received the certified vacancy letter on November 24, 2023, a full 7 days after the response deadline. I responded online that I had one vacancy that was available for rent. CCCE's site visit supported my response by seeing only 5 names on the 6 mailboxes. But in their appendix which tallied up vacancies, my vacancy at 32 Forbus was NOT COUNTED. This is simply inaccurate reporting. How many other vacancies were reported but not counted? What is the purpose of a survey if you are not going to use the results? If there were just 25 vacancies reported but not counted the vacancy rate would be over 5% and rent stabilization cannot be legally enacted.

The rent stabilization proposal affects approximately 15% of all rental units in Poughkeepsie. The vast majority (85%) of rental apartments will not be affected. The units affected include only the oldest buildings most in need of rehabilitation and maintenance. Since owners will be restricted on rent increases, there will be no incentives to make property investments. This will result in urban blight and housing decay.

(There are 2289 non-single-family parcels in Poughkeepsie, of which 112 parcels are included in the rent stabilization survey. This represents 4.89% of the multifamily parcels and is estimated to represent 15% of the rental units available.)

Among the complexes not included in rent stabilization include: Kal Rock (114 units); Luckey Platt (138 units); Livingston Arms (32 units); 110 Mill Street (24 units); 40 Cannon (27 units); Behrends Court (40 units), Water Club (136 units); One Dutchess (146 units); 400 Maple Street (20 units). These are not included since they were built after 1974 are therefore exempt from rent stabilization.

Rent stabilization does not increase the housing stock, reduces property values, disincentivizes owners from investing in properties, does not help most tenants and by decreasing the supply of available units will result in non-stabilized rents becoming even more expensive.

A more appropriate rent control for the Poughkeepsie might be the newly passed good cause eviction. This provides universal rent control and protect all renters, not just a small subset like the rent stabilization bill before the common council today.

In conclusion, the survey's reported 3.89% vacancy rate is inaccurate, since known vacant units were not counted. Furthermore, the survey was received by owners after the original deadline expired, so many never responded, representing over 600 apartments. The result of selective rent stabilization will force local community minded owners out of the market. Since rent stabilization applies only to only 15% of rental units, this is unfair and discriminatory to renters, since most of them will not be protected. I urge you to vote against rent stabilization, which will adversely affect most renters in Poughkeepsie.

Ken Levinson



BERKSHIRE HATHAWAY | Hudson Valley Properties
HomeServices

May 7, 2024

Re: City of Poughkeepsie proposed rent stabilization

To whom it may concern,

I write with reference to rent stabilization premise proposed for City of Poughkeepsie multi-family properties of six unit or more, built prior to 1974. The concept offers an immediate solution to the limited supply of affordable housing, which has diminished due to overall economic inflation during recent years.

However, the long term impact to the vitality of the City of Poughkeepsie economy is positioned to be counterproductive. Reason being, rent stabilization will inevitably impact future trade values since there will be limitations associated with rental income. With governance of rental amounts combined with escalating operating costs such as insurance premiums, water/sewer expenses, gas/electric expenses, marketability of larger multi-family buildings will diminish. Once new trades reflect lower sale prices, tax grievances will be inevitable, which will impact the overall tax revenue collected by the City of Poughkeepsie. Diminishing tax revenue will impact the overall operating budget and stall the progressive nature of any city. Fair market rents equate to unregulated sale prices and unaltered tax amounts, which will help the city maintain redevelopment initiatives and revitalization.

Dan Axtmann

Berkshire Hathaway HomeServices Hudson Valley Properties

1100 Route 55, Suite 201

Lagrangeville, NY 12540

(845) 905-8789 office direct

(845) 486-4071 fax

(845) 702-7060 cell

daxtmann@bhhshudsonvalley.com

visit my website to search all listings:

www.DanAxtmann.BHSHudsonValley.com

To whom it may concern,

I hope all is well. I am writing to you in regard to the rent stabilization meeting and hope to offer a different vantage point. We are commercial real estate brokers specializing in the sale of multifamily and mixed-use properties in the Hudson Valley. We are very familiar with DHCR rent stabilization law because we have sold north of \$200mm of that type of product in Westchester. Strictly from an investor standpoint, part of the reason Poughkeepsie has attracted investment is because of the free market status of its multifamily stock. Since the rent laws changed in June of 2019, every submarket that we work in has seen a *significant* drop in investor interest. I admit to a level a bias and understand you have constituents you must answer to. I argue, however, that the answer is to build more affordable housing rather than limit the free-market stock that currently makes the Hudson Valley so attractive. Simply take a look at the mess we have across the state where different municipalities have passed rent stabilization and then it's immediately fought in court. I genuinely do not think anyone should be pushed out of their homes because of rent hikes, but I have also seen increases in taxes, water, gas, electric, *insurance*, etc. so, there must be a mechanism for the local owners to keep rents in line with expenses. I have also seen the huge lack of maintenance for buildings that fall under rent stabilization because the landlords cannot recoup any of their costs. My biggest point is that the benefit of more investment in affordable housing far exceeds those of adding some version of rent control in the Poughkeepsie. I would be happy to discuss further if there's an interest. I am always available on my cell and appreciate you taking the time to read my email, 845-405-6202.

Best,



Robert A. Magrino

Investment Associate

44 Executive Boulevard, Suite 206
Elmsford, NY 10523

T: 914.208.2200

C: 845.405.6202

F: 914.208.2201

1 + 2 Bedrooms Apt 5 | 5 bedrooms |
Callie Tattler 3,100

Rents Control It is steep! Too much!

Lisa Rock

Apt 12

Rent is too much

Daniel D. / Danielle Luc

LeRoy Ashley - Security + Rent

Steve Putsch

Kelli Conklin

Mary Saxe

Angela Perez

Jesus Perez

Mike Putsch

Sandra Kul

Jinay Senecal

Leron Turner

Christopher Canale

JC

Grady P. Putsch

Mike Putsch

Mark Saxe

Mike Putsch

R. Francis

Letitia Dore

Kevin M. M.

~~Signature~~

Maxwell Lionel

~~Signature~~

~~Signature~~

Condaa Bailey

Day Dwyer

Nelson Acosta

Ashley Smalls

Janie Turner

Khadija Skyles

Terry L. Wishing

Noah Point Jour

Dominic Reid

Patricia Stuart

Hyungo Chong

~~Signature~~

~~Signature~~
Johnella Johnson

Ruby Thompson

Alvin Torres

Amanda Torres

RONNIE CORBETT

Diamond Jackson

Mark Bine

yuderká Batistá nuñez

Kristin Hefnagel

\$Ki' p Lang

Makeny Jordan

55 Dr. In St #3

P.O. Box 1260

Julia Barfoot

~~Juanita~~

M. Morgan

Jennifer Duncan



PUBLIC HEARING MEETING AGENDA

Tuesday, May 7, 2024 6:00pm
Common Council Chambers

City of Poughkeepsie Common Council Public Hearing;

Pursuant to the Charter and Codes of the City of Poughkeepsie, a Common Council Public Hearing will be held on Tuesday, May 7, 2024 at 6pm and will be held in the Common Council Chambers, for the purpose of receiving comments on whether the City of Poughkeepsie should opt in to the Emergency Tenant Protection Act (ETPA)

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

RESOLUTION

(R-24-XX)

RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF POUGHKEEPSIE, NEW YORK DECLARING A HOUSING EMERGENCY AND REGULATION OF RENTS PURSUANT TO THE EMERGENCY TENANT PROTECTION ACT

SPONSORS:

WHEREAS, a housing vacancy analysis performed by the Collective for Community, Culture and Environment (CCCE) in November and December 2023 found a vacancy rate of 3.96% for multifamily buildings with six or more units which buildings were completed prior to January 1, 1974; and

WHEREAS, the rental vacancy rate of 3.96% is less than the 5% vacancy rate established in New York Unconsolidated Laws §8623(a) [also known as Chapter 249-B Emergency Tenant Protection Act of 1974, §3(a)]; and

WHEREAS, a public hearing was held on Tuesday, May 7, 2024 pursuant to New York Unconsolidated Laws §8623(c) [also known as Chapter 249-B Emergency Tenant Protection Act of 1974, §3(c)].

NOW, THEREFORE, BE IT RESOLVED, that the City of Poughkeepsie Common Council declares that an emergency exists as set forth in the Emergency Tenant Protection Act (ETPA) and that immediately upon the adoption of this resolution, the provisions of the ETPA shall apply to those buildings in the City of Poughkeepsie containing six or more rental units completed prior to January 1, 1974; and

BE IT FURTHER RESOLVED, that the Common Council recognizes its obligations New York Unconsolidated Laws §8623(b) [also known as Chapter 249-B Emergency Tenant Protection Act of 1974, §3(b)] that this emergency must be declared at an end once the vacancy rate exceeds 5%.

