



COMMON COUNCIL MEETING

Common Council Chambers

Monday, June 7, 2021

6:30 p.m.

I. ROLL CALL:

II. REVIEW OF MINUTES:

Common Council Meeting May 17, 2021

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

IV. PUBLIC PARTICIPATION:

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

VI. REPORTS OF COMMITTEES AND BOARDS:

- 1. SOUTHERN WATERFRONT REDEVELOPMENT TASK FORCE CO-CHAIR, COUNCILMEMBER BRANNEN**

VII. MOTIONS AND RESOLUTIONS:

- 1. Resolution R-21-49**, a Resolution authorizing and consenting to IDA legal representation
- 2. Resolution R-21-50**, a Resolution setting a Public Hearing on the proposed Local Law restricting Off Road Vehicles
- 3. SEQRA Resolution R-21-51, and Sale Resolution R-21-52**, authorizing the Sale of City Owned Property at: Spruce Street Vacant Lot: 6062-60-924470
- 4. SEQRA Resolution R-21-53, and Sale Resolution R-21-54**, authorizing the Sale of City Owned Property at: 375 Church Street Vacant Lot: 6161-24-430899

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. A COMMUNICATION FROM CITY ADMINISTRATOR NELSON**, authorizing Sale of City Owned Property at: 302 Church St.: 6161-23-285902

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

RESOLUTION
(R-21-49)

A RESOLUTION AUTHORIZING AND CONSENTING TO IDA LEGAL REPRESENTATION

INTRODUCED BY CHAIR SALEM:

WHEREAS, the Common Council has retained the law firm of Lamb & Barnosky, LLP to represent it in litigation entitled *Poughkeepsie Waterfront Development, LLC, et al. v. City of Poughkeepsie Common Council, et al.*; and

WHEREAS, the City's Industrial Development Agency ("IDA"), who is also a defendant in that litigation, wishes to retain Lamb & Barnosky, LLP to represent its interest in the litigation;

NOW, THEREFORE,

BE IT RESOLVED, that the Chairperson is authorized to execute a June 2, 2021 letter from Lamb & Barnosky, LLP relating to its continuing representation of the Common Council and representation of the IDA.

SECONDED BY _____



**LAMB &
BARNOSKY, LLP**

ATTORNEYS AT LAW
TRUST. PERSONAL ATTENTION. RESULTS.

534 BROADHOLLOW ROAD, SUITE 210
PO BOX 9034
MELVILLE, NY 11747-9034
(631) 694.2300 • FAX: (631) 694.2309

SERVICE BY FAX, EMAIL OR OTHER FORMS OF
ELECTRONIC COMMUNICATION NOT ACCEPTED

RICHARD K. ZUCKERMAN
PARTNER

DIRECT DIAL: (631) 414.5808
DIRECT FAX: (631) 454.3846
RKZ@LAMBARNOSKY.COM

June 2, 2021

VIA EMAIL <SSALEM@GMAIL.COM>

Common Council
City of Poughkeepsie
3rd Floor
62 Civic Center Plaza
Poughkeepsie, New York 12601

Attn: Hon. Sarah Salem, Chairperson

Re: Poughkeepsie Waterfront Development, LLC, et al. v. City of
Poughkeepsie Common Council, et al.
Index No. 50086/2021

Dear Board Members:

This letter will confirm our mutual understandings regarding our representation of the City of Poughkeepsie Common Council and the City of Poughkeepsie Industrial Development Agency ("IDA").

Lamb & Barnosky, LLP ("the Firm") represents the Common Council in the above-referenced action. The IDA has asked us to represent it in that same action, for which it is a co-defendant. The IDA has consented to our representation of it and our continuing representation of the Common Council in this matter.

We do not believe that our representation of the IDA in this action will adversely affect our representation of the Common Council in this action or any other matter in which we are presently engaged by the Common Council. Nonetheless, pursuant to the Code of Professional Responsibility that governs attorneys, when a lawyer represents clients who have a present or potential conflict of interest, it is the attorney's duty to bring to the client's attention the conflicts of interest. The lawyer also must reasonably believe that the representation of the parties involved will not adversely affect the representation of the other and obtain the consent of the clients to the dual representation.

By signing a copy of this letter where indicated below, you confirm that:

- (1) The Firm has advised the Common Council that, in light of its representation of the IDA in this action, its representation of the Common Council could be perceived as presenting a potential conflict of interest.
- (2) The Common Council consents to the Firm's representation of it in connection with this action and has found that this representation is not adversely affected by the Firm's representation of the IDA in this or any other matter;
- (3) The Common Council understands and agrees that, should any conflict of interest develop, or should it be necessary or desirable in the Firm's judgment for the Common Council and the IDA to have separate counsel, if the Common Council so requests, the Firm will continue to represent the Common Council and will cease to serve as the IDA's attorney; and
- (4) The Common Council agrees that it will not assert our representation of it in this action as grounds for disqualification of the Firm as counsel to the IDA in connection with any future unrelated matters.

If you have any questions, or wish to discuss any of these matters further, please do not hesitate to speak with us as soon as possible.

Very truly yours,

Richard Zuckerman/sr

Richard K. Zuckerman

RKZ:mjm

READ AND AGREED TO:

By: _____
Sarah Salem, Chairperson

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-21-50)**

INTRODUCED BY COUNCILMEMBERS: PETSAS, FLOWERS & L. JOHNSON

BE IT RESOLVED, that an introductory Local Law, entitled “Local Law Amending Chapter 14 of the of the City of Poughkeepsie Code of Ordinances Entitled Offenses and Miscellaneous Provisions”; and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

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

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 5:30 P.M., on June 21, 2021; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER _____

LOCAL LAW AMENDING CHAPTER 14 OF THE CITY OF POUGHKEEPSIE CODE OF
ORDINANCES ENTITLED OFFENSES AND MISCELLANEOUS PROVISIONS
(LL-21-##)

INTRODUCED BY COUNCILMEMBERS PETSAS, FLOWERS, & L. JOHNSON:

SECTION 1. BE IT ENACTED, by the Common Council of the City of Poughkeepsie, a local law amending Chapter 14 of the Code of the City of Poughkeepsie entitled Offenses and Miscellaneous Provisions to create Article VII entitled "Off Road Vehicles" as follows:

14-72 Legislative Findings

The reckless operation of unregistered off road vehicles, including but not limited to, dirt bikes, ATVs, and other non-street legal vehicles on the streets and in the parks of the City of Poughkeepsie ("City") have been a nuisance in recent years, particularly during summer months. The operators of these vehicles, usually in groups, ride with abandon over many parts of the City, including within city parks, with no regard to traffic laws, their own well-being, or the safety of bystanders. Additionally, such off road vehicles create considerable noise and disturb the peaceful enjoyment of residents and visitors.

