



COMMON COUNCIL MEETING

Tuesday, June 18, 2024
Common Council Chambers

6:30 p.m.

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Meeting Minutes – June 4, 2024

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

IV. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. FROM MATT INGALLS**, a presentation on proposed new Zoning in the City of Poughkeepsie
- 2. FROM JENNIFER LORD**, a notice of personal injury suffered on March 11, 2024

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

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

VII. MAYOR'S COMMENTS:

VIII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

IX. REPORTS OF COMMITTEES AND BOARDS:

CONSENT AGENDA:

X. MOTIONS AND RESOLUTIONS:

1. **R-24-45**, Resolution of The Common Council Of The City Of Poughkeepsie, New York Declaring A Housing Emergency And Regulation Of Rents Pursuant To The Emergency Tenant Protection Act
2. **R-24-46**, Resolution Introducing and Setting a Public Hearing for Local Law Amending Section 14.35 of the Administrative Code of the City of Poughkeepsie Entitled “Taxes – Partial Exemption Granted; Conditions”
3. **R-24-48**, Resolution Approving License Agreement For The Art Effect To Place A Piece Of Art In Pulaski Park
4. **R-24-49**, Resolution Approving Richard Dorritie to the City of Poughkeepsie Board of Ethics.

XI. ORDINANCES AND LOCAL LAWS:

1. **O-24-04**, 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.
2. **O-24-05**, 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.

ACTION AGENDA:

XII. MOTIONS AND RESOLUTIONS:

1. **R-24-47**, Resolution Introducing Local Law Repealing Local Law 21-04 (To Prohibit Evictions Without Good Cause) And Adding A New Division 9 “Prohibition Of Eviction Without Good Cause” To Chapter 12 “Housing”

XIII. ORDINANCES AND LOCAL LAWS:

XIV. ADJOURNMENT:

RESOLUTION

(R-24-45)

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

**SPONSORED BY: CHAIRMAN WILSON, COUNCILMEMBERS SHOOK,
PATTERSON THOMPSON, MENIST, DEICHLER, GRANT, BROWN, HENRY, AND
JAMES**

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

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

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

WHEREAS, after a review of the information presented at the public hearing, CCCE has confirmed that the vacancy rate has been amended to be 4.03% (see attached Amended Final Table and attached Amended Summary Table)

NOW, THEREFORE, BE IT RESOLVED, that the City of Poughkeepsie Common Council declares that an emergency exists as set forth in the Emergency Tenant Protection Act (ETPA) and that immediately upon the adoption of this resolution, the provisions of the ETPA shall apply to

those buildings in the City of Poughkeepsie containing six or more rental units completed prior to January 1, 1974; and

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

SECONDED BY: _____

SUMMARY TABLE	
Properties Included in the Study	112
Total number of responses	68
Response Rate	61%
Total number of units included in study	1494
Total number of units reported to be vacant on 11/1/2023	88
<i>Total number of vacant units not available for rent on 11/1/2023</i>	29
<i>Total number of vacant units available for rent on 11/1/2023 (TVH)</i>	59
Total number of units - Number of units not available for rent = TRH	1465
Vacancy Rate (TVH/TRH)	4.03%

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

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

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1915	566 Main	13	0	0	13	0	0.00%
1930	637 Main	8	1	0	8	1	12.50%
1920	639 Main	8	0	0	8	0	0.00%
1925	641 Main	8	0	0	8	0	0.00%
1924	691 Main	13	0	0	13	0	0.00%
1900	699 Main	11	0	0	11	0	0.00%
1922	704-706 Main	6	0	0	6	0	0.00%
1920	144 Mansion	6	0	0	6	0	0.00%
1910	146-148 Mansion	6	0	0	6	0	0.00%
1920	169 Mansion	6	1	0	6	1	16.67%
1920	171 Mansion	6	1	0	6	1	16.67%
1910	182 Mansion	6	3	0	6	3	50.00%
1920	242 Mansion	6	1	1	5	0	0.00%
1920	254 Mansion	6	2	1	5	1	20.00%
1886	154 Mill	6	0	0	6	0	0.00%
1932	174 Mill	11	0	0	11	0	0.00%
1900	197 Mill	24	0	0	24	0	0.00%
1900	211 Mill	6	0	0	6	0	0.00%
1900	217-219 Mill	8	1	1	7	0	0.00%
1900	267 Mill	7	0	0	7	0	0.00%
1900	320-322 Mill	8	0	0	8	0	0.00%
1900	98 Montgomery	6	1	1	5	0	0.00%
1920	145 Montgomery	6	1	0	6	1	16.67%
1900	58 Noxon	12	4	0	12	4	33.33%
1855	2 Parker	6	0	0	6	0	0.00%
1900	56 Pershing	6	0	0	6	0	0.00%
1932	2 Roosevelt	14	0	0	14	0	0.00%
1932	4 Roosevelt	13	0	0	13	0	0.00%
1870	2 Rose	7	0	0	7	0	0.00%
1900	21 Smith	8	2	2	6	0	0.00%
1890	54-58 Smith	6	0	0	6	0	0.00%
1920	6 State	7	1	0	7	1	14.29%
1940	7 Suncrest	22	0	0	22	0	0.00%
1920	140 Union	6	1	0	6	1	16.67%
1920	144 Union	6	2	0	6	2	33.33%

