



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Tuesday, June 4, 2024, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is June 4, 2024, and the time is 6:44pm

I. ROLL CALL: ALL PRESENT

II. REVIEW OF MINUTES:

Common Council Meeting Minutes of May 21, 2024

A motion to accept the minutes was made by Councilmember Brown and seconded by Councilmember Grant.

CCM Minutes of May 21, 2024 –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	☒	☐	☐	☐

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

ADD:

XII. ACTION AGENDA: MOTIONS AND RESOLUTIONS:

- 1. R-24-43,** Resolution Appointing Jamar Cummings to the office of City Chamberlain
- 2. R-24-44,** Resolution for Municipal Home Rule Request to Alienate Certain Parklands

IV. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. FROM DAVID P. SMITH-DAYE,** an Order of Service and Complaint for injuries sustained on or about February 9, 2024
- 2. FROM ANGELA DOUGLAS,** a notice of personal injury suffered on May 22, 2024

A motion to defer the two Notice of Claims to Corporation Counsel was made by Vice Chair Shook and seconded by Majority Leader Patterson Thompson

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**
- **Regina Leurs – Main St**
- **Laurie Sandow – S. Grand Ave***
- **Suprina Troche – Delafield St**
- **June Neman – Union St**
- **Karen Turner – Rose St**
- **Ben Surface – N. Hamilton/HVSC**
- **Andrew Hiller – Hickory Bush/MHVDSA**
- **Kaleb Croft – Hook Rd**
- **Linda Bartee – Garden St / CVH**
- **Tonisha Kelly – Mansion St/CVH**
- **Ken Stickle – Catharine St**
- **Doug Nobiletti – Academy St**

Official Minutes of the Common Council Meeting of June 4, 2024

- **Darrett Roberts – Hooker Ave/CVH**
- **Daniel Atonna – College Ave/ For the Many**
- **Rusiru Atulugama – Diddell Rd/ MHVDSA**
- **Ken Levinson – Garfield Place**
- **Elizabeth M. O’Raffity – Mill St/Growing STEMZ, Inc**
- **Jeffrey Dash – Carroll St**
- **Chimere Sweeney – Hudson Ave/The Black Long Covid Experience**
- **Gregory Sims****

***Submitted Written Comments**

****Submitted Written Comments ONLY**

Laurie Sandow comments, c/PK Common Council meeting, June 4, 2024

Democracy is based on consent of the governed, but six months in, what are the hallmarks of this Council? Ward meetings that are scheduled to conflict with City board meetings, and even sometimes with the meetings of other Councilmembers; certain public files supplied in graphic format, rather than with text that can be easily searched; ignorance of Council history and obligations that take a toll on current decision-making and judgment; lawbreaking rather than loyalty to sworn oaths of office; Councilmember self-promotion rather than Councilmember dedication to constituent education and involvement; and overall absence of Councilmember transparency and accountability—both individually and as a body.

Let's take, for example, a last-minute addition to tonight's agenda, seeking to alienate a portion of College Hill. Where did that resolution come from? Why is it being raced to a vote? How and from whom did Senator Rob Rolison and Assemblyman Jonathan Jacobson obtain their information, already moving ahead in the NY State Legislature when the matter in question has never previously been in front of the City of Poughkeepsie Common Council, and involves landmarked and protected property?

Rolison: <https://www.nysenate.gov/legislation/bills/2023/S9804>

Jacobson: <https://www.nysenate.gov/legislation/bills/2023/A10515>

Why did five members of this Council use thousands of taxpayer dollars for a weekend in Albany, when they could have satisfied their mandatory training obligation (thus protecting their own salaries from deductions) by undertaking free online training right from home? Why won't Finance Commissioner Brian Martinez produce evidence of actual qualifying sessions attended, rather than only totals on sticky notes for registration and hotel?

Why did this Mayor and majority African-American Council violate the Voting Rights Act in the interest of their own election and/or re-election, protecting their salaries, seats and privileges? Why has Mayor Flowers retained the ever-hostile-to-the-public Corporation Counsel Rebecca Valk, who collaborated or sat silent through Chair Wilson's multiple law violations, including the rule fabrication that Wilson used to have me escorted from a meeting and to have the Chamberlain silence the public microphone when I was speaking, as well as himself silencing the public microphone on multiple other occasions.