While the operation of the dirt bikes, ATVs and other off-road vehicles is already illegal on public highways under the New York State Vehicle and Traffic Law, this law makes it explicitly unlawful to operate such vehicles on the public highways and in the public parks. It also expressly forbids the operation of these vehicles on private property without the express consent of the owner or occupant of such property.

This local law also allows the police to impound any vehicles used in violation of this local law, provides for a \$2,000.00 redemption fee, which the title owner of a vehicle impounded under this law must pay before the vehicle will be released back to the owner with a maximum of \$250.00 fine or fifteen days in jail or both. Failure to reclaim an off road vehicle and pay the applicable redemption fee will result in the destruction of such vehicle in accordance with applicable laws.

14-73 Definitions

For the purpose of this chapter, the following terms shall have the meanings indicated:

OFF-ROAD VEHICLES

All-terrain vehicles (sometimes known as "ATVs") as that term is defined in section 2281(1) of the New York State Vehicle and Traffic Law, off-highway motorcycles as that term is defined in section 125-a of the New York State Vehicle and Traffic Law, motocross or dirt bikes, dune buggies, go-carts and any and all other types of motorized trail bikes, utility terrain vehicles (UTVs), or vehicles that are manufactured for sale or operation primarily on off-highway trails or for off-highway competitions and are only incidentally operated on public highways. Nothing contained herein, however, shall be deemed to apply to or prohibit the use of bicycles, including electric powered bicycles operated in compliance with applicable state regulations.

OPERATE

To ride in or on, other than as a passenger, or use or control the operation of an off-road vehicle as defined above in any manner, whether or not said off-road vehicle is under way.

PUBLIC HIGHWAY

Any highway, road, alley, street, avenue, public place, public driveway or any other public way.

14-74 Restrictions

- A. Public Property. No person shall operate an off-road vehicle on a public highway, street or on any other public property in the City of Poughkeepsie.
- B. Private Property. No person shall operate an off-road vehicle off a public highway on private property in the City of Poughkeepsie unless such person has first obtained the express consent of the owner or occupant of such property to operate the off-road vehicle on the property. There shall be a rebuttable presumption that the operator of an off-road vehicle, on private property in the City of Poughkeepsie, lacks consent to operate the off-road vehicle on private property.

14-75 Penalties for offenses; impoundment and redemption.

- A. Any person who operates an off-road vehicle in violation of § 14-74 of this chapter shall be guilty of an offense punishable by a fine not to exceed \$250.00 or imprisonment not to exceed fifteen (15) days, or both.
- B. In addition to the penalties set forth in subsection (A) of this section, a police officer may immediately impound an off-road vehicle that has been operated in violation of § 14-74 of this chapter. Such impounded off-road vehicle shall be stored by the police department or enforcement agency pending the identification of the owner of such off-road vehicle as registered with the New York State Department of Motor Vehicles. Such title owner shall be sent notice of such impoundment, at the address on file with the New York State Department of Motor Vehicles, by certified mail within ten (10) days after the impoundment, if such titled owner can be identified. Neither the City of Poughkeepsie, nor any agent or employee thereof, shall be liable for any damages arising out of the provision of any erroneous name or address of such owner. The owner of the off-road vehicle operated in violation of § 14-74 of this chapter may redeem such off-road vehicle upon satisfactory proof of ownership and payment of a redemption fee of \$2,000.00. An off-road vehicle impounded under this subsection shall only be released to the owner of such off-road vehicle, or to such owner's agent as evidenced by a written, notarized proof of agency, or duly executed power of attorney. Any and all unclaimed off road vehicles impounded as a result of a violation of this ordinance shall be destroyed in accordance with all applicable laws.

14-76 Enforcement

The Chief of Police or their designee is charged with the enforcement of the provisions in this chapter.

14-77 Severability.

If any clause, sentence, paragraph or part of this chapter or application thereof to any person or circumstances shall be judged by any court to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph or part hereof an the persons or circumstances directly involved in the controversy in which the judgement shall have been rendered.

Section 2. This local law shall take effect upon final passage, public hearing, and filing with the Secretary of State.

SECONDED BY COUNCILMEMBER: _____

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-21-51)**

INTRODUCED BY COUNCILMEMBER PETSAS :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at no number Spruce Street and identified as Tax Map No: 6062-60-924470; and

WHEREAS, the Common Council considers the proposed sale to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of properties; and

WHEREAS, the Common Council has reviewed the proposed sale of properties in accordance with Title 6 NYCRR, Section 617.11; and

WHEREAS, the Common Council has considered the hereto attached Short Environmental Assessment Form (EAF)

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

SECONDED BY COUNCILMEMBER _____ .

RESOLUTION
(R-21-52)

INTRODUCED BY COUNCILMEMBER PETSAS:

WHEREAS, the City of Poughkeepsie has previously taken title to a lot improved with an accessory structure known as Unnumbered Spruce Street (Tax Map No: 6062-60-924470), in the City of Poughkeepsie by reason of unpaid taxes; and

WHEREAS, the property is a unused vacant lot owned by the city that is therefore not currently on the active tax rolls; and

WHEREAS, the City's Property Acquisition and Disposition Committee has secured an agreement to purchase from the owner of the adjoining properties on either side of this vacant lot; and

WHEREAS, the proposed purchaser has agreed as a condition of sale, to merge this vacant lot into to parcel commonly known as 125 Talmadge Street, which is on the corner of Talmadge and Spruce Streets; and

WHEREAS, an offer has been received from Rejuvenate Properties 2, LLC to purchase these properties for the sum of \$1,500.00; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, one of which is to increase homeownership, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Rejuvenate Properties 2, LLC is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from Rejuvenate Properties 2, LLC, to purchase premises known as unnumbered Spruce Street (6062-60-924470), in the City of Poughkeepsie for the sum of \$1,500.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

RESOLVED, that this sale is approved subject to the following conditions:

- A. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.
- B. 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 merge the property with the adjacent property it currently owns located 125 Talmadge Street.
- E. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and
- F. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and

BE IT FURTHER RESOLVED, that the Mayor or the City Administrator is hereby authorized to enter into a contract of sale for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

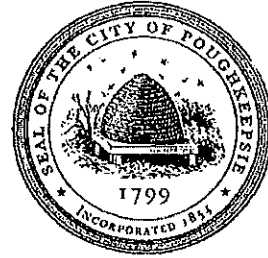
SECONDED BY COUNCILMEMBER _____.

The City of Poughkeepsie

New York

Property Acquisition &
Disposition Committee

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



MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: PROPERTY ACQUISITION & DISPOSITION COMMITTEE
SUBJECT: Sale of City-Owned Vacant lot at Spruce Street (corner of Talmadge)
DATE: May 3, 2021 (for Communication at meeting of May 17, 2021)

The Property Acquisition & Disposition Committee (PAD) recommends the sale of a City owned parcel located at the corner of Spruce Street and Talmadge Street (parcel number 6062-60-924470) under the terms and conditions below:

Spruce Street Vacant Lot to Rejuvenate Properties 2, LLC (Brian Tietje) Purchase Price \$1,500.