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1912	160 Union	39	3	0	39	3	7.69%
1880	166 Union	6	0	0	6	0	0.00%
1920	187/189 Union	10	0	0	10	0	0.00%
1928	43 Verazzano	9	0	0	9	0	0.00%
1954	67 Verazzano	6	0	0	6	0	0.00%
1938	7-9 S. White	8	0	0	8	0	0.00%
1968	166 Winnikee	6	0	0	6	0	0.00%
1940	172 Winnikee	12	0	0	12	0	0.00%
1930	66 Worrall	6	0	0	6	0	0.00%
	TOTAL	1494	88	29	1465	59	4.03%

**RESOLUTION
(R-24-46)**

**RESOLUTION INTRODUCING LOCAL LAW AMENDING SECTION 14.35 OF THE
ADMINISTRATIVE CODE OF THE CITY OF POUGHKEEPSIE ENTITLED “TAXES –
PARTIAL EXEMPTION GRANTED; CONDITIONS”**

INTRODUCED BY COUNCILMEMBER MENIST

BE IT RESOLVED that an introductory Local Law entitled, “LOCAL LAW AMENDING SECTION 14.35 OF THE ADMINISTRATIVE CODE OF THE CITY OF POUGHKEEPSIE ENTITLED ‘TAXES – PARTIAL EXEMPTION GRANTED; CONDITIONS’” be and 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 to receive comment from the public on Tuesday, July 2, 2024 at 6:00 pm in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York;

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 SECTION 14.35 OF THE ADMINISTRATIVE CODE OF THE CITY OF
POUGHKEEPSIE ENTITLED “TAXES – PARTIAL EXEMPTION GRANTED;
CONDITIONS” (LL-24-xx)

INTRODUCED BY COUNCILMEMBER MENIST:

SECTION 1. BE IT ENACTED, by the Common Council of the City of Poughkeepsie, a local law amending Chapter 14.35 of the Administrative Code of the City of Poughkeepsie entitled Taxes – Partial Exemption Granted; Conditions, to provide as follows:

~~STRIKETHROUGH INDICATES DELETION~~
BOLD and UNDERLINE INDICATES ADDED LANGUAGE

Section 14.35 **Taxes — partial exemption granted; conditions.**

Real property owned by persons sixty-five (65) years of age or over shall be exempt from city taxes up to the maximum amount of fifty (50) per centum of the assessed valuation subject to the following conditions and pursuant to Subsection (f) hereof:

- (a) The owner or all of the owners must file an application annually in the assessor's office on or before the appropriate taxable status date or such other time as may be hereafter fixed by law. At least sixty (60) days prior to the appropriate taxable status date, the assessing authority shall mail to each person who was granted an exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to be granted. Failure to mail any such application form and notice or the failure of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.
- (b) In the event the owner, or all of the owners, of property which has received an exemption pursuant to this section on the preceding assessment roll fail to file the application required pursuant to this section on or before the taxable status date, such owner or owners may file the application, executed as if such application had been filed on or before the taxable status date, with the Assessor on or before the date for the hearing of complaints. The Assessor shall approve or deny such application as if it had been filed on or before the taxable status date.
- (c) The income of the owner or the combined income of the owners of the property must not exceed ~~twenty nine thousand dollars (\$29,000)~~ **forty thousand dollars (\$40,000.00)** for the income tax year immediately preceding the date of making application for exemption. Where the title is vested in either the husband or wife, their combined income must not exceed the sum of **forty thousand dollars (\$40,000.00)** ~~twenty nine thousand dollars (\$29,000-).~~
- (d) Title to the property must be vested in the owner or, if more than one (1), in all the owners for at least twenty-four (24) consecutive months prior to the date of making application for exemption.
- (e) The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners, and constitute the legal residence of the owners.