Therefore, the Council shall periodically budget for the resources to review the then-applicable vacancy rate.

SECONDED BY: _____

DRAFT

City of Poughkeepsie, NY: Housing Vacancy Rate Analysis - Brief for the Common Council

The Collective for Community, Culture and Environment (CCCE) conducted an analysis of the City of Poughkeepsie's Housing Vacancy Rate for buildings that were completed prior to January 1, 1974, and contain at least six (6) dwelling units. The study as detailed below found a vacancy rate of 3.96% on November 1, 2023. Since the vacancy rate for these properties is less than 5%, pursuant to the NYS Emergency Tenant Protection Act they are eligible for the City of Poughkeepsie to consider declaring a housing emergency.

The study was based on the same methodology used by CCCE in the Village of Ossining ETPA study in 2018, using the US Census Bureau's definition for housing vacancy rate. Vacant housing units are those that are available for rent and not those that are vacant due to cleaning and construction, such as painting, repairs, and renovation, or being used for storage. Housing Vacancy Rate was calculated by dividing the number of vacant units available for rent on a specific date (November 1, 2023) by the total number of units. Total number of units used to compute the vacancy rate is equal to the sum of vacant units available for rent and occupied units. Units vacant due to cleaning/painting/repairs were subtracted from the total number of units as well as vacant units in that property. Subsidized housing was not considered to be eligible for the study.

Before the surveys started, on November 4, 2023, the City of Poughkeepsie sent a letter introducing the housing vacancy study and the CCCE to all eligible owners or their representatives. The letter advised them to respond to the survey by the deadline and that failing to do so would result in their property being counted as having zero vacancy.

The vacancy analysis was based on information obtained primarily from the owners, managers, or superintendents of the buildings, using a three-pronged approach that included mail surveys, an on-site observation, and a phone survey. Members of the CCCE, with the assistance of students from Vassar College's Urban Studies program and Pratt Institute's Graduate Center for Planning and the Environment, conducted the study.

Summary Table: Vacancy Status of Properties Included in the Vacancy Rate Analysis

Properties Included in the Study	112
Total number of responses	68
Response Rate	61%
Total number of units included in study	1494
Total number of units reported to be vacant on 11/1/2023	88
<i>Total number of vacant rental housing units unavailable for rent on 11/1/2023</i>	30
<i>Total number of vacant rental housing units available for rent on 11/1/2023 (TVH)</i>	58
Total number of units - Number of units not available for rent = TRH	1464
Housing Vacancy Rate (TVH/TRH)	3.96%



City of Poughkeepsie, NY: Housing Vacancy Rate Analysis Report

Evren Uzer
Devyani Guha
Yvette Shiffman
Ayse Yonder



Collective for
Community, Culture
and Environment

www.collectiveforcce.com



Collective for
Community, Culture
and Environment

info@collectiveforcce.com
collectiveforcce.com

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April 3, 2024

City of Poughkeepsie, NY
62 Civic Center Plaza
Poughkeepsie, NY 12601
Attn: Joseph Donat

Dear Mr. Donat,

The Collective for Community, Culture and Environment is pleased to submit to the City of Poughkeepsie its Report on the Housing Vacancy Rate Analysis for residential properties in the City with six or more units that were built before January 1, 1974. The CCCE Housing Vacancy Study conducted primarily in November – December 2023 found a vacancy rate of 3.96% for these properties.

The attached report contains a review of the process and the methodology used to conduct the study, and our findings, including tables and maps describing these findings in detail.

Please let us know if you have any questions on this material. As per our discussion, we are planning to make a presentation of this work to the Common Council.

Thank you for the opportunity to work with the City of Poughkeepsie on this important topic.

Sincerely,

Evren Uzer,
On behalf of the CCCE Project team

CITY OF POUGHKEEPSIE: HOUSING VACANCY RATE ANALYSIS REPORT

Introduction

The Collective for Community, Culture and Environment (CCCE) entered into a contract with the City of Poughkeepsie to conduct an analysis of the City's Housing Vacancy Rate on October 9, 2023.

The project sought to determine the housing vacancy rate in buildings that were completed prior to January 1, 1974, and contain at least six (6) dwelling units. Subsidized housing was not considered to be eligible for the study. The vacancy rate analysis can be used by the City of Poughkeepsie to determine whether a housing emergency as defined by the NYS Emergency Tenant Protection Act (ETPA) exists for this class of buildings.

The project commenced when the addresses of record for each property that met the specific criteria were received by CCCE from the City of Poughkeepsie on October 30, 2023. While waiting for the address data, the CCCE team prepared the survey instruments, translated them into Spanish, and hired students to assist with the on-site observations. Members of the CCCE, with the assistance of students from Vassar College's Urban Studies program and Pratt Institute's Graduate Center for Planning and the Environment, conducted the study.

Methodology and Process

The study was based on the same methodology used by CCCE in the Village of Ossining ETPA study in 2018. It uses the US Census Bureau's definition for housing vacancy rate. Vacant housing units are those that are available for rent and not those that are vacant due to cleaning and construction, such as painting, repairs, and renovation, or being used for storage.

Housing Vacancy Rate is calculated by dividing the number of vacant rental housing units available for rent on a specific date by the total number of rental housing units. Total number of rental housing units used to compute the vacancy rate is equal to the sum of the vacant housing units available for rent and occupied housing units.

To provide a uniform baseline for the study, all eligible properties were asked to report the number of vacant rental housing units that were available for rent on November 1, 2023. When owners/property managers reported that rental housing units were vacant due to cleaning/painting/repairs to get them ready for renting or were undergoing renovations, these were noted as "Vacant Rental Housing Units Unavailable for rent". In such cases, the vacancy rate was calculated by deducting the "Vacant Rental Housing Units Unavailable for rent" from the total number of rental housing units as well as total number of vacant rental housing units in that property. Non-responses were counted as zero vacancy.

***Total Rental Housing Units – Vacant Rental Housing Units Unavailable for rent
= Total Rental Housing Units for Vacancy Rate (TRH)***

***Total Vacant Rental Housing Units – Vacant Rental Housing Units Unavailable for rent
= Total Eligible Vacancies (TVH)***

Housing Vacancy Rate = TVH/TRH

The study of the vacancies in the subject buildings was based on information obtained primarily from the owners, managers, or superintendents of the buildings, using a three-pronged approach that included mail surveys, an on-site observation, and a phone survey.

Before the surveys started, on November 4, 2023, the City of Poughkeepsie sent a letter introducing the housing vacancy study and the CCCE to all eligible owners or their representatives. The letter advised them to respond to the survey by the deadline and that failing to do so would result in their property being counted as having zero vacancy.

First component of the study was to contact the owners by mail. As noted above, the universe for this study was the total number of residential units in buildings that were completed prior to January 1, 1974 and contain at least six (6) dwelling units. Addresses of record for properties that fit these specifications were obtained from the City of Poughkeepsie's Tax Assessor's Office and mapped by location.

A survey with a cover letter was sent by certified mail to all properties on November 6, 2023, with a response deadline of November 17, 2023. The letters requested a response regarding the number of vacant units that were available for rent on November 1, 2023. Responses could be sent either by mail, e-mail or by filling out an online survey form. The letter stated that a non-response would be counted as zero vacancy. The same survey and cover letter was sent again by regular mail on November 20, 2023, to properties where it was not clear if they had received the certified mailing, with a response deadline of December 8, 2023. This letter also stated that a non-response would be counted as zero vacancy. Mail deliveries and returns were noted for all properties.

The second component of the study, on-site observations, were conducted on November 10-11, 2023. They entailed an external visual inspection of eligible properties to note signs of occupancy or construction. During the field visits, CCCE members, accompanied by graduate and undergraduate students, also talked to the building superintendent, if available, or tenants to obtain information on vacancies. An additional on-site observation survey of several buildings was conducted on December 1-2, 2023, to clarify some issues with individual buildings. Six students (four from Vassar College, two from Pratt Institute) assisted with this phase.

The third component of the study was a phone survey to get the information from eligible buildings for vacant rental housing units that were available on November 1, 2023. Phone calls were made to those who had not yet responded or to clarify information from those who had already responded. This phase was significantly delayed as the City of Poughkeepsie could not provide any phone numbers for eligible properties, and additional research had to be conducted to find the numbers. Phone calls were made to all properties where we had phone numbers starting on December 7, 2023 and gave a deadline for response by December 18, 2023. Each property was called at least 2-3 times and messages were left. In our phone conversation and messages, team members identified themselves and stated the reason for the inquiry as the conduct of a Housing Vacancy Study for the City of Poughkeepsie. Responses were accepted until December 23, 2023.