The proposed purchaser owns both 69 Spruce and 125 Talmadge, which border this lot. He does not plan on doing anything with the lot, but the City will require as part of the transaction that he merge it into one or the other. Mr. Tietje has successfully renovated a number of properties in the city and has a fairly lengthy track record of successfully completing projects he begins. Combining this vacant parcel with one of the adjacent properties and placing it back on the active tax rolls is in the best interests of the city.

Thank you.



The City of Poughkeepsie

New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601

845-451-4039
Fax: 845-451-4181

October 20, 2020

Re: Spruce Street
Fka 71 Spruce St
6062-60-924470

Mr. Marc Nelson
City Administrator
City of Poughkeepsie

Mr. Nelson,

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

The property is located at Spruce Street, City of Poughkeepsie and consists of a vacant residential parcel (NYS Class 311) totaling 0.02 acres in a R-4 zone. A physical field inspection has been made of the property. Additionally, it must be understood that no plans or survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

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

After careful consideration, I have concluded an estimated Market Value of the subject property, to be \$2,500.

Respectfully,


John Taylor
Assessor
City of Poughkeepsie

**RESOLUTION
(R-21-XX)**

INTRODUCED BY COUNCILMEMBER PETSAS:

WHEREAS, the City of Poughkeepsie has previously taken title to a lot improved with an accessory structure known as Unnumbered Spruce Street (Tax Map No: 6062-60-924470), in the City of Poughkeepsie by reason of unpaid taxes; and

WHEREAS, the property is a unused vacant lot owned by the city that is therefore not currently on the active tax rolls; and

WHEREAS, the City's Property Acquisition and Disposition Committee has secured an agreement to purchase from the owner of the adjoining properties on either side of this vacant lot; and

WHEREAS, the proposed purchaser has agreed as a condition of sale, to merge this vacant lot into to parcel commonly known as 125 Talmadge Street, which is on the corner of Talmadge and Spruce Streets; and

WHEREAS, an offer has been received from Rejuvenate Properties 2, LLC to purchase these properties for the sum of \$1,500.00; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, one of which is to increase homeownership, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Rejuvenate Properties 2, LLC is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from Rejuvenate Properties 2, LLC, to purchase premises known as unnumbered Spruce Street (6062-60-924470), in the City of Poughkeepsie for the sum of \$1,500.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

RESOLVED, that this sale is approved subject to the following conditions:

- A. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.
- B. 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 merge the property with the adjacent property it currently owns located 125 Talmadge Street.
- E. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and
- F. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and

BE IT FURTHER RESOLVED, that the Mayor or the City Administrator is hereby authorized to enter into a contract of sale for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER _____.

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R21-XX)**

INTRODUCED BY COUNCILMEMBER PETSAS :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at no number Spruce Street and identified as Tax Map No: 6062-60-924470; and

WHEREAS, the Common Council considers the proposed sale to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of properties; and

WHEREAS, the Common Council has reviewed the proposed sale of properties in accordance with Title 6 NYCRR, Section 617.11; and

WHEREAS, the Common Council has considered the hereto attached Short Environmental Assessment Form (EAF)

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

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

SECONDED BY COUNCILMEMBER _____ .

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-21-53)**

INTRODUCED BY COUNCILMEMBER CHERRY:

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 375 Church Street and identified as Tax Map No: 6161-24-430899; and

WHEREAS, the Common Council considers the proposed sale to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of properties; and

WHEREAS, the Common Council has reviewed the proposed sale of properties in accordance with Title 6 NYCRR, Section 617.11; and

WHEREAS, the Common Council has considered the hereto attached Short Environmental Assessment Form (EAF)

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council hereby 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: _____ .

RESOLUTION
(R-21-54)

INTRODUCED BY COUNCILMEMBER CHERRY:

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as 375 Church Street (Tax Map No: 6161-24-430899), in the City of Poughkeepsie by reason of a Treasurer's Deed; and

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

WHEREAS, an offer has been received from Zafrulla Baksh to purchase these properties for the sum of \$10,000; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City recommends the sale of this property for planned purpose of creating a community garden on the vacant parcel of land; and

WHEREAS, the Common Council hereby finds that the sale of this city-owned property to Zafrulla Baksh 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 Zafrulla Baksh to purchase premises known as 375 Church Street (6161-24-430899), in the City of Poughkeepsie for the sum of \$10,000.00 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. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.

- B. Purchaser shall obtain any permits which may be required for the project, which will consist of raised garden boxes, tables with benches, and other items necessary for a community garden, within six (6) months of the closing of title;
- C. Purchaser shall obtain, if required, a valid Certificate of Compliance for the property within one (1) year after the issuance of a building permit;
- D. 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;
- E. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and

BE IT FURTHER RESOLVED, that the Mayor and/or the City Administrator 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 _____.

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			
City of Poughkeepsie Common Council			
Name of Action or Project: Sale of 375 Church Street			
Project Location (describe, and attach a location map): 375 Church Street			
Brief Description of Proposed Action: City of Poughkeepsie is selling the vacant residential land located at 375 Church Street which it acquired for non-payment of taxes.			
Name of Applicant or Sponsor: City of Poughkeepsie		Telephone: (845) 451-4276	
		E-Mail: commoncouncil@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza			
City/PO: Poughkeepsie		State: New York	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☒	☐
3. a. Total acreage of the site of the proposed action?		0.09 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.09 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: _____ _____ _____			

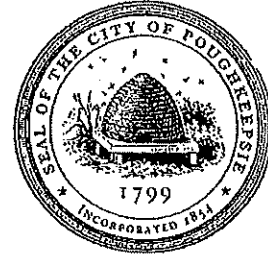
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or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

The City of Poughkeepsie

New York

Property Acquisition &
Disposition Committee

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



MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: PROPERTY ACQUISITION & DISPOSITION COMMITTEE
SUBJECT: Sale of City-Owned Vacant lot at 375 Church Street
DATE: May 3, 2021 (for communication at meeting of May 17, 2021)

The Property Acquisition & Disposition Committee (PAD) recommends the sale of a City owned parcel located at 375 Church Street (parcel number 6061-24-430899) under the terms and conditions below:

375 Church Street Vacant Lot to Zafrulla Baksh: Purchase Price \$10,000.

The proposed purchaser plans a community garden at the location.

All necessary permits and/or certificates of compliance must be issued within one year.

Thank you.