Or this Council's Open Meetings Law violation with the 11th-hour addition of a rule lifted from the Republican-dominated County Legislature, allegedly introduced by "consent" to defeat fellow Councilmembers from even uttering, never mind voting on, memorializing resolutions that reflect the concerns of the governed.

The City Charter specifies that the Council Chair, who is the At-Large member, answers to all City voters, not just those of a single ward. When will Chair Da'Ron Wilson hold an eight-ward meeting where he undertakes to inform and answer to residents citywide?

When will this Council and this Mayor address the Memorandum of Agreement (MOA) drawn up between Marc Nelson and the City of Poughkeepsie Police Benevolent Association (CPPD PBA)? Or do they think that their silence is an adequate substitute for informing the public? or that sticking their heads in the sand will make crime and the memorandum disappear?

On every meeting agenda, there's a line item for reports of Committees and Boards. When was the last time any Committee or Board report was actually made in front of this Council? Why, when I made a Freedom of Information request for the Charter-required annual reports [Charter of the City of Poughkeepsie, Section 6.03 Annual Reporting Requirement], was I told that none existed ("No documents responsive to your request have been located.")?

How scared of the public are the Councilmembers who boast about being life-long Poughkeepsie residents, that they can barely wait to silence each public commenter at the exact three-minute buzzer? Why won't the Council Chair embrace the Charter, and suspend meeting rules to allow public comment prior to Council votes on any proposed legislation? [Section 2.04(d) "...Prior to submitting any proposed legislation to a vote of the common council at any regular or special meeting, the person serving as chairperson shall suspend the rules of the meeting upon such conditions as he or she may determine to permit comment upon such proposed legislation by any member of the public in attendance who wishes to be heard...."]

Why does this City continue to violate the American with Disabilities Act, not even honoring the easy-to-comply request and simple-to-follow instructions that then-City Administrator Marc Nelson received from the Dutchess Disability Advocacy Partnership in 2022? Contrast City meeting broadcasts and webcasts with Town of Poughkeepsie meetings that use simultaneous in-person and zoom participation, are broadcast and accessible via YouTube employing closed captioning, offering clear and audible volume, as well as clear camera views of board members and speakers throughout each meeting.

And with that, the travesty and tragedy of this Council continues—my three minutes are up, despite having so much more to question and communicate.

City of Poughkeepsie common council meeting

Gregory Sims <sims11@gmail.com>

Tue 6/4/2024 4:10 PM

To: Chamberlain's Office <CityChamberlain_Clerks@cityofpoughkeepsie.com>

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To: City of Poughkeepsie Chamberlain

If possible, can this be read or available at tonight's meeting? Thank you.

Thank you for your work on enhancing the City of Poughkeepsie experience for residents, business owners, and visitors. This letter is in regards to conversations and proposals surrounding rent control, tenants rights, and overall involvement in the rental marketplace.

For context, I have operated and more recently, sold several rental properties in the City over the last 20+ years. I have been a hands on landlord, developing personal relationships with many tenants over the years. I am at the properties daily and available 24/7 by phone.

The changes that have taken place, along with the proposed changes (locally and statewide), are presumably well intended, albeit one-sided, in support of renters in the leasing contract process. The issues I have with such regulation begin with the granting of rights to one group at the expense of another parties' rights. What always has been a simple contract between tenant and landlord is now a complex web of rules and regulations that are most definitely not equal in their protections.

In a more practical sense, the rules supposedly intended to protect all tenants do not result in better circumstances in the real world. When free market rental conditions cease to exist, property owners with a few units are forced to sell. As a property owner, you simply can't absorb limits to income coupled with longer eviction times, limits to security deposits, continual increases to taxes, water/sewer, garbage, and other utility and operating bills.

By limiting income, the result is stifling property values since rental property are valued based on income. Will the result be lower taxes? It won't.

So property owners sell, often to larger groups. Often to non-local groups. Often to faceless groups with management companies rather than a local person with whom you develop a relationship.

When this happens, and this is what has been happening, the larger (50+ units***) property owners have a single goal in mind. It's not, let me operate a couple rentals as a side business or so I have something for my retirement. It's lets get the rent roll as high as possible, refinance, cash out, then operate the property from a distance with "house" money.

From the properties I have recently sold, I have received many calls or rental inquiries from former tenants. The new owners are telling tenants, you can move to another apartment for a higher price while we make improvements. Then you can move back at an even higher price. There is no emotion or compassion involved. Improvements are undertaken for the sole purpose of justifying higher rents.