Further, in cases of small discrepancies between the total number of units indicated by the owner and the Tax Assessor's information, the information was cross-checked with the Tax Assessor's office and the Buildings Department. The final calculations were based on the final unit count provided by them. The residential and commercial unit count for some of the buildings also had to be checked so that the number of commercial units could be excluded from vacancy calculations.

Finally, when responses were not clear regarding vacancies due to discrepancies or were very divergent from the average information reported by most owners/representatives, a final survey mailing was sent to 10 property owners/managers (some with multiple properties) on January 25, 2024, requesting the same response as all other survey letters sent earlier. This letter indicated that commercial units should not be included in the total unit count, vacancy information should be provided for rental housing units only, and that no response would indicate zero vacancy. This letter also informed the recipient of Senate Bill S1684A which had been signed into law by the Governor on December 8, 2023. The response deadline for this survey was February 2, 2024, and responses were accepted until February 8, 2024.

Findings

The final survey included 112 properties with 1,494 units. The response rate was 61%.

Subsidized units (965) that were on the initial list that we received from the Tax Assessor were exempted from the analysis.

The **overall vacancy rate** for buildings that were completed prior to January 1, 1974, and contain at least six (6) dwelling units in the City of Poughkeepsie is **3.96%**.

Table 1. *Summary of Vacancy Status of Properties Included in the Vacancy Rate Analysis*

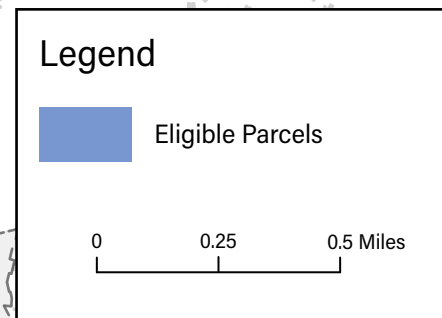
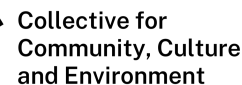
SUMMARY TABLE	
Properties Included in the Study	112
Total number of responses	68
Response Rate	61%
Total number of rental housing units included in study	1494
Total number of rental housing units reported to be vacant on 11/1/2023	88
<i>Total number of vacant rental housing units unavailable for rent on 11/1/2023</i>	<i>30</i>
<i>Total number of vacant rental housing units available for rent on 11/1/2023 (TVH)</i>	<i>58</i>
Total number of rental housing units - Number of rental housing units unavailable for rent = TRH	1464
Housing Vacancy Rate (TVH/TRH)	3.96%

Conclusion

In conclusion, the City of Poughkeepsie Housing Vacancy Analysis conducted by CCCE primarily in November and December 2023 as detailed above found a vacancy rate of 3.96% on November 1, 2023, for the properties built before 1974 and containing at least 6 units. Pursuant to the NYS Emergency Tenant Protection Act because the vacancy rate for these properties is less than 5%, they are eligible for the City of Poughkeepsie to consider declaring a housing emergency.

Map 1 - *Spatial distribution of properties included in the vacancy analysis*

Eligible Parcels for the City of Poughkeepsie Housing Vacancy Study



Acknowledgements

The CCCE Poughkeepsie Housing Vacancy Team would like to thank the following people for their assistance with the project:

Linda Cohen (CCCE) for assistance with on-site observations and phone surveys

Pratt Graduate Students Tal Litwin and Sage Dumont for assistance with GIS mapping and on-site observations

Vassar Students Spencer Ames, Mason Rowe, Elias Gorant, and Arlo Lennert for assistance with on-site observations. Spencer Ames also helped with researching phone numbers of property owners

Heather LaVarnway, Dutchess County Department of Planning and Development, for assistance with locating subsidized housing units for exclusion from study

Woody Pascal, DHCR, for assistance with locating subsidized housing units for exclusion from study

John Taylor, Tax Assessor, City of Poughkeepsie, for assistance with verifying property eligibility and housing unit counts

Eric Phillip, Building Inspector, City of Poughkeepsie, for assistance with verifying property eligibility and housing unit counts

Joseph Donat, Interim Development Director, City of Poughkeepsie, for assistance with the various aspects of this study.

We also consulted [The City of Poughkeepsie Housing Needs Assessment 2022](#) for identifying subsidized housing units.

APPENDIX A
Eligible Properties with Vacancy Information

Year Built	Property Address	Total No. of Units	No. of vacant units 11/1/2023	No. of vacant units not available for rent 11/1/2023	Total units for vacancy count (TRH)	Total vacant units available for rent 11/1/2023 (TVH)	Vacancy rate
1900	60 Academy	7	0	0	7	0	0.00%
1920	69 Academy	6	0	0	6	0	0.00%
1912	76 Academy	14	0	0	14	0	0.00%
1958	166 Academy	36	1	0	36	1	2.78%
1936	24 Barclay	14	0	0	14	0	0.00%
1925	80 N. Bridge	6	0	0	6	0	0.00%
1890	97 N. Bridge	6	0	0	6	0	0.00%
1950	48 Cannon	9	3	0	9	3	33.33%
1922	120 Cannon	14	1	1	13	0	0.00%
1920	137 Cannon	6	2	0	6	2	33.33%
1922	55 Carroll	24	7	7	17	0	0.00%
1922	60 Carroll	25	3	0	25	3	12.00%
1931	76 Carroll	7	0	0	7	0	0.00%
1922	82 Carroll	19	7	0	19	7	36.84%
1910	64-66 Catharine	6	2	0	6	2	33.33%
1900	398 Church	14	6	0	14	6	42.86%
1950	400 Church	12	4	4	8	0	0.00%
1920	45 N. Clinton	6	0	0	6	0	0.00%
1910	51 N. Clinton	6	1	0	6	1	16.67%
1920	4 S. Clinton	7	2	2	5	0	0.00%
1900	45 S. Clinton	6	1	0	6	1	16.67%
1900	3 College	8	0	0	8	0	0.00%
1920	20-24 Cottage	9	0	0	9	0	0.00%
1920	12 Delano	6	0	0	6	0	0.00%
1922	1 Flannery	292	0	0	292	0	0.00%
1968	31 Forbus	44	2	2	42	0	0.00%
1905	32 Forbus	6	1	1	5	0	0.00%
1925	1 Fountain	13	0	0	13	0	0.00%
1900	120 Franklin	6	0	0	6	0	0.00%
1905	132 Franklin	6	0	0	6	0	0.00%
1922	138 Franklin	7	0	0	7	0	0.00%
1920	77 Garden	6	0	0	6	0	0.00%
1910	78-80 Garden	7	1	0	7	1	14.29%
1920	79 Garden	6	0	0	6	0	0.00%
1920	46 N. Hamilton	6	0	0	6	0	0.00%

Year Built	Property Address	Total No. of Units	No. of vacant units 11/1/2023	No. of vacant units not available for rent 11/1/2023	Total units for vacancy count (TRH)	Total vacant units available for rent 11/1/2023 (TVH)	Vacancy rate
1900	19 S. Hamilton	7	0	0	7	0	0.00%
1900	37 S. Hamilton	6	0	0	6	0	0.00%
1890	51 S. Hamilton	6	0	0	6	0	0.00%
1900	57-65 S. Hamilton	24	2	0	24	2	8.33%
1927	82 S. Hamilton	27	0	0	27	0	0.00%
1890	89 S. Hamilton	6	0	0	6	0	0.00%
1922	91 S. Hamilton	24	3	3	21	0	0.00%
1963	94-96 S. Hamilton	51	0	0	51	0	0.00%
1920	101 S. Hamilton	11	0	0	11	0	0.00%
1927	25 Hammersley	13	2	0	13	2	15.38%
1900	28 Hooker	6	2	1	5	1	20.00%
1905	43 Hooker	7	0	0	7	0	0.00%
1915	51 Hooker	7	0	0	7	0	0.00%
1900	130 Hooker	7	0	0	7	0	0.00%
1890	8 Jewett	6	0	0	6	0	0.00%
1880	7 Lafayette	6	0	0	6	0	0.00%
1930	22 Lexington	6	0	0	6	0	0.00%
1920	34 Lincoln	7	2	0	7	2	28.57%
1920	194 Main	14	0	0	14	0	0.00%
1900	202-204 Main	8	0	0	8	0	0.00%
1920	220 Main	10	0	0	10	0	0.00%
1872	303-307 Main	8	2	2	6	0	0.00%
1872	309 Main	6	0	0	6	0	0.00%
1900	403 Main	6	2	0	6	2	33.33%
1900	453 Main	17	0	0	17	0	0.00%
1880	458-460 Main	6	1	1	5	0	0.00%
1900	464 Main	12	0	0	12	0	0.00%
1880	468 Main	12	3	0	12	3	25.00%
1900	521 Main	32	0	0	32	0	0.00%
1900	548 Main	10	0	0	10	0	0.00%
1900	550 Main	6	0	0	6	0	0.00%
1926	558 Main	28	0	0	28	0	0.00%
1923	559 Main	14	0	0	14	0	0.00%