66 Spruce St

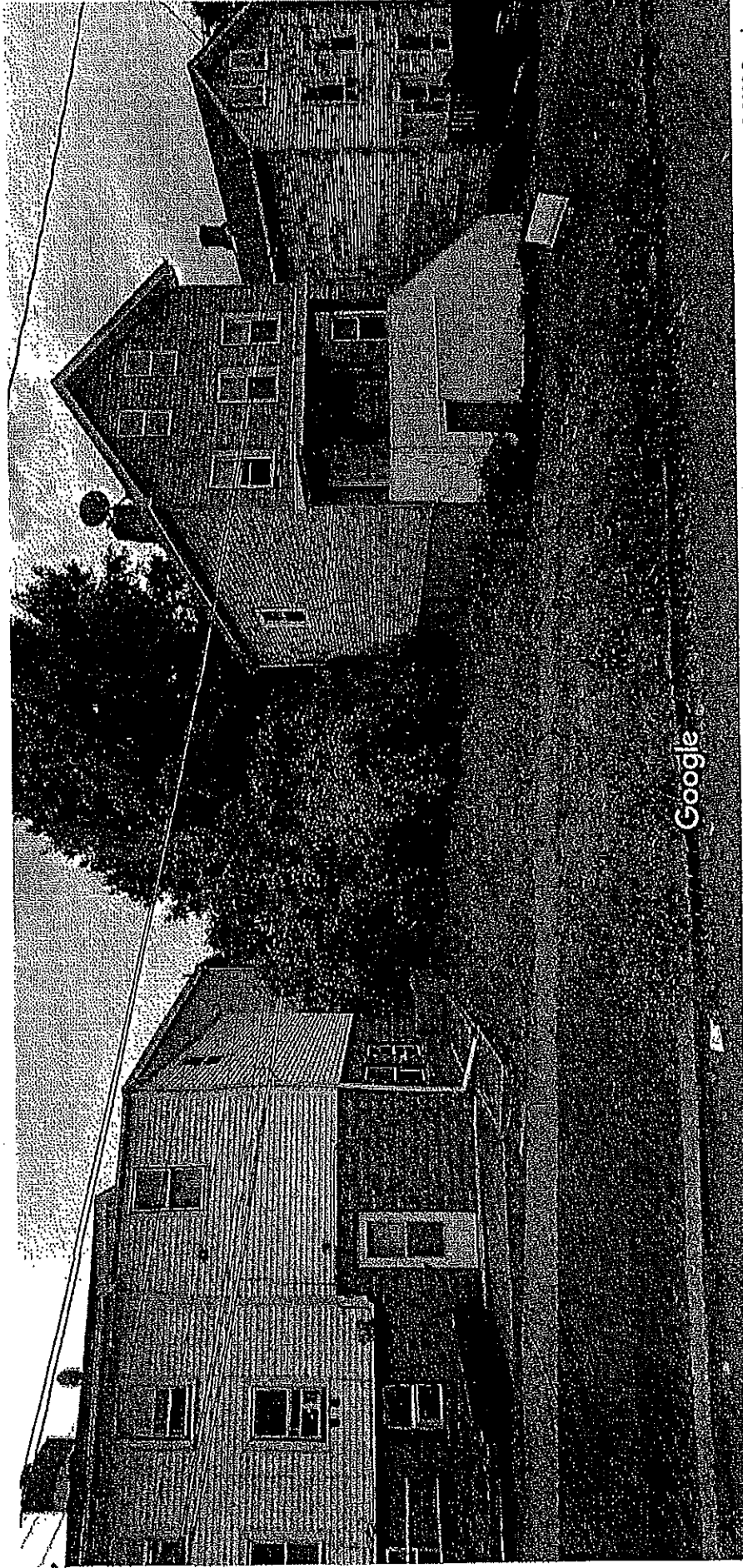
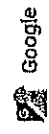
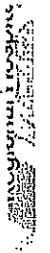


Image capture: Oct 2019 © 2020 Google

Poughkeepsie, New York



Street View



The City of Poughkeepsie

New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601

845-451-4039
Fax: 845-451-4181

October 20, 2020

Re: 375 Church Street
6161-24-430899

Mr. Marc Nelson
City Administrator
City of Poughkeepsie

Mr. Nelson,

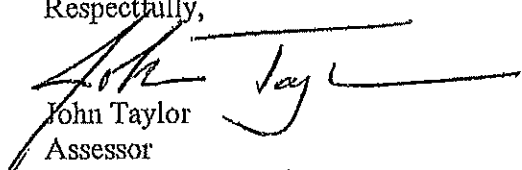
Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of marketing. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc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

The property is located at 375 Church Street, City of Poughkeepsie and consists of a vacant residential parcel (NYS Class 311) totaling 0.09 acres in a R-2A zone. A physical field inspection has been made of the property. Additionally, it must be understood that no plans or survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

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

After careful consideration, I have concluded an estimated Market Value of the subject property, to be \$9,000.

Respectfully,


John Taylor
Assessor

City of Poughkeepsie

RESOLUTION
(R-21-XX)

INTRODUCED BY COUNCILMEMBER CHERRY:

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as 375 Church Street (Tax Map No: 6161-24-430899), in the City of Poughkeepsie by reason of a Treasurer's Deed; and

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

WHEREAS, an offer has been received from Zafrulla Baksh to purchase these properties for the sum of \$10,000; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, one of which is to increase homeownership, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the sale of this city-owned property to Zafrulla Baksh 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 Zafrulla Baksh to purchase premises known as 375 Church Street (6161-24-430899), in the City of Poughkeepsie for the sum of \$10,000.00 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. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.

- B. Purchaser shall obtain any permits which may be required for the project, which will consist of raised garden boxes, tables with benches, and other items necessary for a community garden, within six (6) months of the closing of title;
- C. Purchaser shall obtain, if required, a valid Certificate of Compliance for the property within one (1) year after the issuance of a building permit;
- D. 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;
- E. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and

BE IT FURTHER RESOLVED, that the Mayor and/or the City Administrator is hereby authorized to enter into an Agreement for Sale of Land for the above mentioned transaction provided such agreement contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER _____.

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R21-XX)**

INTRODUCED BY COUNCILMEMBER CHERRY :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 375 Church Street and identified as Tax Map No: 6161-24-430899; and

WHEREAS, the Common Council considers the proposed sale to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of properties; and

WHEREAS, the Common Council has reviewed the proposed sale of properties in accordance with Title 6 NYCRR, Section 617.11; and

WHEREAS, the Common Council has considered the hereto attached Short Environmental Assessment Form (EAF)

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council hereby 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.

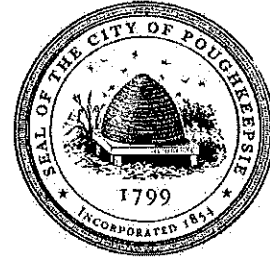
SECONDED BY COUNCILMEMBER: _____ .