But suppose as a tenant you decide to look elsewhere. Since there are restrictions on security deposits, lengthy evictions, and numerous other one-sided protections, property owners are hesitant to rent to anyone who might not be the perfect tenant. These rules have created an environment where it's not only competitive to get approved, it's sometimes seems impossible. I know this because

I still hear from my previous tenants. They have my personal phone number and they call or text for any availability I may have. The reasons are simple

They know me. They know I'm fair and that the prices are fair. If they have a issue, they know we can talk it out. There are many property owners like me out there but these changes will either drive us out, or force us to become like these big commercial groups. It's all very simple.

If someone were to look up the number of judgments filed in the last few years as a result of non-payments or property damage that exceed \$3000, you'll understand where a property owner stands. If you receive a weekly paycheck, you aren't expected to take a cut in pay. But property owners knowingly run this risk. That is why the application process is so tough for many. Protection from security deposits is out. Protection from a reasonably quick eviction process is out. How would you protect yourself?

*** In defining a "large" property owner, the number of units has to be fairly substantial. It is only at this level that there can be staff and income enough to cover the losses that come in today's rental environment. With a \$1000 rent, the non-payment can easily reach \$3000-\$4000 and often much more before the premises are recovered. At that time, it highly likely that the condition of the unit will require a minimum of \$5000 to repair or replace flooring, cabinets, wall and door damage, etc. Then there is the time and marketing cost to re-rent. This illustrates the reason only substantial property owners can absorb these costs and further demonstrates how one-sided the protections are, and how reluctant owners will be in examining future applications.

Thank you for you time, and hopefully your consideration in further examining these issues.

-Gregory

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

First I would like to say, thank you all for coming out and voicing your opinions respectfully. I also think we hear the concerns of all the citizens here.

I want to give a shout out or -not to slight anybody else- but I want to give a shout out to Councilmember Evan Menist for taking a deep dive into the zoning and taking a real laser-like strategic focus on our zoning updates.

I wanted to shout out Councilwoman- Majority Leader, Councilwoman Thompson for actually taking the initiative to try to find another location for the shelter. She tried as best as she could to find it.

Shout out to Councilmembers Ernest Henry and Terricena Brown for the meetings that they were conducting with the North Side public housing individuals in their wards to try to give them, inform them of the upcoming planning and planning grant that the city is applying for.

Also, shout out to the rest of the councilmembers for their due diligence and working on all things.

As far as the questions I was asked, as far as the ETPA, the delay was the fact that we were making sure that we doing our did our due diligence as a council and the administration, but the council, I will say I definitely I can't speak on everybody else, but we will be moving forward with a resolution for the ETPA. We just want to make sure that we dotted our I's and crossed our T's to the best of our ability, and that has been done at this time, so that we will be moving forward with that resolution at the next council meeting.

As far as the homeless shelter, those that did attend the meetings or have been attending the stakeholders meetings. As you are aware, or you might not be aware that the city does not have the authority to stop the county. [The] Only thing that we can do as what was mentioned before as property for prior to the council be prior Council two is to work with the mayor, or, if on our own, to seek whatever legal action we would have to go against the county. But we cannot just tell the county. And if the people that attended the stakeholders meeting, you heard that the county executive herself said she could not. She tried to talk to the governor and the governor did not change the location.

But there is and I will say, I don't believe that there was a council member up here that is in support of the transition shelter going to Oakley Street.

And as far as what was mentioned about the MOA with the police, it keeps being mentioned that this council, that's not actual fact. This current, the new council, if you want to say, has not been given the MOA that was previously given because it is in per which has been explained before.

So this new council is not in the position until we hear further notice from administration to vote on or move forward with the MOA.

And that is as far as I can say for that.

Thank you all that came out to the different, music and school events for the past - that have passed in the school district, that elementary spring concerts. They also had a couple of art shows and even at the art effect.

And that is it for my comments.

Thank you once again.

Mayor?

VII. MAYOR'S COMMENTS:

Thank you. Chair.

One I want to thank everybody who, you know, coming out to express their concerns, especially what's happening on Main Street. I, I feel your frustration. I've been through it. Even in my own neighborhood. I don't appreciate all the comments, though and things that were sent to the council and to the mayor stating that we're not doing anything, no one's doing anything, mo one understands what's going on. This council has been dealing with this for a while. I've been dealing with it since I've been on the city council.