(f) The amount of the partial exemption shall be computed as follows:

Annual Income	Percentage of Assessed Valuation Exempt From Taxation
\$20,600 <u>\$40,000</u> or less	50
More than \$40,000 <u>\$20,600</u> but less than \$21,600 <u>\$41,000</u>	45
\$21,600 <u>\$41,000</u> or more but less than \$22,600 <u>\$42,000</u>	40
\$22,600 <u>\$42,000</u> or more but less than \$23,600 <u>\$43,000</u>	35
\$23,600 <u>\$43,000</u> or more but less than \$24,500 <u>\$43,900</u>	30
\$24,500 <u>\$43,900</u> or more but less than \$25,400 <u>\$44,800</u>	25
\$25,400 <u>\$44,800</u> or more but less than \$26,300 <u>\$45,700</u>	20
\$26,300 <u>\$45,700</u> or more but less than \$27,200 <u>\$46,600</u>	15
\$27,200 <u>\$46,600</u> or more but less than \$28,100 <u>\$47,500</u>	10
\$28,100 <u>\$47,500</u> or more but less than \$29,000 <u>\$48,400</u>	5

(g) Unreimbursed medical expenses shall be subtracted from the senior's income calculation.

SECTION 2. This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

SECONDED BY COUNCILMEMBER _____:

RESOLUTION
(R-24-48)
RESOLUTION APPROVING LICENSE AGREEMENT FOR THE ART EFFECT TO
PLACE A PIECE OF ART IN PULASKI PARK

INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBERS SHOOK,
PATTERSON THOMPSON, MENIST, DEICHLER, GRANT AND HENRY:

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby finds and determines that it is in the best interest of the City to enter into a License Agreement with The Art Effect upon the terms and conditions annexed hereto and made a part hereof; and

BE IT FURTHER RESOLVED, that the Mayor and City Administrator 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 the attached License Agreement.

SECONDED BY COUNCILMEMBER _____.

LICENSE AGREEMENT

THIS AGREEMENT made this day of June, 2024 by and between the **CITY OF POUGHKEEPSIE**, a municipal corporation of the State of New York, having its principal offices at the Municipal Building, 62 Civic Center Plaza, Poughkeepsie, New York 12601, hereinafter called the "**City**", and **THE ART EFFECT** having a principal place of business at _____.

W I T N E S S E T H :

WHEREAS, the City is the owner of a public park known as Pulaski Park, City of Poughkeepsie, New York; and

WHEREAS, The Art Effect desires to install a piece of art known as the Portal in Pulaski Park; and

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions hereafter set forth, the parties agree as follows:

The City hereby grants to The Art Effect and The Art Effect hereby accepts from the City a license to install as piece of art known as _____ within Pulaski Park, more specifically to be located as shown on Exhibit "A".

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions hereafter set forth, the parties agree as follows:

1. The above recitals are incorporated herein by reference as if set forth at length, and the Parties intend the above recitals to constitute material terms of this Agreement.

2. The City grants to The Art Effect, and The Art Effect hereby accepts from the City, a license to manage and operate for the period herein stated and subject to all the terms and conditions herein contained, a license for the privilege of installing, operating and maintaining the a piece of art known as the Portal, shown on Exhibit A (the "Art"), and installed within Pulaski Park at the location shown on Exhibit B (the "Property"). It is understood and agreed between the parties that this agreement is intended to be only a license to utilize the above-described premises and no part thereof shall be interpreted as being any form of lease agreement.

3. a. The term of this license shall commence upon the execution of this agreement and shall expire without further notice by either party to the other at midnight on June 30, 2027 unless sooner terminated as herein provided, or unless the City by five (5) days' notice in writing shall terminate the license, when and if, in its sole judgment, it deems that such termination is necessary by operation of law, or pursuant to the terms of this agreement, or the licensed premises is no longer being used for the Project.

b. As long as The Art Effect is not in default of any of its obligations under the License, the City shall grant to The Art Effect the option to renew (the "Renewal Option") the term of this License for one (1) additional period of two (2) years (the "Renewal Term"). The Art Effect

shall exercise such Renewal Option by delivering written notice of such election to the City at least three (3) months prior to the expiration of the initial Term. The renewal of this License shall be upon the same terms and conditions of this License, except (a) The Art Effect shall have no option to renew this License beyond the expiration of the Renewal Term; and (b) The Art Effect shall not have the right to assign its renewal rights to any sublessee of the Property or a portion thereof or to any assignee of this License, nor may any such sublessee or assignee exercise or enjoy the benefit of such renewal rights;

4. No fee shall be charged for this license, the parties recognize that The Art Effect is providing a public service by installing, operating and maintaining the Project as set forth in the License.