The City of Poughkeepsie

New York

Property Acquisition &
Disposition Committee

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



MEMORANDUM

TO: MEMBERS OF THE COMMON COUNCIL
FROM: PROPERTY ACQUISITION & DISPOSITION COMMITTEE
SUBJECT: Sale of City-Owned Vacant lot at 302 Church Street
DATE: June 1, 2021 (for communication at meeting of June 7th, 2021)

The Property Acquisition & Disposition Committee (PAD) recommends the sale of a City owned parcel located at 302 Church Street (parcel number 6161-23-285902) under the terms and conditions below:

302 Church Street Vacant Lot to Vicente Govea: Purchase Price \$56,000. We note that significant rehab work will need to be undertaken as part of this project.

The proposed purchaser plans to rehabilitate the property and reside there, making this an owner-occupied proposal

All necessary permits and/or certificates of compliance must be issued within one year.

Standard reverter clause applies

Thank you.

The City of Poughkeepsie New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601

845-451-4039
Fax: 845-451-4181

May 27, 2021

Re: 302 Church Street
6161-23-285902

Mr. Marc Nelson
City of Poughkeepsie Administrator

Mr. Nelson,

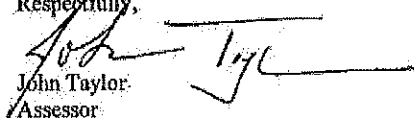
Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of marketing. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc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

The property is located at 302 Church Smith Street, City of Poughkeepsie and consists of one parcel with a single family home (NYS Class 210) totaling 0.11 acres. At present, the improvement is vacant, does not have a C/O and is therefore uninhabitable. Some improvements have been made. A field inspection has been performed. Additionally, it must be understood that no plans or survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

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

After careful consideration, I have concluded an estimated Market Value of the subject property, to be \$75,000.

Respectfully,


John Taylor
Assessor
City of Poughkeepsie



Parcel Number: 131300-6161-23-285902-0000



This picture is a product of the Dutchess County, NY *ParcelAccess* application. The intent of the photo is primarily for property identification and for general comparisons. Only one photo is used per parcel and, therefore, there may be other structures on the property that are not seen.

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			
City of Poughkeepsie Common Council			
Name of Action or Project: Sale of 302 Church Street			
Project Location (describe, and attach a location map): 302 Church Street			
Brief Description of Proposed Action: City of Poughkeepsie is selling the single family home located at 302 Church Street which it acquired for non-payment of taxes.			
Name of Applicant or Sponsor: City of Poughkeepsie		Telephone: (845) 451-4276 E-Mail: commoncouncil@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza			
City/PO: Poughkeepsie		State: New York	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
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.		☒	☐
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☒	☐
3. a. Total acreage of the site of the proposed action?		0.11 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.11 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: _____ _____ _____			



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, May 17, 2021 6:30 p.m.

City Hall/Zoom

The Council Meeting was conducted using videoconferencing, as permitted by the NYS Open Meetings Law.

Welcome to the regularly scheduled meeting of the City of Poughkeepsie Common Council the date is May 17, 2021, and the time is 6:32 pm.

Effective immediately and based upon notices and health advisories issued by Federal, State, and Local officials related to the Coronavirus, the City of Poughkeepsie Common Council will not hold in-person meetings. Until further notice, all future City Council meetings (including public hearings) will be held via videoconferencing, as permitted by the NYS Open Meetings Law.

Due to public health and safety concerns, the public will not be permitted to attend at the remote locations where the City Council members will be situated. The public, however, will be able to fully observe the video conference meeting by using the registration link that was posted with our meeting notice and the meeting will be available for viewing at a later date and available on our website.

I'd like to acknowledge that we are gathered, wherever we are, on the traditional territory of the Lenape people and this territory was a critical resting place along a popular trade route for people of the Lenape Nation and other cultures as is evidenced in the earliest derivation of the name 'Poughkeepsie' with an indigenous string of words, U-puku-ipi-sing, that, when translated, means 'reed-covered lodge by the little water place' or resting place.

Let's all recite the pledge of allegiance.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL - Seven present, two absent (Councilmember Flowers & Councilmember Cherry late arrival)

II. REVIEW OF MINUTES:

**Public Hearing Meeting May 3, 2021
Common Council Meeting May 3, 2021**

A motion was made by Councilmember Brannen and seconded by Councilmember R. Johnson to accept the minutes.

Public Hearing & CCM Minutes 05-03-2021						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☐	☐	☐	☒
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

NONE

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

1. Rob Watson, Jr. – Co-Founder of the Poughkeepsie Children’s Cabinet
2. Celia Serotsky – S. Grand
3. Liz O’Raffity
4. Cornelia Harris – S. Randolph Ave.
5. James Watson - 35 Montgomery Community Coalition
6. Heidi Kirschner – President & CEO Kingston and Ulster County YMCA
7. Tim Massie – Tamidan Rd.
8. Alexandra Ceribelli – chef at Culinary Institute of America
9. Geraldine Layborne – co-founder of Day One Early Learning Community
10. Doug Nobiletti – 145 Academy St.
11. Laurie Sandow – S. Grand Ave.

I am constantly amazed—though I should no longer be—at how much, how often, how intentionally, this Common Council and this City Administration fails and deprives the public regarding transparency, disclosure and input. Nothing has served this Council better than the pandemic in their ability to hide from and exclude the public. The NYS Committee on Open Government has stated that in-person public gatherings have never been prohibited by the Governor’s Executive Orders. Other localities have been holding controlled in-person meetings. When will this Council’s in-person meetings resume? When will those who’ve been silenced this past year by the exclusive use of digital platforms have their voices heard and be present once again in Council