Year Built	Property Address	Total No. of Units	No. of vacant units 11/1/2023	No. of vacant units not available for rent 11/1/2023	Total units for vacancy count (TRH)	Total vacant units available for rent 11/1/2023 (TVH)	Vacancy rate
1915	566 Main	13	0	0	13	0	0.00%
1930	637 Main	8	1	0	8	1	12.50%
1920	639 Main	8	0	0	8	0	0.00%
1925	641 Main	8	0	0	8	0	0.00%
1924	691 Main	13	0	0	13	0	0.00%
1900	699 Main	11	0	0	11	0	0.00%
1922	704-706 Main	6	0	0	6	0	0.00%
1920	144 Mansion	6	0	0	6	0	0.00%
1910	146-148 Mansion	6	0	0	6	0	0.00%
1920	169 Mansion	6	1	0	6	1	16.67%
1920	171 Mansion	6	1	0	6	1	16.67%
1910	182 Mansion	6	3	0	6	3	50.00%
1920	242 Mansion	6	1	1	5	0	0.00%
1920	254 Mansion	6	2	1	5	1	20.00%
1886	154 Mill	6	0	0	6	0	0.00%
1932	174 Mill	11	0	0	11	0	0.00%
1900	197 Mill	24	0	0	24	0	0.00%
1900	211 Mill	6	0	0	6	0	0.00%
1900	217-219 Mill	8	1	1	7	0	0.00%
1900	267 Mill	7	0	0	7	0	0.00%
1900	320-322 Mill	8	0	0	8	0	0.00%
1900	98 Montgomery	6	1	1	5	0	0.00%
1920	145 Montgomery	6	1	0	6	1	16.67%
1900	58 Noxon	12	4	0	12	4	33.33%
1855	2 Parker	6	0	0	6	0	0.00%
1900	56 Pershing	6	0	0	6	0	0.00%
1932	2 Roosevelt	14	0	0	14	0	0.00%
1932	4 Roosevelt	13	0	0	13	0	0.00%
1870	2 Rose	7	0	0	7	0	0.00%
1900	21 Smith	8	2	2	6	0	0.00%
1890	54-58 Smith	6	0	0	6	0	0.00%
1920	6 State	7	1	0	7	1	14.29%
1940	7 Suncrest	22	0	0	22	0	0.00%
1920	140 Union	6	1	0	6	1	16.67%
1920	144 Union	6	2	0	6	2	33.33%

Year Built	Property Address	Total No. of Units	No. of vacant units 11/1/2023	No. of vacant units not available for rent 11/1/2023	Total units for vacancy count (TRH)	Total vacant units available for rent 11/1/2023 (TVH)	Vacancy rate
1912	160 Union	39	3	0	39	3	7.69%
1880	166 Union	6	0	0	6	0	0.00%
1920	187/189 Union	10	0	0	10	0	0.00%
1928	43 Verazzano	9	0	0	9	0	0.00%
1954	67 Verazzano	6	0	0	6	0	0.00%
1938	7-9 S. White	8	0	0	8	0	0.00%
1968	166 Winnikee	6	0	0	6	0	0.00%
1940	172 Winnikee	12	0	0	12	0	0.00%
1930	66 Worrall	6	0	0	6	0	0.00%
	TOTAL	1494	88	30	1464	58	3.96%

APPENDIX B

Cover letter and Survey sent to Property Owners for mailings
(11/6/23 and 11/20/23)

November 6, 2023

Dear Property Owner/Manager,

As you may be aware, the City of Poughkeepsie has contracted with the Collective for Community, Culture and Environment (CCCE) to perform a Housing Vacancy Rate Analysis to assist the City of Poughkeepsie in determining the vacancy rate in buildings completed prior to January 1, 1974 that contain at least six (6) dwelling units. The Housing Vacancy Rate Analysis may be used by the City to determine whether a housing emergency, as defined by the NYS Emergency Tenant Protection Act, exists for this class of buildings.

As an owner of one or more properties that meet the criteria of having been built before January 1, 1974 and containing at least six rental dwelling units, we are asking that you provide us with the following information about your property: **the total number of units in each property, and the total number of vacant units in each property that were available for rent as of November 1, 2023.** Any additional information, such as the length of time the units have been vacant, would also be helpful.

Please send the requested information by November 17, 2023 by responding in the one of the following ways:

1. Fill out the form and send it to us by mail to
CCCE [Address]
2. OR take a photo of filled out form and send the photo by email to vacancystudypk@gmail.com
3. OR respond to this survey by filling out the form online at: <https://bit.ly/vacancyENG>

If we don't hear from you by **November 17, 2023**, we shall assume that there are no vacancies in your properties at this time. Thank you for your cooperation with this matter and we look forward to hearing from you.

Sincerely,

CCCE Poughkeepsie Housing Vacancy Study Team:

Devyani Guha

Yvette Shiffman

Evren Uzer

Ayse Yonder

6 de noviembre de 2023

Estimado Propietario / Administrador,

La Ciudad de Poughkeepsie ha contratado a la *Colectiva para la Comunidad, la Cultura y el Medio Ambiente* (CCCE) para realizar un Análisis de la Tasa de Desocupación de Viviendas. Este análisis ayudará a la Ciudad de Poughkeepsie a determinar la tasa de desocupación de viviendas en edificios construidos a su totalidad antes del 1º de enero de 1974 que contengan al menos seis (6) unidades de vivienda. El análisis de la tasa de desocupación de viviendas puede ser utilizado por la ciudad para determinar si existe una emergencia de vivienda, tal como se define en la Ley de Protección de Emergencia para Inquilinos del Estado de Nueva York, para esta clase de edificios.

Como propietario o administrador de una o más propiedades que cumplen con los criterios de haber sido construidas antes del 1º de enero de 1974 y que contienen al menos seis (6) unidades de vivienda de alquiler, le pedimos que nos provee la siguiente información sobre su propiedad: **el número total de unidades en cada propiedad y el número total de unidades vacantes en cada propiedad que han estado en el mercado desde el 1º de noviembre de 2023**. Cualquier información adicional, como el tiempo que las unidades han estado desocupadas, también sería útil.

Por favor, envíe la información solicitada antes del 17 de noviembre de 2023 respondiendo de una de las siguientes maneras:

1. Llenando el formulario y enviándolo por correo a DIRECCIÓN:
CCCE [Address]
2. O llene el formulario, tome una foto del formulario completo y envíela por correo electrónico a vacancystudypk@gmail.com.
3. O llene el formulario en nuestra pagina web: <https://bit.ly/vacancyESP>

Si no tenemos noticias tuyas antes del **17 de noviembre de 2023**, asumiremos que no hay unidades vacantes en su propiedad o propiedades en este momento. Gracias por su cooperación y esperamos su respuesta.

Atentamente,

CCCE Poughkeepsie Equipo de Estudio de las Viviendas Vacías
Devyani Guha
Yvette Shiffman
Evren Uzer
Ayse Yonder

SURVEY FORM

Please use this form in replying to the request for information about vacancies at your property. This form asks for information as of **November 1, 2023** as referenced in the cover letter. Please return by November 17, 2023. Thank you.

PROPERTY INFORMATION

Parcel No: Block: XX Lot: XXXXX

Street Address: **XXX XXXXXX, Poughkeepsie, NY**

OWNER/MANAGER NAME: _____

Total no. of Units: _____

Total no. of vacant units as of November 1, 2023: _____

Were these vacant units available for rent on November 1, 2023: _____

If not, what was the reason they were not available for rent: _____

Length of time units were vacant: _____

Name of the person filling out the form: _____

Signature: _____

Date: _____

Utilice este formulario para responder a la solicitud de información sobre las unidades vacantes en su propiedad. Este formulario solicita información a partir del **1º de noviembre de 2023**, como se indica en la carta de presentación. Por favor, envíe la información solicitada antes del 17 de noviembre de 2023. Muchas gracias.