5. The Art Effect's installation of the Art is at The Art Effect's sole cost and expense, including, but not limited to, the costs to install any utility and electricity necessary. That actual installation work shall not commence until prior written notice to and approval by the City (which shall not be unreasonably withheld). It is further agreed that The Art Effect will, within ten (10) days, discharge any and all mechanics' liens filed against the premises hereinabove described which have been filed relative to The Art Effect's operations thereon.

6. The Art Effect's maintenance responsibilities shall include replacing any portions of the Art that are damaged for any reason including, but not limited to, nature, vandalism or negligence.

7. The City shall be responsible for ordinary maintenance of the Property including lawn and shrub maintenance, snow removal, litter removal and providing all utility and electric needs. The City shall maintain any installed utility, including, but not limited to electric. This shall not include the removal of any graffiti on any portion of the Art.

8. Title to the Art shall remain in The Art Effect.

9. The Art Effect shall not remove any property currently located on the premises, without prior written approval of the City.

10. The Art Effect shall obtain, at The Art Effect e's own cost and expense, all permits and licenses necessary, if any, for the legal operation of this license. The Art Effect agrees to be responsible for any building department fees, if any and will comply with all state and local building codes.

11. The Art Effect shall not sell, mortgage, rent, assign, or parcel out the license hereby granted, or any interest therein, or allow or permit any other person or party to use or occupy any part of the Property covered by this license for any purpose whatsoever without first obtaining the written consent of the City, nor shall the license be transferred by operation of law, without the prior written approval of the City who will not unduly withhold such a request.

12. The Art Effect agrees that should any building or structure upon the Property included in this license be damaged by fire, or any other cause whatsoever, so as to prevent the operation of this license to the satisfaction of the City, and on notice in writing by The Art Effect to the City that The Art Effect is unable or unwilling to make repairs necessary to restore the

premises to an operable condition, then the City, at its option, may, on notice in writing to The Art Effect, cancel and terminate this license, and all rights and privileges hereunder shall cease.

13. The Art Effect shall not use or permit the storage of any illuminating oils, turpentine, benzene, naphtha or similar substances or explosives of any kind or any substance or thing prohibited in the standard policies of fire insurance companies in the State of New York.

14. The Art Effect agrees that at all times free access will be given to representatives of the City or any other state or federal or municipal officials having jurisdiction for inspection purposes.

15. The Art Effect hereby expressly waives any and all claims for compensation for any and all loss or damage sustained by reason of any defects, deficiency or impairment of the electrical apparatus or wires furnished for the licensed premises, or by reason of any loss of any gas supply, water supply, heat or current which may occur from time to time from any cause, or for commotion or riot, or any act of God, and The Art Effect hereby expressly releases and discharges the City, its agents, officers, and employees from any and all demands, claims, actions and causes of action arising from any of the causes aforesaid, and agrees to hold them harmless therefor, including attorney's fees, if any, unless there was gross negligence by the City, its agents, officers, and/or employees.

16. The Art Effect assumes all risk in the operation of this license and agrees to comply with all federal, state and local laws and regulations and orders of the City affecting the licensed premises in regard to this project.

17. The Art Effect shall maintain such insurance in the amounts set forth herein. All policies shall be submitted to City for approval before any installation work is commenced. Each contract between The Art Effect and any contractor must require that each insurance policy shall name the City of Poughkeepsie as an "additional named insured" thereof, and shall be delivered to the City. Each policy and certificate shall have endorsed thereon: "No cancellation of or change in this policy shall become effective until after ten (10) days' notice by registered mail to the Corporation Counsel of the City of Poughkeepsie, Municipal Building, Poughkeepsie, New York." The required insurance must be in not less than the following amounts:

- a. Commercial General Liability with limits not less than \$1,000,000 per occurrence, \$2,000,000 general aggregate, \$1,000,000 and \$2,000,000 products-completed operations aggregate. Such insurance shall cover liability arising from premises, operations, independent contractors, product-completed operations for one year following project completion, personal and advertising injury and liability assumed under an insured contract. There shall be no endorsement or modification of the Commercial GL form arising from pollution, explosion, collapse, underground property damage or work performed by subcontractors.
- b. Business Automobile Liability with a limit of not less than \$1,000,000 each accident, including owned, non-owned, leased and hired vehicles.
- c. Statutory Workers Compensation and employers' liability coverage for all employees, including corporate officers and sole proprietors.