Chambers? How many times have I gotten up at Council meetings to speak about and ask about the same issues over and over, without acknowledgment and without change? How many times do issues of great urgency never make it onto the Council agenda at all? A case in point: while all eyes are on the smoke and mirrors of the “Southern Waterfront Redevelopment Task Force” at DeLaval, and while one clueless task force presenter recently described Poughkeepsie as “Mayberry”, this Council has not held one meeting, one agenda item, one public hearing about the far more urgent, shocking, shameful, entirely unacceptable assault on the lives of residents of North Hamilton Street taking place under the watch of both the County and Hudson River Housing, each of which gladly collects funding for homeless programs and shelter, while each of which leaves residents near the pods to fend for themselves. These residents are subjected each day, every day, to people urinating and defecating on their property, in their driveways; attacks and threats against adults and children; tires slashed; indecent exposure and behavior; people trespassing to use picnic tables in residents' backyards; constant noise, screaming, blaring music, trash dumped out of garbage cans any old way, any old place just to be able to grab a plastic trash bag; plus more. Residents and businesses near Hudson River Housing's Underwear Factory and Fallkill Commons experience similar indignities. Laurie Sandow comments, City of Poughkeepsie Common Council meeting, May 17, 2021, Page 2 of 2. Rather than urgent issues, tonight's agenda features a resolution transferring 35 Montgomery to the County, despite this Council never having held a public hearing [presentations and so-called “visioning sessions” are not public hearings], and with 11th hour edits that do not assure city residents of necessary protection, involvement and positive outcomes. And suddenly tonight, out of nowhere, we have the announcement of alleged “35 Montgomery Community Coalition” members that have never been introduced prior. Why, also, is the Family Partnership never named and not already functioning as a community center? How is it that Pastor Whitted was saddled with taxes, yet the County is not required to make the City whole for the very same taxes? Where are the written non-discrimination and other clauses to guarantee the Y will remain affordable and accessible in perpetuity to City residents? Why do so-called “community coalition” members from bubbles like Vassar, the Kingston Y, and MASS Design, have more say, and more seats at the table than actual City residents? How do the demographics of the “community coalition” fairly represent this city, and in what way do they actually interact with the community? I'm not opposed to the Y or to a transfer, I'm objecting to a still defective and exclusionary process, terms and conditions. Also on tonight's agenda? Yet another game of Three-Card Monte—I mean “presentation”—by a Council task force primarily created to stall the City's Waterfront Advisory Committee (WAC) completion of the Local Waterfront Revitalization Program (LWRP), and to camouflage Hudson Pointe's opposition to the Bonura

development. All this while waterfront properties that could be protected and receive grants under a revised and expanded LWRP are deprived of those protections and opportunities, including: —Failure to protect the Fallkill and adjacent properties; —Failure to protect the former Y site and several other parks that would fall under the revised LWRP; —Items related to a light pollution initiative; —Items related to water drainage and runoff protection; —Visibility and viewshed concerns including, for example, those from the Walkway, and —Issues of public access, transit and social equity related to the water.

12. Ken Stier

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Tomorrow is the school board election and school budget vote. Polls are open from 9:00 a.m. to 9:00 p.m. You can find your polling place by visiting the poughkeepsieschools.org. But I went ahead and looked up all the polling places for you folks. If you're if you're watching, I know there are different locations than our traditional voting locations. So if you live in the 1st or the 3rd Ward, you would vote at Morse Elementary School, which is at 101 Mansion Street. If you live in the 2nd or the 4th Ward, you vote at Clinton Elementary School, which is at one hundred Montgomery Street. If you're in the Fifth Ward, you vote at Warring Elementary School at two eighty three, Mansion Street, the sixth and the Seventh Ward. You're voting at Poughkeepsie Middle School at Fifty Five College Ave. And then folks in the Eighth Ward, you go to vote at Kreiger Elementary School and that is at two sixty five Hooker Avenue. Again, tomorrow is the day that you go and do that and polls are open from nine a.m. to nine pm so you can pop over before work, during your lunch break, during the day or after work, which I plan to do tomorrow. Covid vaccinations still happening, encouraging everyone to go ahead and get that shot. Now adolescents are able to go ahead and get that shot. I'm sure everyone's heard the news that the mask mandate or recommendations by the CDC on wearing masks has been lifted. Gov. Andrew Cuomo announced today that Wednesday New York State that mask mandate or the lifting of will start to take effect. And then also as a reminder, it's going to depend for private businesses or private places of gathering, whether or not you're going to be required to wear a mask and you're going to want to use your best judgment if you're fully vaccinated, you do not have to wear a mask unless you're being instructed to. If you're not vaccinated, you are being encouraged still to wear a mask to continue to socially distance yourself. So even more reason to go ahead and get vaccinated so that we can start to see ourselves come back to a semblance of normalcy. Which brings me to my next point, and that is something that was brought up tonight during public comment, common council meetings. We have been meeting virtually since last April, April 6th is when we had our first virtual meeting. And as we start to see more and more people become vaccinated, as we start to see recommendations from the CDC and other health officials that we are now able to gather if we are fully vaccinated without wearing a mask, it's time to

start considering gathering in person as a common council. And so I would like to meet with my council leadership to make a plan to reopen the council chambers for the public and for our meetings moving forward. It's not going to happen within the next few meetings. But again, after meeting with council leadership and the rest of the council, we can make a really thoughtful plan on keeping everyone safe and ensuring that we're gathering together as is allowable as we become vaccinated. It's tricky. There are a lot of factors involved whether to have all members of the public wear mask or not. And so we'll have to decide how we do that so that we can keep folks safe. But looking into the near future, it's seemingly safer to gather in person and there is something lost, meaning virtually in over zoom. I mean, I have to tell you, I've been doing it for over a year now. And while Zoom is accessible or more accessible to some, it isn't accessible to many others who don't have access to the Internet or the technology in order to join us on meetings or to make public comment and make it work for them. So it's important that as we emerge from the pandemic and from the crisis of the pandemic and we learn how to interact with each other and to exist in our communities, we as a council begin to kind of put our first foot forward in that effort. And so stay tuned for more details on that as they as they become available. So, if you can go and get vaccinated, walk up to now, be accepted, are now being accepted at most state sites, and so it's important to go ahead and do that if you're looking for other kinds of resources for rent, relief, food or other financial aid and support. Pop to the city website. You can pop on to the county website or New York State's website, a ton of resources available for folks. And if you don't know where to look again, the city website at City becomes dot com and the county Web site still have a ton of resources available for rent relief, access to food and other financial aid and supports. So I want to end my comment on, you know, Councilman McNamara, you know, council member McNamara this is going to be your last meeting with us tonight. And it is it's sad, honestly. And I want to speak openly and freely and saying, although we haven't always agreed on everything, it has been an honor to serve with you on the Common Council. And I value and I look up to your commitment to the city of Poughkeepsie. You stepped in and filled big shoes, your late husband, Tracy Hermann, and he did so in a most excellent way with the commitment to the city of Poughkeepsie, your constituents and the constituents as a whole. And so we're going to miss you on the council. And I we have we have many fond memories together. And one of the most memorable is when we marched together during the first pride parade in the city of Poughkeepsie. And that was a very fun event. And it was very it was it was great to be marching along your side as another queer in our community and to you all. And I wish you the best of luck in all of your future endeavors and just know you will be missed on this council. And I really appreciate the service and your commitment again to the city of Poughkeepsie that many, many, many things to be proud of. And I know that you are a proud father and a proud partner and a proud friend of many. So I thank you, council member McNamara.

(McNamara): Thank you, Chair. And just a quick thank you to everyone on the council. It has been my honor to serve the eighth ward of the city of Poughkeepsie.

(Chair Salem) We're sad that this is your last meeting. However, that being said, I do want to make the announcement that we'll have to fill council member McNamara's vacancy. And we are currently accepting resumes and letters of interest from folks that live in the 8th Ward. That information is also available on the city website at www.cityofPoughkeepsie.com and we're accepting interested members of the 8th Ward, residents of the 8th Ward to send resumes to me as Ssaalem@cityofpoughkeepsie.com before Thursday, May 27. That's your deadline. So that's next week. And again, thank you. Council Member McNamara. And with that, I will conclude my comments.