Now, the issue that's going on at 472 Main Street and in that lot, if anybody remembers, there was an issue going on further down in Pershing, even further down our rules when it was, the police have been doing everything they possibly can, along with other agencies that have been out there dealing with individuals and trying to get them into services. And what happens is they pretty much kind of move around. So, we've been having this problem in Pershing Park, and then it went to Mansion Square Park or Earline Patrice Park, and then it went to behind the Rent-A-Center that's over on Jewett and Main. It went to Ken's. Even a situation in the car wash on Main Street.

It's like playing whack a mole, to be honest with you. And so what's happening is, is that individuals are moving and migrating and in the midst of doing that, there are also, there are additional people who are coming here.

So now it seems like the group is all over 472 main and is getting out of hand. I have family members that live on Cannon Street. They're dealing with it and I've been over there dealing with it as well. I've seen what the police have been trying to do, trying to deal with the situation.

But unfortunately, the tools that we have used many years ago to kind of move people into services, they no longer have at this point now. So, it is becoming very difficult in order to do the kind of things that we have done in the past. But I do not give up hope because we are having another meeting with our police command staff, to talk about a different strategy. We're

Official Minutes of the Common Council Meeting of June 4, 2024

going to have to look outside the box and look at another strategy and continue to work with our county because the county is the one who has these services for individuals.

So we're going to continue to push as you need help. We're going to help you. But if you're not going to take the help, you have to go. So we're not going to tolerate laying around on the streets and we'll work with the other owners who own these properties, because that is private property and some of the property that we're having issues, what the city owns. So we're going to have to take a different approach.

You know, we might have people coming out and saying, why are you doing this or doing that? It's very difficult right now. And for people to say that we're not doing anything at all is absolutely incorrect. Everyone has been working very hard with this. We have a Main Street task force that even our councilmember...I know, Councilmember Grant and, Councilmember James has been involved in that - holding continuous meetings, but right now we need a little more help, and we're actually getting help.

There have been some comments made about our police department. Yes, we have a shortage. And guess what? We've always had a shortage. We've been going through this for years and [it] has not been at full staff for many years. But right now we're feeling the brunt of it because of the issues that we're having on the city and in the city. And yes, our police department is overwhelmed, but it's overwhelmed because we can have 100 police officers out there and still their hands are tied in certain things that are going on.

So if you want to really raise your voice, you might want to raise your voice even towards, New York State and some of the laws that are in place that are kind of tying the hands of our police department. And, also to, we do have to continue to have conversations with the county. The county offers these certain services in the City of Poughkeepsie, which means that anyone who is going through a housing crisis and dealing with certain challenges are sent to the City of Poughkeepsie. We cannot continue to take on everyone else's burdens. So we have to continue to have a more forceful approach. Talking with the county and saying enough is enough. And I've been having those conversations. I have to say, we are working with a county executive who understands and is trying to find different ways. But again, there's \$13 million that came in her lap, and now it's like, if you give it up, it makes it seem like you're not doing anything to address the problem. But at the same time, we have to protect this city. So we're going to do everything we possibly can. I'll be working with the council members to see what direction they want to go with this, and I will support that.

So that's what we're doing on that end of it. Again, we you're going to start seeing some changes on Main Street. We are again talking with our police department. And just to let you know, we are getting new officers coming in continuously. So far, I think we're up to 7 or 8. Or we will have 7 or 8?

Interim City Administrator Knapp: We got 3 to 4 more coming in.

Mayor Flowers: 3 or 4 more.

Official Minutes of the Common Council Meeting of June 4, 2024

And these individuals are police officers that are coming in from New York City are transferring. Unfortunately, when you look at the news and you see the reports that you only hear about the people retiring, but you don't hear too much about the new ones coming in. So the problem is, is that some are retiring. They've been here for a long time. They are little fed up and I get it. But then, we also have individuals that are willing to come to our city despite the challenges that we're going through. So it's going to take some time for us to really build up our police department. But in the meanwhile, you know, our police department is doing everything they can to have enough people on the streets in patrol.

Also, we have, an agreement with the Sheriff's Department, which they have reached out continuously about how they can help our city. The district attorney has also been helping and offering assistance, and so has the State Police. So, it's not like we have a city where we got people running around and we have no one to help keep it safe. It's just a - it's a lot going on and we're finding ways to be able to deal with that. So we do, you know, I just want to make sure to put that out there.