- d. Umbrella/Excess Liability with a limit of not less than \$5,000,000 per occurrence/aggregate

18. Upon failure of The Art Effect to furnish, deliver and maintain such insurance as above provided, this license may, at the election of the City, be forthwith declared suspended, discontinued, or terminated. Failure of The Art Effect to take out and/or maintain or the taking out and/or maintenance of any required insurance shall not relieve The Art Effect from any liability under the license, nor shall the insurance requirements be construed to conflict with the obligations of The Art Effect concerning indemnification as set forth below.

19. The Art Effect expressly agrees to hold the City, its agents, officers, and employees harmless from any and all claims for loss, damage or injury to person or property, whatever kind or nature arising from the installation of the Art, or from the negligence or carelessness of employees, agents or contractors of The Art Effect, and The Art Effect expressly agrees to indemnify the City, its agents, officers, and employees of any recoveries against them, individually and/or jointly, arising from same.

20. The Property shall at all times be insured under the City's insurance policies in the same manner as the City insures other City-owned property.

21. Should the City, in its sole judgment, decide that The Art Effect is not operating the license herein granted in a satisfactory manner, then City may terminate this license by notice in writing, effective fifteen (15) days from mailing, as though it were the time provided in this license for termination, all rights of The Art Effect therein shall be forfeited without any claims for damages, compensation, refund of The Art Effect investment, if any, or any other payment whatsoever. The fifteen day notice to terminate this agreement shall include a statement of the conditions which have caused the notice to be issued and The Art Effect shall have fifteen (15) days from the mailing of the notice to cure the condition and require the termination to be withdrawn. The fifteen day cure period shall be strictly enforced regardless of the nature of the condition to be cured, unless otherwise mutually agreed upon in writing by both parties.

22. The Art Effect at the expiration or sooner termination of this license as provided herein, shall quit and surrender the licensed premises and shall remove the Art promptly.

23. Neither this license nor any interest created hereby may be assigned or transferred by operation of law or otherwise without the express written consent of the City, it being the intention of the City to grant this license personally to The Art Effect.

24. This license cannot be changed orally.

25. NOTICES:

Any notices required by and/or pursuant to this License Agreement shall be sent by first class mail to the following:

LICENSEE: The Art Effect

With copy to:

LICENSOR: City of Poughkeepsie
Attn: City Administrator
62 Civic Center Plaza
Poughkeepsie NY 12601

With copy to: City of Poughkeepsie
Attn: Corporation Counsel
62 Civic Center Plaza
Poughkeepsie NY 12601

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

THE ART EFFECT

BY: _____

CITY OF POUGHKEEPSIE

BY: _____
YVONNE D. FLOWERS, MAYOR



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

Poughkeepsie Public Arts Commission

Art Installation on Public Property Proposal



Proposal Content

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



1. Background:

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

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

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

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

As part of their work, the PK B.A.Y. sought proposals for a public art installation that expands the YAEZ and enacts their mission. The youth selected artist Lala Montoya's "Portal," a large-scale archway conceived as a portal. This Portal uses youth art to repurpose two unused stone columns on the east side of Pulaski Park. It embodies the dreams and aspirations of the community and features portraits of local residents who play important roles in the youths' lives.