VI. REPORTS OF COMMITTEES AND BOARDS:

1. SOUTHERN WATERFRONT REDEVELOPMENT TASK FORCE

This will be a really short update since I gave a more extensive one at the last meeting. We have had three meetings so far of the task force. We had our Kick-Off meeting in April and we had another meeting where we invited Project for Public Spaces. And Jeff Ansavino, who I think is known to most people here on best practices and waterfront development. And then in our last meeting last week, we had an arts organization roundtable to talk about incorporating arts into the riverfront. And I know Mr. Nelson was a big fan of that conversation. We have taken in addition to those several meetings, other steps, we've done a number of site visits to the property. We have a subgroup looking at other waterfronts up and down the Hudson River and throughout the region on how they have developed and made their waterfronts accessible. We have a very lively public comment at every single meeting and extensive participation in those meetings. And then lastly, we have a public survey that has gone out in both English and Spanish. I want to thank John Penney for his assistance again and getting that out in the buzz. And also, Ms. Davis has been helping to get that out to the public. And I think Ms. Cherry, Councilwoman Cherry has most recently been in touch with someone about getting that out through the school district. I and Dr. Watson, it also in our last meeting offered her assistance as well, so thanks to everyone, if the council members have not seen that survey yet, please do help get it out to your residents and constituents. We really want to get as much input as possible. It's a short survey. It should only take about three minutes to complete. And also and I forgot Evan Menist, you've also been helping to get the survey out, and I know you're doing some door to door to try and get some hard copy surveys out to people who might not have Internet access. So thank you for that. All of this has been synthesized. The information we've gathered so far has been synthesized into short term recommendations for reopening the site that is due from the task force to this council and about three weeks. So I would ask that each of the council members please go into the Web site and see those recommendations. It's about eight or nine Yuji's, but only half of that is text. We tried to include some sample photos from other places on signage and fencing and things like that that

we thought was helpful. So if everybody could please take a look at that, the short term recommendations that would be great. You can email me any feedback and I'll share with my co-chair Kafui Attoh. Our next meeting is next week, May twenty sixth at six thirty pm on Kafui Attoh and I have sent a letter out to some businesses and people in tourism and hospitality, including the walkway over the Hudson and others, to come and talk about tourism as an economic engine and how that might be a part of waterfront development in the city. So that'll be next week on the 26th at 630. And that link should be going up hopefully by the end of the day tomorrow. I'll be working with Chair Salem and Miss Davis on that. And then our final recommendations are due to you all in July. If anyone has any questions or thoughts about what they would like to see in that report in terms of topics that you want us to make sure we cover or anything that you would like us to analyze as a group, please do let me know so that whatever recommendations we bring back to the rest of the council are as helpful as possible in moving forward on the redevelopment of this site.

VII. MOTIONS AND RESOLUTIONS:

A motion was made by Councilmember Brannen and seconded by Councilmember Flowers to receive and print.

1. Resolution R-21-41, designation of the Eastman Park oval as a local historic landmark.

R-E-S-O-L-U-T-I-O-N (R-21-41)

INTRODUCED BY COUNCILMEMBER MENIST

WHEREAS, the City of Poughkeepsie (the "City") is the current owner of a parcel of property located at 35 Montgomery Street, parcel number 6061-28-946914, on which sits a building which is commonly known as and was at one time operated as the "YMCA" until approximately 2009 when it closed its doors and ceased operations permanently; and

WHEREAS, the property began to fall into disrepair and had been vacant for some time prior to the conclusion of a foreclosure action titled Mahopac National Bank v. Dutchess County Young Men's Christian Association a/k/a Dutchess County Young Men's Christian Association of Poughkeepsie, in 2014, whereupon the property was transferred by Referee's deed to The Potter House, Inc., on October 23, 2014, which planned the renovation of the property and the establishment of a new community youth center on the site; and

WHEREAS, for more than four (4) years thereafter, as the building sat vacant and continued to deteriorate, the City saw no progress towards the establishment of a new youth and community center at the site, while property taxes and water and sewer charges went into arrears and remained unpaid, and

WHEREAS, throughout this time, the City continued to work with The Potter House, Inc., holding numerous meetings with its principals designed to help move their proposed project along, which efforts ultimately proved unsuccessful, and

WHEREAS, on February 22, 2019, acting on a recommendation of the City's Anti-Blight Task Force, the Commissioner of Finance caused to be executed a tax deed in favor of the City and recorded on the records of the Dutchess County Clerk on February 25, 2019, which deed vested title in the City. By letter dated March 5, 2019, the City notified The Potter House, Inc., a copy of which is attached as Exhibit "A" and made a part hereof, and

WHEREAS, through the spring of 2019, the City took steps to secure the property, inspect the interior, and provide for its insurance, all steps which helped facilitate the issuance of a "Request for Expressions of Interest" ("RFEI") to the public and interested parties, seeking proposals to develop a youth and community center on the site. A copy of the RFEI issued by the City is attached as Exhibit "B" and made a part of the record herein, and

WHEREAS, while the RFEI issued by the City requested responses by interested parties no later than June 3, 2019, the City conducted a number of community visioning sessions, including two public meetings which were held on May 13, 2019, and June 26, 2019, and were well attended, and

WHEREAS, the clear result of the City's community outreach and dialogue with numerous stakeholders, was the strong preference among City residents that a multi-purpose, state-of-the-art community center and facility be constructed which would have the following primary uses: adult and youth education, youth activity center, arts, wellness, recreation, child care services, early learning, and indoor swimming pool, which are vital to many Poughkeepsie families. The intent of the project will be to create a facility that adequately accommodates these multiple uses, and

WHEREAS, the City established the "YMCA Site Selection Committee", Chaired by the Honorable Barbara Jeter-Jackson, to review proposals, community comments and related documents, which committee met on September 17, 2019, and November 12, 2019, prior to making its recommendation to the City, and

WHEREAS, a thorough and diligent review of proposals received led to the selection of the "35 Montgomery Street Coalition" which is attached hereto, as the successful respondent with which the City would move forward to explore various business models, seek financial and other in-kind commitments from community stakeholders, and explore inter-governmental partnerships, and

WHEREAS, as a result of all the foregoing efforts and ongoing discussions with the 35 Montgomery Street Coalition and Dutchess County, Mayor Rob Rolison and County Executive Marcus Molinaro executed a "Memorandum of Understanding" regarding the furtherance of the

project, on August 19, 2020, a copy of which is attached hereto as Exhibit "C" and made a part hereof, and