INFORMACIÓN SOBRE LA PROPIEDAD

Parcela nº: Block: XX Lot: XXXXX

Dirección postal: **XXX XXXXXX, Poughkeepsie, NY**

NOMBRE DEL PROPIETARIO/GERENTE: _____

Nº total de Unidades: _____

Nº total de unidades vacantes a partir del 1º de noviembre de 2023: _____

¿Estaban estas unidades vacantes disponible para alquilar el 1º de noviembre de 2023: _____

Si no es así, ¿cuál fue la razón de que no esté disponible para alquilar? _____

Tiempo durante el cual las unidades estuvieron vacantes: _____

Nombre completo de la persona que llena el formulario: _____

Firma: _____ Fecha: _____

APPENDIX C

Survey sent to selected Property Owners (1/25/24)

January 24, 2024

RE: City of Poughkeepsie Housing Vacancy Study

The City of Poughkeepsie has contracted with the Collective for Community Culture and Environment (CCCE) to assist the City in determining the residential housing vacancy rate in buildings completed prior to January 1, 1974 that contain at least six (6) dwelling units. The Housing Vacancy Rate analysis may be used by the City to determine whether a housing emergency, as defined by the Emergency Tenant Protection Act (ETPA), exists for this class of buildings.

You have recently responded to a survey for the Housing Vacancy Study for **XX XXXXXXXXXX XX, Poughkeepsie, NY**, but there are questions about the information in your response. Please provide accurate information about the building referenced above by responding to **ALL** of the questions below:

1. The total number of residential units _____ (Please do not include commercial units)
2. The number of vacant residential units on **November 1, 2023** _____
3. Were any of these vacant residential units undergoing repairs, painting, cleaning or other reasons that made them unavailable for rent on **November 1, 2023**:
Yes _____ No _____ If so, how many? _____
4. The length of time the residential units have been vacant _____

Your response should be sent to: vacancystudy.pk@gmail.com by **February 1, 2024**

No response to such requests for information will be counted as the property having no vacancies.

As you may be aware, [Assembly Bill A6843A](#)* signed into law by Governor Hochul in December 2023 requires property owners to provide accurate responses to municipal housing vacancy studies or face a civil penalty.

Should you have any questions about the vacancy study, please contact us at vacancystudy.pk@gmail.com

Thanks for your cooperation.

Sincerely,

Poughkeepsie Housing Vacancy Team
Collective for Community Culture and Environment (CCCE)

* D. WHEN REQUESTED BY A MUNICIPALITY OR A DESIGNEE, AS A PART OF A STUDY TO DETERMINE ITS VACANCY RATE, OWNERS, OR THEIR AGENT, OF HOUSING ACCOMMODATIONS IN THE CLASS OF HOUSING ACCOMMODATIONS DETERMINED, SHALL PROVIDE THE MOST RECENT RECORDS OF RENT ROLLS AND, IF AVAILABLE, RECORDS FOR THE PRECEDING THIRTY-SIX MONTHS. SUCH RECORDS SHALL INCLUDE THE TENANT'S RELEVANT INFORMATION RELATING TO FINDING THE VACANCY RATE OF SUCH MUNICIPALITY INCLUDING BUT NOT LIMITED TO THE NAME, ADDRESS, AND AMOUNT PAID OR CHARGED ON A WEEKLY, MONTHLY, OR ANNUAL BASIS FOR EACH OCCUPIED HOUSING ACCOMMODATION AND WHICH HOUSING ACCOMMODATIONS ARE VACANT AT THE TIME OF THE SURVEY AND AVAILABLE FOR RENT. SUCH RECORDS SHALL ALSO INCLUDE ANY HOUSING ACCOMMODATIONS THAT ARE VACANT AND NOT AVAILABLE FOR RENT AND PROVIDE THE REASON WHY SUCH UNIT IS NOT AVAILABLE FOR RENT.

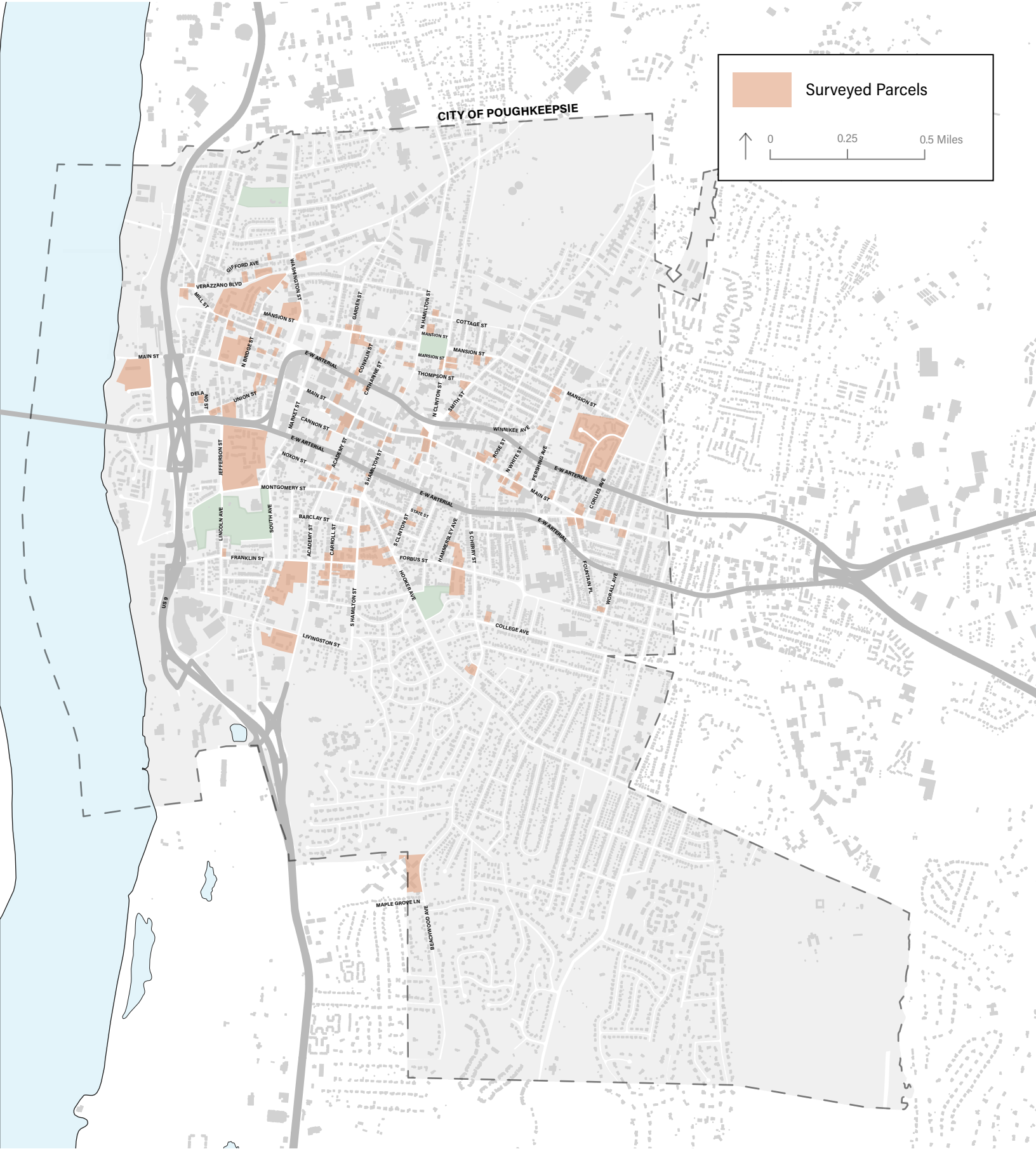
E. REFUSAL BY AN OWNER OR THEIR AGENT TO PARTICIPATE IN SUCH VACANCY SURVEY AND COOPERATE WITH THE MUNICIPALITY OR A DESIGNEE IN SUCH VACANCY SURVEY, OR SUBMISSION OF KNOWINGLY AND INTENTIONALLY FALSE VACANCY INFORMATION MAY BE DEEMED CAUSE TO DENY A RENTAL PERMIT OR CERTIFICATE OF OCCUPANCY FOR A HOUSING ACCOMMODATION. SUCH MUNICIPALITY MAY ADDITIONALLY IMPOSE A CIVIL PENALTY OR FEE ON SUCH OWNER OR THEIR AGENT OF UP TO ONE THOUSAND DOLLARS.