2. RFP Criteria:

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

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

1. Youth Generated Project Parameters:

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

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



3. Selected Artist: Lala Montaya:

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

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

4. Commissioned Artwork:

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

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

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



5. Installation and Maintenance:

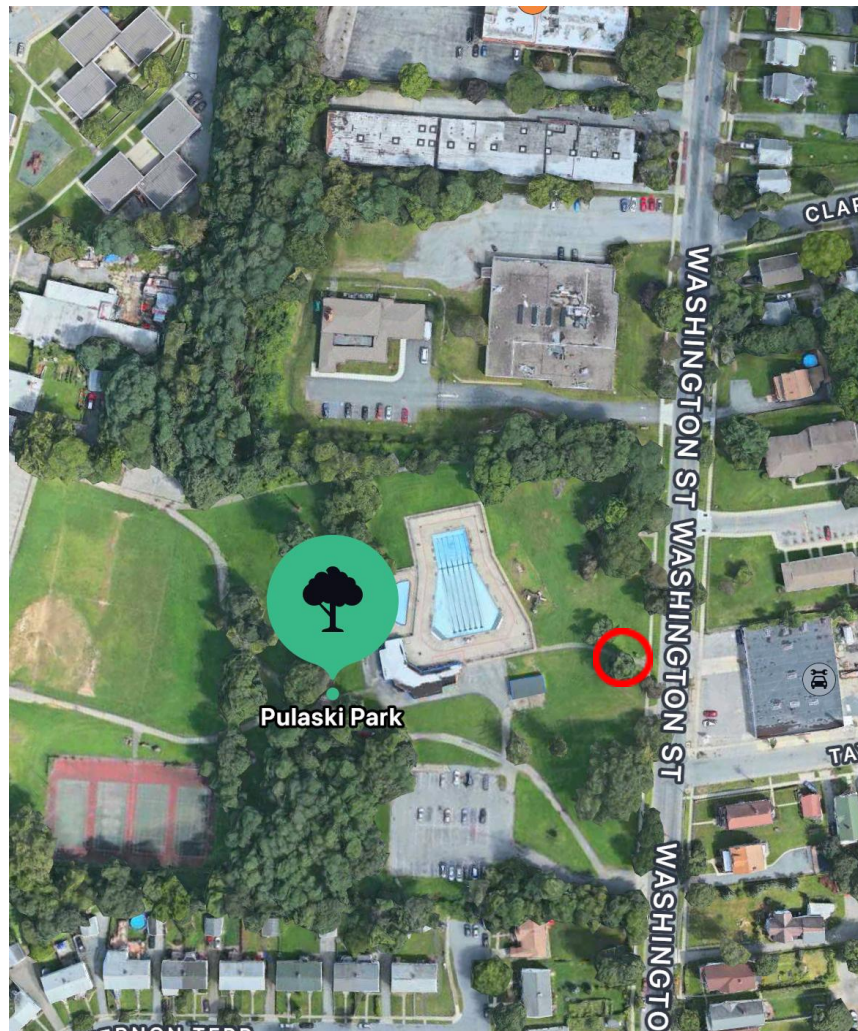
With generous support from the Wallace Foundation, the Poughkeepsie Children's Cabinet has secured the necessary funding for the commission, fabrication, and installation of the public artwork. The artist will retain all rights as the author of the artwork. Upon completion and delivery at the site, ownership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

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

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

The Art Effect will be responsible for the maintenance of artwork and will reassess annually the soundness and condition of the artwork. The east side of Pulaski Park, on the two unused stone columns (see images below), will become a new and vital site of community activation expanding the reach of the YAEZ. The Art Effect will program the site as a part of the ongoing development of the YAEZ and in coordination with exhibitions and events hosted at the Trolley Barn Gallery, including community clean

up days, free hands-on art making activities, walking tours, festival gatherings and other opportunities to for youth to steward the site and build community involvement and support for the YAEZ. We will also plant flowers around the base of each column. The Art Effect will consult the artist before making updates or adjustments to the artwork. Should the work degrade naturally or be severely damaged, The Art Effect will deinstall and remove the artwork from the site before the completion of the five year term. At that time, The Art Effect would request that the City remediate the lawn on which the artwork was previously installed.







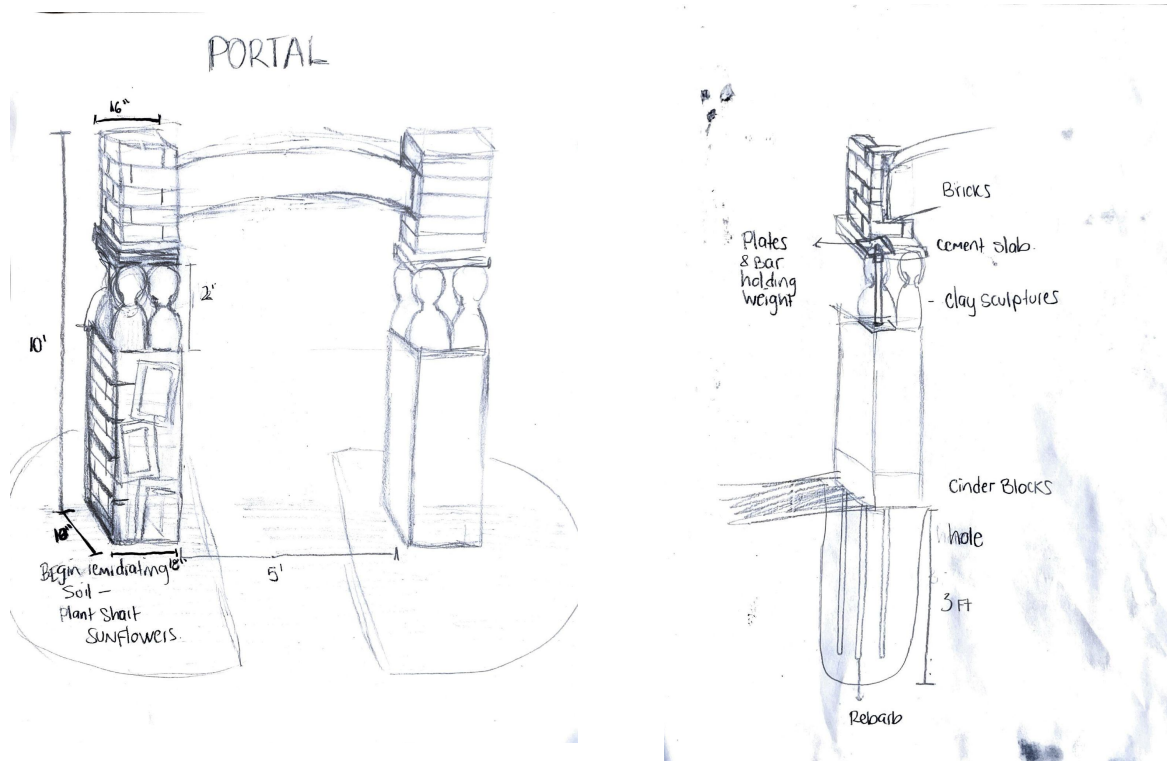
6. Marketing and Promotion:

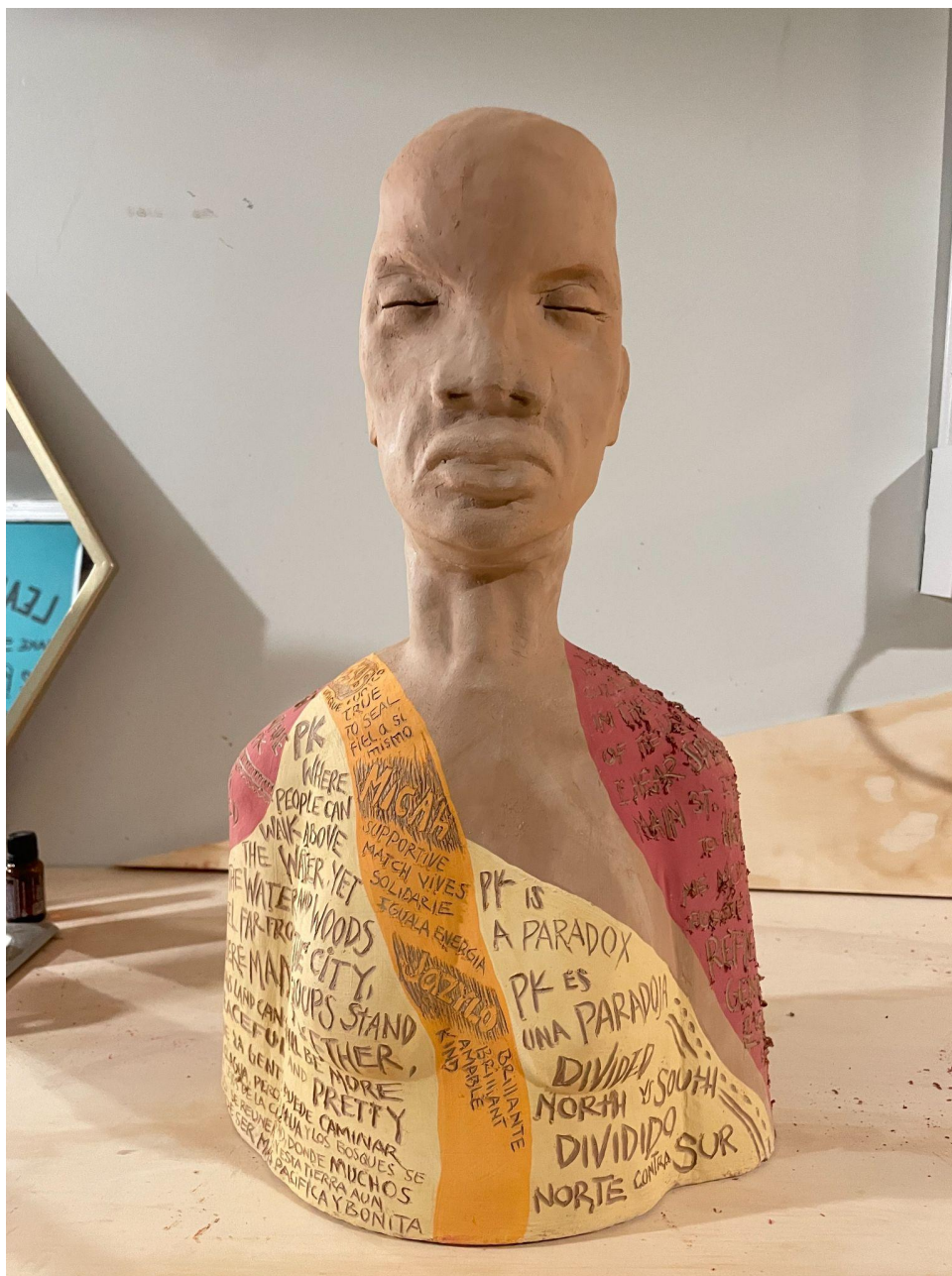
The Art Effect will coordinate and facilitate all program partners' involvement in publicizing the public artwork and unveiling, including generating and printing postcards for distribution by youth and partners, digital assets, a social media toolkit, and invitation template. The Art Effect will also conduct direct outreach for the unveiling, compiling an invite list with relevant stakeholders, press representatives and constituents to receive email communications, feature the artwork and unveiling in The Art Effect's e-newsletter, and post across The Art Effect's social media channels.