WHEREAS, the City's Property Acquisition and Disposition group ("PAD"), which is comprised of internal career public servants, including the City Assessor, and the City's Tax Collector and Building Inspector, met on January 27, 2021, and unanimously agreed to recommend the sale of the property to Dutchess County, subject to the County's agreement to demolish the existing structure within one year from closing of title between the City and County, and

WHEREAS, Dutchess County has pledged, subject to the approval of the Dutchess County Legislature and any State or local laws relative to purchase of real property, procurement, bonding, or loaning of credit, up to \$25 Million (\$25,000,000.00) Dollars towards a phased development project that begins with demolition of the existing structure and the greening of the parcel, followed by the design and construction of the new facility, and

WHEREAS, the City has pledged, subject to the approval of the Common Council by this Authorizing Resolution, to transfer title to the property to Dutchess County, and prior to the closing of title with the County, to maintain and continue insurance as well as municipal services to the property, including but not necessarily limited to those routinely provided by the City's Department of Public Works, Engineering, Water and Sewer, and the plowing of snow, and

WHEREAS, the City has determined that it does not have the financial capacity to complete this development project on its own, and that the proposed project will provide essential and wide-ranging services to the community, including a new indoor swimming facility, early learning facility, and child care services which are vital to many Poughkeepsie families, and

WHEREAS, the Common Council hereby finds that it is in the best interest of the City of Poughkeepsie to approve the transfer of the Property to the County of Dutchess for the development of a youth activity center, and

WHEREAS, the action is an unlisted action pursuant to the State Environmental Quality Review Act (SEQR) and as such is subject to a determination thereunder, 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 the Property; (b) that the current prevailing community need for the property is development of a multi-purpose community facility as described herein and which benefits from the partnership with Dutchess County, and (c) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance, including to wit: the County's commitment of up to \$25 Million (\$25,000,000) Dollars for the demolition, design, and construction of a youth and community center, and be it further

RESOLVED, that the City of Poughkeepsie is hereby authorized to sell the property located at 35 Montgomery Street known as parcel number: 6061-28-946914 in the City of Poughkeepsie to the

County of Dutchess, for a sum of \$10.00, subject to the covenants contained herein, and subject to authorization to purchase said Property by the Dutchess County Legislature, and further subject to such other conditions which the Corporation Counsel shall deem appropriate, and that the new facility and any related equipment, operation, or activities will be limited to the parcel located at 35 Montgomery Street and will not encroach upon adjacent or nearby parcels or parkland, and be it further

RESOLVED, that by Resolution R-2147____, the Common Council of the City, pursuant to the State Environmental Quality Review Act, has determined that this action will not have a negative environmental impact, and be it further

RESOLVED, that the Mayor is authorized to enter into an agreement for the sale of the Property, subject to the following covenants, and such other terms and conditions that the Mayor, City Administrator and/or the Corporation Counsel shall deem appropriate:

- A. County shall have up to three (3) months from the enactment of this resolution to perform any and all due diligence, including but not limited to an environmental assessment, and City shall provide County with all necessary authorizations for the County's employees, agents, and contractors to enter the Property to complete such due diligence, and
- B. The City is hereby authorized to enter into a Contract of Sale Agreement with the County of Dutchess, to purchase the Property, consistent with this Resolution within six (6) months from the enactment of this resolution. The Contract of Sale Agreement shall provide the County with an additional six (6) months from closing of title to obtain financing for the development of a youth and community center described herein; however, County shall not be required to finance more than Twenty-Five Million (\$25,000,000) Dollars, and
- C. County shall establish a coalition of stakeholders, who shall be made up of parties from the "35 Montgomery Street Coalition", the City, the Common Council of the City of Poughkeepsie, the County, and the Dutchess County Legislature and who shall have input on operation, direction, and design of the youth and community center, before and after its construction, and with regard to its future operations, and
- D. The County shall, within twelve (12) months of the closing of title between the City and County, demolish the existing structure on the Property with the City contributing 25% percent, in an amount not to exceed Two Hundred Forty Thousand (\$240,000.00) Dollars, of costs associated with demolition, which may include but is not limited to, design and bid specifications for the demolition, and
- E. County shall be required to commence construction of the youth and community center within twenty-seven (27) months from closing of title between the City and County, and
- F. 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, except that City shall defend, indemnify and hold harmless

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the County with regard to claims or causes of action seeking to invalidate the City's tax deed and/or City's sale of property to the County, and

- G. Said deed shall contain a restrictive covenant prohibiting the installation of coin operated or public telephones, and
- H. The City of Poughkeepsie is hereby authorized to sell the Property to the County of Dutchess, and a Contract of Sale with the County and resulting deed shall contain such provisions as are necessary to implement the intent of paragraphs A, B, D, and E herein. More specifically, time is of the essence, and the provisions related to the time within which the County must complete its due diligence, execute a Contract of Sale, finance the redevelopment of the Property, demolish the existing structure, and construct the new youth and community center, shall constitute covenants running with the land. The City is authorized to enter into a Contract of Sale with the County and it shall include language which is substantially similar to the following: the County perform the aforementioned with due diligence, but that a failure to perform within the time period prescribed in the Contract may result in the City placing the County on notice of its failure, and if the County fails to cure within a determined period of time, the City is authorized to repurchase the Property for the amount the County has expended, including but not limited to outstanding bonded indebtedness, to improve the Property. Additionally, the County assumes responsibility for operating the property consistent with the outlined objectives of this project, and shall ensure its good maintenance and financial stability after construction. If the property falls into disrepair or financial insolvency, then the same procedure related to notice of defect, opportunity to cure, and repurchase outlined herein shall apply.

RESOLVED, that 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 including but not limited to the execution of a Contract of Sale and any documents necessary to convey title pursuant to said contract.

R-21-41			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

A COMMUNICATION FROM CITY ADMINISTRATOR NELSON, authorizing Sale of City Owned Property at: Spruce Street Vacant Lot #6062-60-924470

A COMMUNICATION FROM CITY ADMINISTRATOR NELSON, authorizing Sale of City Owned Property at: 375 Church Street Vacant Lot: 6161-24-430899

A COMMUNICATION FROM THE FINANCE COMMITTEE, on the introduction of a Local Law restricting Off-road Vehicles.

FROM JOHNATHAN PAGAN, a notice of personal injury sustained on February 6, 2021.

FROM TAMARA FAULBLAS, a notice of personal injury sustained on March 16, 2021.

FROM TACO GOL RESTAURANT CORP., a 30 day notice of intent to apply for its liquor license.

X. OLD BUSINESS:

XI. ADJOURNMENT:

A motion was made by Councilmember Brannen and seconded by Councilmember Flowers to adjourn the meeting at 9:05pm.

Dated: May 24, 2021

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, May 17, 2021.

Respectfully submitted,

Jasmin Nicole Davis
City Chamberlain