APPENDIX D

Map of All Properties for which On-Site Observations were made

Surveyed Parcels

for the City of Poughkeepsie
Housing Vacancy Study





THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Tuesday, May 7, 2024, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is May 7, 2024 and the time is 7:44pm

I. ROLL CALL: ALL PRESENT

II. REVIEW OF MINUTES:

Common Council Public Hearing -Providing a definition of “warehouse” in the Zoning Code – April 16, 2024

Common Council Public Hearing - Proposed Historic Landmark Designation of AME-ZION Church

Common Council Meeting - April 16, 2024

CC Public Hearings. & CCM Minutes of April 16, 2024 – Roll Call Vote						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	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.

ADD:

CONSENT AGENDA: MOTIONS AND RESOLUTIONS:

- 3. R-24-35, New York State Environmental Quality Review Act (SEQRA)**
Regarding Text Amendment for Zoning Code to Provide a Definition for
“Warehouse”.

SEE ATTACHED RESOLUTION AS PROVIDED BY CORPORATION COUNSEL

R-24-35 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	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	☒	☐	☐	☐

Full Environmental Assessment Form And Resolution Below

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: LOCAL LAW AMENDING THE ZONING CODE TO PROVIDE A DEFINITION FOR “WAREHOUSE”		
Project Location (describe, and attach a general location map): City of Poughkeepsie Zoning Districts C-2A, C-3, I-1, I-2 and R&D		
Brief Description of Proposed Action (include purpose or need): Add a definition for “warehouse” to the City of Poughkeepsie zoning ordinance as follows: WAREHOUSE: A building used primarily for the storage of goods and materials. However, for purposes of the zoning code, specifically excluded from this definition is a “self-storage facility,” as defined in Section 19-3.25, and a “miniwarehouse,” as defined in Section 19-2.2.		
Name of Applicant/Sponsor: City of Poughkeepsie	Telephone: 845 451 4200	
	E-Mail:	
Address: 62 Civic Center Plaza		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Project Contact (if not same as sponsor; give name and title/role):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, ☒ Yes ☐ No or Village Board of Trustees	City of Poughkeepsie Common Council	
b. City, Town or Village Planning Board or Commission ☐ Yes ☐ No		
c. City, Town or Village Zoning Board of Appeals ☐ Yes ☐ No		
d. Other local agencies ☐ Yes ☐ No		
e. County agencies ☒ Yes ☐ No	Dutchess County Department of Planning and Development	
f. Regional agencies ☐ Yes ☐ No		
g. State agencies ☐ Yes ☐ No		
h. Federal agencies ☐ Yes ☐ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☒ Yes ☐ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☒ Yes ☐ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☒ No		

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

Local Waterfront Revitalization Program

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

C-2A, C-3, I-1, I-2 and R&D

b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? Add a definition for "warehouse" as follows: WAREHOUSE: A building used primarily for the storage of goods and materials.

C.4. Existing community services.

a. In what school district is the project site located? Poughkeepsie Central School District

b. What police or other public protection forces serve the project site?

City of Poughkeepsie Police Department

c. Which fire protection and emergency medical services serve the project site?

City of Poughkeepsie Fire Department

d. What parks serve the project site?

College Hill Park, Eastman Park, Hulme Park, Lincoln Park, Soldier's Memorial Park, Springside National Historic Landmark, Pershing Avenue Park, King Street Park, Kaal Rock Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? _____ acres

b. Total acreage to be physically disturbed? _____ acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? ☐ Yes ☐ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? ☐ Yes ☐ No ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____ _____ _____	☐ Yes ☐ No ☐ Yes ☐ No	
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	☐ Yes ☐ No	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____ _____ _____		
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____ _____ _____		
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____ _____ • If to surface waters, identify receiving water bodies or wetlands: _____ _____ • Will stormwater runoff flow to adjacent properties? _____	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____		
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)		☐ Yes ☐ No ☐ Yes ☐ No

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____ _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____ _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____ _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____ _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ _____ • Operation: _____ _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ _____ • Operation: _____ _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site																																							
a. Existing land uses. i. Check all uses that occur on, adjoining and near the project site. ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____ ii. If mix of uses, generally describe: _____																																							
b. Land uses and covertypes on the project site. <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Land use or Covertypes</th> <th style="width: 15%;">Current Acreage</th> <th style="width: 25%;">Acreage After Project Completion</th> <th style="width: 20%;">Change (Acres +/-)</th> </tr> </thead> <tbody> <tr> <td>• Roads, buildings, and other paved or impervious surfaces</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Forested</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Agricultural (includes active orchards, field, greenhouse etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Surface water features (lakes, ponds, streams, rivers, etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Wetlands (freshwater or tidal)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Non-vegetated (bare rock, earth or fill)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Other Describe: _____</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)	• Roads, buildings, and other paved or impervious surfaces				• Forested				• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)				• Agricultural (includes active orchards, field, greenhouse etc.)				• Surface water features (lakes, ponds, streams, rivers, etc.)				• Wetlands (freshwater or tidal)				• Non-vegetated (bare rock, earth or fill)				• Other Describe: _____			
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c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	☐ Yes ☐ No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: _____ _____	☐ Yes ☐ No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____	☐ Yes ☐ No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	☐ Yes ☐ No ☐ Yes ☐ No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	☐ Yes ☐ No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes – Spills Incidents database ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____	☐ Yes ☐ No ☐ Yes ☐ No
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	☐ Yes ☐ No

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No - If yes, DEC site ID number: _____ - Describe the type of institutional control (e.g., deed restriction or easement): _____ - Describe any use limitations: _____ - Describe any engineering controls: _____ - Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No - Explain: _____ _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site ☐ Moderately Well Drained: _____ % of site ☐ Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site ☐ 10-15%: _____ % of site ☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No If Yes, describe: _____ _____	
h. Surface water features. i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No iv. For each identified regulated wetland and waterbody on the project site, provide the following information: - Streams: Name _____ Classification _____ - Lakes or Ponds: Name _____ Classification _____ - Wetlands: Name _____ Approximate Size _____ - Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? ☐ Yes ☐ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No If Yes: i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____
n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ _____ _____
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No If Yes: i. Species and listing: _____ _____ _____
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____ _____
E.3. Designated Public Resources On or Near Project Site
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No If Yes, provide county plus district name/number: _____
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☐ No If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____ Title _____

Full Environmental Assessment Form
Part 2 - Identification of Potential Project Impacts

Agency Use Only [If applicable]

Project : _____

Date : _____

Part 2 is to be completed by the lead agency. Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

Tips for completing Part 2:

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

1. Impact on Land Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	☐	☐
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	☐	☐
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	☐	☐
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	☐	☐
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	☐	☐
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	☐	☐
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	☐	☐
h. Other impacts: _____ _____		☐	☐

2. Impact on Geological Features

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	☐	☐
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	☐	☐
c. Other impacts: _____ _____		☐	☐

3. Impacts on Surface Water

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☒ NO☐ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	☐	☐
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	☐	☐
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	☐	☐
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	☐	☐
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	☐	☐
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	☐	☐
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	☐	☐
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	☐	☐
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	☐	☐
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	☐	☐
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	☐	☐

l. Other impacts: _____ _____		☐	☐
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If “Yes”, answer questions a - h. If “No”, move on to Section 5.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	☐	☐
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	☐	☐
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	☐	☐
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	☐	☐
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	☐	☐
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	☐	☐
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	☐	☐
h. Other impacts: _____ _____		☐	☐

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If “Yes”, answer questions a - g. If “No”, move on to Section 6.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	☐	☐
b. The proposed action may result in development within a 100 year floodplain.	E2j	☐	☐
c. The proposed action may result in development within a 500 year floodplain.	E2k	☐	☐
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	☐	☐
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	☐	☐
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	☐	☐

g. Other impacts: _____ _____		☐	☐
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6. Impacts on Air The proposed action may include a state regulated air emission source. (See Part 1. D.2.f., D.2.h, D.2.g) <i>If “Yes”, answer questions a - f. If “No”, move on to Section 7.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels:					
i. More than 1000 tons/year of carbon dioxide (CO ₂)	D2g	☐	☐		
ii. More than 3.5 tons/year of nitrous oxide (N ₂ O)	D2g	☐	☐		
iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs)	D2g	☐	☐		
iv. More than .045 tons/year of sulfur hexafluoride (SF ₆)	D2g	☐	☐		
v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions	D2g	☐	☐		
vi. 43 tons/year or more of methane	D2h	☐	☐		
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	☐	☐		
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	☐	☐		
d. The proposed action may reach 50% of any of the thresholds in “a” through “c”, above.	D2g	☐	☐		
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	☐	☐		
f. Other impacts: _____ _____		☐	☐		

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 8.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	☐	☐		
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	☐	☐		
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	☐	☐		
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	☐	☐		

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	☐	☐
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	☐	☐
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	☐	☐
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____ _____	E1b	☐	☐
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	☐	☐
j. Other impacts: _____ _____		☐	☐