Doesn't feel like one person say, I'm sitting in an office and not knowing what's going on. I guess they don't realize that I live on the North side, so I pass it every day, you know? So, you know, it's not the same like it's been in the past. I'm frustrated also. But, you know, our hands are tied as well. So, until we start working collectively to finding solutions, this is something we're going to deal with for a little bit. But trust me, we're working hard on it. So, I just want to make sure to put that out there on the record.

There was a shooting that was there and a fatality and that's been is being dealt with. Our police department is working hard in identifying that. We're also upgrading our technology on the streets. We've been discussing that. So that way we have more ways of finding out and locating when certain people do certain things, because right now people don't like to speak or talk about it. So, our police department needs a little bit more assistance out there. So, we also need the community's help. So, if you hear something, you know something, you know, you're going to have to say something. You know, you can't stay quiet and all of a sudden expect everybody to read somebody's mind and think that they're going to be able to handle it. So I'm just asking for the community for their help as well. But again, we're working very hard on it.

On another note, I do have to say - I want to say congratulations to the Hudson Valley Clubhouse that opened up on 98 Canyon Street. And that is a place that provides a supportive environment for those who are going through mental illness. It's a great place, you know? So, they want to, you know, open up a few throughout the Hudson Valley, not necessarily just in Poughkeepsie, but it's a place where if someone is going through a challenge, they have somewhere to go to. It was nice to, to be there for their grand opening.

Also, I want to, congratulate our Hudson Valley Vipers. I don't know if anybody knows that we have a semi-pro hockey team here in the city of Poughkeepsie. They just was created about last year. They did very well. And they won a national championship.

Yes. So they want to make the City of Poughkeepsie their home. So, we're having

Official Minutes of the Common Council Meeting of June 4, 2024

conversations in regards to that which would attract more people to come to the city of Poughkeepsie. So, we have to do more to make sure we clean up the area. But they were so excited. And they're looking forward to the next season. So, we're hoping we get more of our kids involved in coming to some of the games. You know, because it was pretty exciting when I took my grandson there. And, you know, he's never been to a hockey game before, neither have I. So, I think this would be a nice experience, you know, for this community.

I also want to bring up too, because it's on our agenda. And I know people are questioning like, why was this, like, a last minute thing? But you do have before you that I am appointing a gentleman named Jamar Cummings for the City Chamberlain position. Once the paperwork and everything was finalized, a background check was done. We were able to put the paperwork through. So that way, give enough time. So that way, Jamar can start at a certain time, as long as it's approved by the city council. And then, we can make some transition in the Chamberlain's office.

I have worked with, Mr. Cummings, at a stakeholders group. I know there's times that he had came to the council meeting. He has expressed his concerns about certain things. As time went on, I've worked with him, closely. I was seeing this young man grow, and, and come to the terms of the fact that, become a very professional and I have to say some of the things that he has endured in these last few months. Well, actually a year. I think he handled it very well. Like I said, some people are wondering, like, well, why would you do this, considering the fact of some of the attacks that he even said against me? Well, I've had for, you know, half the stuff that I've been through in the last few years and people who went up against me and did things to me. I don't hold those kind of grudges when I see something good in a person. I run with that. And that's what my father has taught me. So I'm not going to put anybody in a position where I feel that they're going to be detrimental to the city or even to the staff, because at this point now, you know, we're here to move the city forward, and I want someone in there is going to do the job and that's actually going to care about the city. And I feel that I feel good about this appointment. I'm not I don't have a crystal ball. You know, I'm not, you know, perfect in as any other position. When you hire someone, if things don't work out, then they, you know, they become terminated. But I don't feel like this is the case. So, I just want to put this out on record, because apparently, it's been out there in the news. And it's also people have been questioning, you know, why are we appointing this individual? Well, if you actually seen this young man in the last few months, you would notice how he has handled himself out here in this community. And he has glowing recommendations from his current employer. So, again, I hope that the council supports it and we can take it from there.

I think that's it.

NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

VIII. REPORTS OF COMMITTEES AND BOARDS:

A motion to approve the consent agenda was made by Vice Chair Shook and seconded by Councilmember Deichler

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

1. **R-24-42**, Resolution to Adopt a Determination and Findings Following the Public Hearing Conducted in Regard to the Mansion St Over Fall Kill Creek Reconstruction Project (P.I.N 8756.83) in the City of Poughkeepsie

Insert pdf

RESOLUTION NO. R-24-42

RESOLUTION TO ADOPT A DETERMINATION AND FINDINGS FOLLOWING THE PUBLIC HEARING CONDUCTED IN REGARD TO THE MANSION STREET OVER FALL KILL CREEK RECONSTRUCTION PROJECT (P.I.N. 8756.83) IN THE CITY OF POUGHKEEPSIE, COUNTY OF DUTCHESS, STATE OF NEW YORK.