8. Impact on Agricultural Resources The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) ☒ NO ☐ YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	☐	☐
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	☐	☐
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	☐	☐
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	☐	☐
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	☐	☐
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	☐	☐
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	☐	☐
h. Other impacts: _____		☐	☐

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	☐	☐
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	☐	☐
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	☐ ☐	☐ ☐
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	☐ ☐	☐ ☐
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	☐	☐
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	☐	☐
g. Other impacts: _____ _____		☐	☐

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places.	E3e	☒	☐
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	☒	☐
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	☐	☐

d. Other impacts: _____ _____		☐	☐
If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3: e. i. The proposed action may result in the destruction or alteration of all or part of the site or property. ii. The proposed action may result in the alteration of the property's setting or integrity. iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3g, E3f E3e, E3f, E3g, E1a, E1b E3e, E3f, E3g, E3h, C2, C3	☐ ☐ ☐ 	☐ ☐ ☐

11. Impact on Open Space and Recreation The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	☐	☐		
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	☐	☐		
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	☐	☐		
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	☐	☐		
e. Other impacts: _____ _____		☐	☐		

12. Impact on Critical Environmental Areas The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>				☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐		
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	☐	☐		
c. Other impacts: _____ _____		☐	☐		

13. Impact on Transportation

The proposed action may result in a change to existing transportation systems.

☒ NO

☐ YES

(See Part 1. D.2.j)

If "Yes", answer questions a - f. If "No", go to Section 14.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	☐	☐
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	☐	☐
c. The proposed action will degrade existing transit access.	D2j	☐	☐
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	☐	☐
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	☐	☐
f. Other impacts: _____ _____		☐	☐

14. Impact on Energy

The proposed action may cause an increase in the use of any form of energy.

☒ NO

☐ YES

(See Part 1. D.2.k)

If "Yes", answer questions a - e. If "No", go to Section 15.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	☐	☐
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	☐	☐
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	☐	☐
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	☐	☐
e. Other Impacts: _____ _____			

15. Impact on Noise, Odor, and Light

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☒ NO

☐ YES

(See Part 1. D.2.m., n., and o.)

If "Yes", answer questions a - f. If "No", go to Section 16.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	☐	☐
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	☐	☐
c. The proposed action may result in routine odors for more than one hour per day.	D2o	☐	☐

d. The proposed action may result in light shining onto adjoining properties.	D2n	☐	☐
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	☐	☐
f. Other impacts: _____ _____		☐	☐

16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

If "Yes", answer questions a - m. If "No", go to Section 17.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	☐	☐
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	☐	☐
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	☐	☐
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	☐	☐
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	☐	☐
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	☐	☐
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	☐	☐
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	☐	☐
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	☐	☐
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	☐	☐
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	☐	☐
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	☐	☐
m. Other impacts: _____ _____			

17. Consistency with Community Plans The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>			
		☐ NO	☒ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	☒	☐
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	☒	☐
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	☒	☐
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	☒	☐
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	☒	☐
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	☒	☐
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	☒	☐
h. Other: _____ _____		☐	☐

18. Consistency with Community Character The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>			
		☒ NO	☐ YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	☐	☐
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	☐	☐
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	☐	☐
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	☐	☐
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	☐	☐
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	☐	☐
g. Other impacts: _____ _____		☐	☐

Project :

Date :

Full Environmental Assessment Form
Part 3 - Evaluation of the Magnitude and Importance of Project Impacts
and
Determination of Significance

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

Reasons Supporting This Determination:

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

Determination of Significance - Type 1 and Unlisted Actions

SEQR Status: ☒ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the
Common Council of the City of Poughkeepsie _____ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.7(d)).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action: Text amendment to provide a definition of warehouse

Name of Lead Agency: City of Poughkeepsie Common Council

Name of Responsible Officer in Lead Agency: Donna DeLuca

Title of Responsible Officer: Deputy Chamberlain

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

For Further Information:

Contact Person: Donna DeLuca

Address: 62 Civic Center Plaza, Poughkeepsie NY 12601

Telephone Number: 845-451-4276

E-mail: ddeluca@cityofpoughkeepsie.com

For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

A motion to defer items 1 through 5 of Presentations of Petitions and Communications to Corporation Counsel was made by Vice-Chair Shook and Seconded by Councilmember Grant.

IV. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. FROM JOSEPH OSZIP**, a notice of property damage sustained on January 29, 2024.
- 2. FROM FREDERICK ARNOLD**, a notice of property damage sustained on February 13, 2024.
- 3. FROM DONNETT DALEY**, a notice of property damage sustained on March 7, 2024.
- 4. FROM VICTOR SMITH**, a notice of personal injury sustained on March 19, 2024.
- 5. FROM HAIRONG XING**, a notice of property damage sustained on April 7, 2024.

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

- **Nicholas Kalogris – Maryland Ave / For the Many**
- **Daniel Atonna – College Ave / For the Many**
- **Karen Turner – Rose St**
- **Alvin Hayle – Harrison St**
- **Doug Nobiletti – Academy St**
- **Andrew Hiller -**
- **Clay Antonatos – Delano St.**
- **Kaleb Croft – Hook Rd**
- **Rosemary DaCruz – Innis Ave**
- **Andrew Hiller – Hickory Bush / MHVDSA**

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

I just have some brief comments. Adam Brashear. The Council and myself would still like to make sure that we reached, uh, let everyone know that our condolences goes out to the family that lost the life of the young man in the shooting. Also, we are still in support of the other two of the three young people that were shot in our community. We stand and support. Many of the council were at the hospital during the last shooting from the two high school age students and definitely still support. We definitely want to have a true safe passage in the City of Poughkeepsie. If we can, you know implore all of those individuals out there that might be used in nefarious ways to at least give the children of the school and the children in the community that right to have a safe passage to and from school. You know, that is one of the things that we're definitely focusing on and it only takes a matter of making the right choices and the right decisions to not bring that to those students, to have to witness that. As I said before, on their way home from school or to from school at no time. But at least you know, when we say safe passage, they should have that safe passage to want to go to school and not be afraid to walk to and from school because we all know we're a walking school district. So, you, [inaudible] you know, keep it away from the school and keep it away from those other children and that have nothing to do with, you know, the stuff that you got going on. On a positive note, I want to give a shout out to Mr. Deichler who retired from the Fire Department and also to Kyle, you know, for his years of service with our police department. And that's all I have for my comments. Mayor?

VII. MAYOR'S COMMENTS:

Thank you chair. I do. I share the same feelings in regards to our children who were going to suffer from the gunshots that were, that were in the last few weeks, unfortunately were a couple more shootings, but no one had gotten hurt. So, it is something that we're really going to have to work on. In regard to the gun violence, I know it was brought up about programs for our kids. The Council did pass in their budget, and we did award up to about 35, 36 programs, youth programs. So, there is about over \$393,000 that was given out for youth programs. So many of them are working on the programs now to have them ready for the summer. And even now are working on doing something in the next couple of weeks for some of these programs. So, it's best that, you know, when you hear about these programs, you know, to share that with individuals. So that way our children can participate in, because some people say there's nothing out there for our kids to do. Well, according to the money that was given out between the county and the city, there's a lot for our kids to do. The question is, is whether they're going to participate. So, we really need to look at that. It came up to about the food trucks. Yes, there's an RFP that we put out there. The food trucks will be on Market Street, across here from City Hall and also down by Hulme Park. There will be a couple of trucks there and it's only on Fridays. So, this will give the food truck.. the people who do have food trucks the opportunity to operate in our city and also to give a little diversity of food, you know, for an individual, especially here around City Hall. It was done before, in the past, our former mayor Rob Rolison has done it before. And so just bringing it back and we're going to try to do it for every Friday starting in June. There's also the RFP also goes out for food trucks in our parks. So, Pulaski Park will have food trucks and then also Spratt Park will have food trucks. So, the RFP is out there to select

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these individuals, they do have to go through inspection, you have to make sure that they have all their credentials and make sure they have their permits with the Board of Health. So, they will have to go through that whole process. Once they go through that, they'll start, you know, being in the designated areas of the streets. So, we're looking forward for that to happen.

It also came up; I know the gentleman came here to talk about the property that's on Harrison Street. We did get notification yesterday that there was an issue going on there. The building department is working on it. I'm also going to address that part of that property. When properties come forward as nuisance properties, we will be notifying the property owners to let them know that we're getting several complaints and it's up to them to rectify the problem. And if they don't, then we start going through, you know, issuing violations where needed. So, everyone should be able to be in their home and they should be safe, and they should have peace, you know and no one should be playing music all through the night. So, that is being addressed and so they should be notified soon.