INTRODUCED BY COUNCIL MEMBERS: PATTERSON THOMPSON AND JAMES

WHEREAS, the City of Poughkeepsie ("City") owns and is responsible for the maintenance and repair of the bridge (B.I.N. 2262750) ("Bridge") that carries Mansion Street and Pershing Avenue over Fall Kill Creek, as well as the approach roadways to the Bridge in the City of Poughkeepsie, Dutchess County, New York; and

WHEREAS, the Bridge is vital to local residents, visitors and businesses in order to maintain safe, uninterrupted movement, mobility and connectivity through the City of Poughkeepsie; and

WHEREAS, the existing Bridge is a 30-foot long, single span, reinforced concrete, closed spandrel deck arch structure that is in fair to poor condition; and

WHEREAS, because of the deteriorated condition of the Bridge and its importance to local residents, visitors and businesses, the City is proposing a public project ("Project") to completely replace the superstructure and substructures of the Bridge with a new single span structure on the existing alignment, as well as to reconstruct portions of Mansion Street and Pershing Avenue on their existing horizontal alignments and to reconstruct a portion of Lawrence Road; and

WHEREAS, the Project is a Locally Administered Federal Aid Transportation Project administered by the City; and

WHEREAS, the Project is being progressed by the City, with oversight by the New York State Department of Transportation ("NYSDOT") and in close coordination with the Federal Highway Administration ("FHWA"), in accordance with Federal and State laws, regulations, rules and policies; and

WHEREAS, NYSDOT determined that in order to progress to the Project to the project final design phase and right-of-way acquisition phase, it was necessary for the City to conduct a public hearing on notice to the general public and affected landowners as provided for in 28 U.S.C. 128 and 23 CFR 771.111 and the New York Eminent Domain Procedure Law ("EDPL"); and

WHEREAS, in accordance with 28 U.S.C. 128, 23 CFR 771.111 and Article 2 of the Eminent Domain Procedure Law, the City of Poughkeepsie conducted a public hearing, upon due notice, on March 28, 2024, commencing at 6:30 p.m. at the City's Common Council Chambers, located in City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at which time City officials, representatives and agents outlined the purpose, public use and benefit to be served, proposed location or alternate locations of the Project, and provided other pertinent information regarding the Project, including, but not limited to, the anticipated economic and social effects of the Project on the selected location, its impact on the environment and copies of maps and property descriptions of the property interests that may be acquired in order to accomplish the Project; and

WHEREAS, persons who attended or participated in the public hearing were given a reasonable opportunity to present oral or written statements, submit other documents concerning the Project and inspect documents presented; and

WHEREAS, at the conclusion of the oral presentation at the aforementioned public hearing, the record thereof remained open until April 12, 2024, for the purpose of accepting additional written public comments regarding the Project; and

WHEREAS, there were no additional written comments submitted regarding the Project, and the record of the public hearing was closed on April 12, 2024; and

WHEREAS, a record of the public hearing was kept and made available to the public for examination without cost during normal business hours at the City's principal offices and at the office of the Dutchess County Clerk and, also, made available to be reproduced upon written request and payment of the cost thereof.

NOW, THEREFORE, BE IT RESOLVED that

The following constitutes the determination and findings of this body with respect to the proposed Mansion Street Over Fall Kill Creek Reconstruction Project in the City of Poughkeepsie, New York:

1. The public uses, benefits or purposes to be served by the proposed public Project are to: replace/rehabilitate the existing bridge carrying Mansion Street and Pershing Avenue over the Fall Kill Creek, thereby maintaining a thoroughfare that is vital to local residents, visitors and businesses; maintain safe, uninterrupted movement, mobility and connectivity through the City of Poughkeepsie; restore the bridge condition rating to 5 or greater and extend its service life by 75 years using cost effective techniques to minimize the life cycle cost of maintenance and minimize impacts to the environment, traveling public

and right-of-way; and improve the hydraulic opening, reduce scour vulnerability, eliminate scour critical classification to the bridge, and reduce the likelihood that the bridge and surrounding land will flood.

2. The location of the proposed Project is an approximately 310 linear feet long section of Mansion Street beginning approximately 110 feet west of its intersection with Pershing Avenue and extending to approximately 200 feet east of its intersection with Lawrence Road in the City of Poughkeepsie, New York. The Project location was selected because of the deteriorated condition of the existing bridge and the need to maintain safe, uninterrupted movement, mobility and connectivity through the City of Poughkeepsie via Mansion Avenue.
3. The general effect of the proposed Project on the environment and the residents of the locality are as follows:
 - a. The Project is being progressed, subject to the approval of the Federal Highway Administration, as a NEPA Class II (c)(28) CE (Categorical Exclusion) because it does not, individually or cumulatively, have a significant environmental impact and primarily involves a bridge replacement.
 - b. In accordance with 6 NYCRR Part 617, the Project has been identified as a SEQRA Type II Action because it involves the “replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site.”
 - c. There will be a temporary impact on travel along Mansion Street in the form of street closure during construction, as a consequence of which there will be a signed, off-site detour for vehicles and bicycles; however, pedestrian travel will be maintained by means of a temporary pedestrian path and bridge.
 - d. The Project will not divide neighborhoods isolate part of a neighborhood, generate new development or otherwise affect community cohesion.
 - e. The Project will not involve any residential or non-residential relocations.
 - f. There are no schools within the Project area.
 - g. There are no state-protected, threatened or endangered species located in, on or near the Project area.

- h. The Project will be progressed to comply with the Hudson River Valley National Heritage Area Management Plan.
- i. There are no listed historic properties within or around the Project area.
- j. The Project activities will require temporary fills in Waters of the U.S. for cofferdams and dewatering of the work site. It is anticipated that the work can be authorized under the U.S. Army Corps of Engineers Section 404 Nationwide Permit #3 and Nationwide Permit #33.

SECONDED BY COUNCILMEMBER SHOOK

Submitted to Council: June 4, 2024
Council Action: Approved
Roll Call Vote Taken: Yes X No
Ayes 9 Nays 0 Abstain 0 Absent 0

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 June 4, 2024

Approved by Mayor on: _____

Mayor's Signature: _____

Deputy City Chamberlain

Official Minutes of the Common Council Meeting of June 4, 2024

R-24-42 - 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	☒	☐	☐	☐

X. ORDINANCES AND LOCAL LAWS:

At 8:18pm, a motion to suspend the rules to allow Dana Smith, Dutchess County Commissioner of Emergency Response to speak on Resolution R-24-44, Park Alienation for EMS tower was made by Vice Chair Shook and seconded by Councilmember Deichler

At 8:58pm, a motion to resume the rules of the Common Council was made by Vice Chair Shook and seconded by Councilmember Deichler.

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

1. R-24-43, Resolution Appointing Jamar Cummings to the office of City Chamberlain

R E S O L U T I O N
(R-24-43)

INTRODUCED BY COUNCILMEMBERS WILSON, SHOOK, PATTERSON THOMPSON, DEICHLER, MENIST, GRANT, ~~HENRY~~, BROWN, & JAMES:
(Councilmember Henry's name was taken off as a sponsor on the floor)

WHEREAS, the office of City Chamberlain is appointed by the mayor pursuant to the City Charter §3.02(b); and

WHEREAS, the appointment of a City Chamberlain by the Mayor is subject to confirmation by the Common Council; and

WHEREAS, the Mayor has appointed Jamar Cummings to the office of City Chamberlain and has submitted such appointment to the Council for confirmation; and

WHEREAS, the Common Council finds that it is in the best interest of the City of Poughkeepsie for the Mayor's appointment to be confirmed; and

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor's appointment of Jamar Cummings to the office of City Chamberlain be, and the same hereby is confirmed.

SECONDED BY COUNCILMEMBER SHOOK

R-24-43 - 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	☒	☐	☐	☐

Official Minutes of the Common Council Meeting of June 4, 2024

A motion to table Resolution R-24-44 was made by Chairman Wilson and seconded by Vice Chair Shook.