It also came up about Clinton, the Clinton House, that is owned by the state and the county operates that so they will be looking into what they're going to do with that property. They did put the fence around it because of the issues that were happening, so we're not sure what they're doing at this point. But we have no control over that property.

For the Glebe House, I know last year the Fall Kill Creative Works had proposed to have a renewal of their license agreement, so that's something that we have to look at again to find out if they're still interested in operating in that building and the Council would have to decide if they want to move forward with that. I believe they're still using it. I'm not sure because I haven't seen any activity lately, but I'm not sure if they are.

Corporation Counsel Valk: It is my understanding that they are.

Mayor Flowers: They are. Okay, so I guess we should have a continued conversation with them, but at least someone is in there to help, you know, so that way people don't take over those properties.

I want to congratulate Hudson River Housing for their grand opening of Pat's House that was on South Clinton. And I'll let Councilmember Grant talk a little bit more about that, it's in his ward. So, I had an opportunity to view the house.

I also want to thank our Dutchess County Drug Task Force, for their diligent efforts in the City of Poughkeepsie. As you notice, we all get these news breaking alerts about the raids that are happening throughout the City of Poughkeepsie. They are working very hard in conjunction with our city police and dealing with the fentanyl issues that are happening in this city and many other cities across the country. So, I do thank them for the work that they are doing. I also thank our police department for the work that they're doing also. I know they've been dealing with short staff, people are retiring, and they've been working very diligently out here in the street to, to deal with some of the challenges that we have. I do want to thank Officer Schaefer; he was one of the officers that was there when the two boys were shot. And I think, I believe, that, you

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know, from his life saving measures that he did on the scene, helped this young man to be able to start recovering in there in the right direction. So, I do want to thank him for that and the many other officers that have been in the area to ensure that the rest of the kids are safe as they're going to and from school. SNUG has been in the area to do safe passage. They can't be everywhere, and so we do ask, you know, and back in the day, many of us know that used to be residents that would volunteer to participate in safe passage. And, so at some point in time, we would like to see if we could get more residents to assist SNUG and on, even with the school staff, to help with safe passage. It's getting warm, a lot of kids are out there, and we need to have enough eyes and ears out there for what's going on.

I want to thank our DPW staff, and our parks director, Brian Laffin, because they have been out in the parks getting the parks ready for some of the programs that are [going to] be happening in the parks. So, as you know, flag football is started and also there's a football camp that'll be starting soon. So, I appreciate all the work that they're doing, getting that together.

If anyone is interested in participating in Juneteenth, please contact Stacey Bottoms at sbottoms@cityofpoughkeepsie.com. Because if you have a business or you have any kind of activity that's going to go on that Saturday, which I believe is June 16th or 15th. If you have anything in relation to Juneteenth, please let us know. We'll put it in the calendar. We wanted to make this more of a weekend celebration. On Sunday, we will actually have vendors and organizations that can set up in Waryas Park and there'll also be entertainment. So there'll be a celebration in the park on Sunday. If you want to participate at it, please contact her.

There's – also we've been working on the boards and committees. We have boards and committees. I've been getting quite a few letters of interest and resumes for some of the boards that have vacancies. So, I will be starting to go through them to start filling the slots that I have to fill. And then the councilmembers have to do that as well. So, I'll be meeting with the Chair to figure out how we want to do as far as coordinate, as far as interviews for some of the boards that we both have vacancies and we have appointments.

So, and then the last is, yes, congratulations to Captain Greg Deichler for his retirement. And also we have Captain Steve Minard that is also retiring within about a week. So, we want to congratulate them both as they move on in their new journey.

And that is it for now, Chair.

VIII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

IX. REPORTS OF COMMITTEES AND BOARDS:

CONSENT AGENDA:

X. MOTIONS AND RESOLUTIONS:

- 1. R-24-33, Resolution Designating 124 Smith St and 63 Cottage St – AME Zion Church – as Local Historic Landmarks**

**RESOLUTION
(R-24-33)**

A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 124 SMITH STREET AND 63 COTTAGE STREET AS LOCAL HISTORIC LANDMARKS

INTRODUCED BY COUNCILMEMBER JAMES, COUNCILMEMBER DEICHLER & COUNCILMEMBER BROWN:

WHEREAS, 124 Smith Street and 63 Cottage Street in the City of Poughkeepsie are owned by AME Zion Church, who is desirous of securing a designation of both 124 Smith Street and 63 Cottage Street as local historic landmarks; and

WHEREAS, the HDLPC held a public hearing on March 14, 2024 regarding the nomination of 124 Smith Street and 63 Cottage Street as local historic landmarks; and

WHEREAS, the HDLPC voted in favor of the proposed nomination and approved the application on March 14, 2024; and

WHEREAS, pursuant to Section 19-4.5(4)(f) of the Code of Ordinances of the City of Poughkeepsie, the HDLPC's approved application was forwarded to the Common Council for consideration; and

WHEREAS, representatives of AME Zion Church appeared before the Common Council on April 16, 2024 to make a presentation on the application;

WHEREAS, the Common Council held a public hearing on April 16, 2024 regarding the

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nomination of 124 Smith Street and 63 Cottage Street as local historic landmarks; and

WHEREAS, after duly considering the factors specified in Section 19-4.5(4) of the Code of Ordinances of the City of Poughkeepsie, the Common Council hereby finds that 124 Smith Street and 63 Cottage Street possess special character, historic and aesthetic value as part of the cultural, economic, and social history of the City of Poughkeepsie and embody distinguishing characteristics of an architectural style.

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby designates 124 Smith Street and 63 Cottage Street in the City of Poughkeepsie, owned by AME Zion Church, as local historic landmarks. The City Chamberlain is authorized and directed to forward notice of the designations of the 124 Smith Street and 63 Cottage Street in the City of Poughkeepsie to the Dutchess County Clerk for recordation.

SECONDED BY COUNCILMEMBER SHOOK

R-24-33 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	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	☒	☐	☐	☐

2. **R-24-34**, Resolution Approving Settlement of *Hanniford v. City of Poughkeepsie, et. al.*

R E S O L U T I O N
(R-24-34)

INTRODUCED BY CHAIR WILSON, VICE CHAIR SHOOK AND MAJORITY LEADER PATTERSON THOMPSON:

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council of the City of Poughkeepsie hereby authorizes the Corporation Counsel to settle litigation currently pending entitled *Hanniford v. City of Poughkeepsie et.al* in the amount of \$36,000 and that said amount shall be paid from the 2024 budget for judgment/claims; and be it further,

RESOLVED, that the City does not admit liability in making this settlement; this Settlement Agreement reflects the Parties' compromise and Settlement of disputed claims; and be it further,

RESOLVED, that the Mayor and/or Corporation Counsel are authorized to do all things necessary to give effect to this resolution including but not limited to executing a stipulation of settlement and a stipulation of discontinuance.

SECONDED BY COUNCILMEMBER SHOOK

R-24-34 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	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	☒	☐	☐	☐

XI. ORDINANCES AND LOCAL LAWS:

- 1. LL-24-07**, Local Law Amending the Zoning Code to provide for a definition of "Warehouse"

(LL 24-07)

**A LOCAL LAW AMENDING THE ZONING CODE TO
PROVIDE A DEFINITION FOR “WAREHOUSE”**

SPONSOR: COUNCILMEMBER GRANT

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: LEGISLATIVE INTENT

A recent interpretation request before the Zoning Board of Appeals brought light to the fact that the City’s code permits “Warehouses” in various zoning districts but does not provide a definition for that use. To clarify the legislative intent of this Common Council as to what qualifies as a “warehouse,” the Common Council hereby adds a definition to the Code.

SECTION 2: A new definition is added to the Code for “warehouse” as follows:

WAREHOUSE: A building used primarily for the storage of goods and materials. However, for purposes of the zoning code, specifically excluded from this definition is a “self-storage facility,” as defined in Section 19-3.25, and a “miniwarehouse,” as defined in 19-2.2.

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.

Official Minutes of the Common Council Meeting of May 7, 2024

SECONDED BY COUNCILMEMBER SHOOK

LL-24-07- VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	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:

XII. MOTIONS AND RESOLUTIONS:

XIII. ORDINANCES AND LOCAL LAWS:

XIV. ADJOURNMENT:

There was a motion to adjourn the meeting at 9:25pm made by Vice-Chair Shook which was seconded by Councilmember Grant

Dated: May 13, 2024

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, May 7, 2024.

**Respectfully submitted,
Donna M. DeLuca
Deputy City Chamberlain**