ROLL CALL VOTE – MOTION TO TABLE R-24-44						
☐ 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-24-44, Resolution for Municipal Home Rule Request to Alienate Certain Parklands

RESOLUTION TABLED

**R E S O L U T I O N
(R-24-44)**

INTRODUCED BY CHAIRMAN WILSON, VICE-CHAIR SHOOK, MAJORITY LEADER PATTERSON THOMPSON & COUNCILMEMBER BROWN:
(Councilmember Brown was added as a sponsor on the floor)

WHEREAS, Dutchess County is building a new Emergency Communications System that will enhance the ability of fire, police, and other first responders to protect the general public and react swiftly to emergency calls. The new system requires several sites to be strategically placed in and around the County to provide seamless radio coverage to system subscribers whether they are in a vehicle or operating a portable hand-held radio unit; and

WHEREAS, College Hill Park is owned by the City of Poughkeepsie. Currently, there is a communications tower on the parkland which is used by the City of Poughkeepsie for radio communication to the police, fire department and other first responders. The current tower **is in** need of repair and upgrades. The site at College Hill will consist of expanding the existing communications facility with a new 120-foot-tall self-supported tower with antennas, a 12 x 16 foot equipment shelter, plus a 50kW propane generator and fuel tank. Inside the shelter there will

be radio and electronic equipment. The facility will be unmanned and will be remotely monitored by Dutchess County Department of Emergency Response; and

WHEREAS, the parkland previously used for the existing tower will be returned to use as parkland and a portion of the park will be used for the new tower; and

WHEREAS, the Common Council wishes to request official action of the state legislature through §40 of the Municipal Home Rule Law; and

WHEREAS, Assemblyman Jacobson and Senator Rolison have drafted legislation that has been introduced in both the Assembly and Senate, and such legislation has been printed by both the Assembly and Senate as Assembly Bill No. A10515 and as Senate Bill No. S9804;

NOW, THEREFORE,

BE IT RESOLVED, as follows:

1. The Common Council and the Mayor of the City of Poughkeepsie hereby issue this Home Rule Request for Senate Bill No. S9804 and Assembly Bill No. A10515 entitled “Authorizes the City of Poughkeepsie to alienate and discontinue the use of certain parklands” and
2. The City Chamberlain and/or Corporation Counsel be and hereby are authorized and directed to forward a certified copy of this resolution and Home Rule Request Form with appropriate transmittal letter to Senator Rolison and Assemblyman Jacobson for the New York State Legislature.

SECONDED BY COUNCILMEMBER _____.

XII. ORDINANCES AND LOCAL LAWS:

1. **First Read: O-24-XX**, Ordinance Amending §13-180 of Chapter 13 of the City of Poughkeepsie code of ordinances entitled “Motor vehicles and Traffic” – Parking Prohibited At All Times: Mansion St, North Side From Fitchett St to Corlies Ave.

**ORDINANCE AMENDING §13-180
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED “MOTOR VEHICLES
AND TRAFFIC”**

(O-24-##)

INTRODUCED BY COUNCILMEMBERS PATTERSON THOMPSON AND JAMES:

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

SECTION 1: §13-180 is hereby amended by the following subtraction:

Section 13-180 -**Parking prohibited at all times.**

Upon the erection of signs giving due notice thereof, the following areas shall be designated as Parking prohibited at all times areas and are to be utilized only for the purpose set forth in this Article:

MANSION ST. North Side, from Fitchett Street to Corlies Avenue.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by **Underlining and Bold**

2. ***First Read: O-24-XX***, Ordinance Amending §13-180 of Chapter 13 of the City of Poughkeepsie code of ordinances entitled “Motor vehicles and Traffic” – Removal of Alternate Parking Regulations: Mansion St From Fitchett St to Corlies Ave.

**ORDINANCE AMENDING §13-195
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED “MOTOR VEHICLES
AND TRAFFIC”**

(O-24-##)

INTRODUCED BY COUNCILMEMBERS PATTERSON THOMPSON AND JAMES:

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

SECTION 1: §13-195 is hereby amended by the following subtraction:

Section 13-195 -No parking twenty-three hours on alternate sides of street, starting at 9:00 a.m.

Upon the removal of signs giving due notice thereof, the following areas shall no longer be designated as no parking twenty-three hours on alternate sides of street, starting at 9:00 a.m. areas and are to be utilized only for the purpose set forth in this Article:

MANSION ST., from Fitchett Street to Corlies Avenue.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by **Underlining and Bold**

XIII. ADJOURNMENT:

There was a motion to adjourn the meeting at 9:30pm made by Vice-Chair Shook which was seconded by Majority Leader Patterson Thompson.

Dated: June 11, 2024

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, June 4, 2024.

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