7. Timeline:

Following approval by the Mayor, City Council, City of Poughkeepsie Public Arts Commission, The Art Effect will immediately begin preparing the site for the build and installation of the artwork. There will be a community build day with involvement from all five youth partner organizations. Build sessions with the PK B.A.Y. will then continue on Tuesday and Thursday afternoons for the next 3-4 weeks leading up to the formal unveiling ceremony and reception, date is TBD.

8. Renderings and Samples of the Artwork:









RESOLUTION

(R-24-49)

**INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBERS SHOOK,
PATTERSON THOMPSON AND BROWN:**

WHEREAS, in accordance with City Charter §6.08 and Administrative Code §15.05, the
Common Council of the City of Poughkeepsie is authorized to make appointments of City
residents to serve on the City of Poughkeepsie Board of Ethics; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints the
following individuals to the Board of Ethics for a two (2) year term ending on June 30, 2026:

Richard Dorritie

SECONDED BY _____.

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

(O-24-04)

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**

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

(O-24-05)

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**

**RESOLUTION
(R-24-47)**

RESOLUTION INTRODUCING LOCAL LAW REPEALING LOCAL LAW 21-04 (TO PROHIBIT EVICTIONS WITHOUT GOOD CAUSE) AND ADDING A NEW DIVISION 9 “PROHIBITION OF EVICTION WITHOUT GOOD CAUSE” TO CHAPTER 12 “HOUSING”

INTRODUCED BY COUNCILMEMBERS MENIST, PATTERSON THOMPSON, GRANT, DEICHLER, HENRY, JAMES AND BROWN

BE IT RESOLVED that an introductory Local Law entitled, “LOCAL LAW REPEALING LOCAL LAW 21-04 (TO PROHIBIT EVICTIONS WITHOUT GOOD CAUSE) AND ADDING A NEW DIVISION 9 “PROHIBITION OF EVICTION WITHOUT GOOD CAUSE” TO CHAPTER 12 “HOUSING” be and 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 to receive comment from the public on **Tuesday, _____ at _____** pm in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York;

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 _____ .

A LOCAL LAW REPEALING LOCAL LAW 21-04 (TO PROHIBIT EVICTIONS WITHOUT GOOD CAUSE) AND ADDING A NEW DIVISION 9 “PROHIBITION OF EVICTION WITHOUT GOOD CAUSE” TO CHAPTER 12 “HOUSING”

(LL-24-XX)

INTRODUCED BY _____:

SECTION 1. Local Law 21-04 (To Prohibit Evictions Without Good Cause) which added sections 12-175 and 12-176 to the City Code is hereby repealed. Said law has been unenforceable since the City Court of the City of Poughkeepsie declared it unconstitutional in the decisions of *LAKR KAAL ROCK, LLC v. Joan Killmer* (LT 949-22) and *LAKR KAAL ROCK, LLC v. Danielle Paul* (LT 950-22); and

SECTION 2: BE IT ENACTED, by the Common Council of the City of Poughkeepsie, a local law adding a New Division 9 “Prohibition of Eviction without Good Cause” to Chapter 12 “Housing.”

DIVISION 9 PROHIBITION OF EVICTION WITHOUT GOOD CAUSE

12-175: Protections Established.

- A. There is hereby established, pursuant to and in accordance with the provisions of, section 213 of Article 6-A of the Real Property Law of the State of New York, a Prohibition on Eviction without Good Cause.
- B. Pursuant to Section 213-2(b) of Article 6-A of the Real Property Law of the State of New York, the City of Poughkeepsie defines “small landlord,” for purposes of this Division 9, to mean a landlord of no more than _____ unit anywhere in the State of New York.

SECTION 3. This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

SECONDED BY COUNCILMEMBER _____:

NOTICE OF CLAIM
X-----X
JENNIFER LORD

-against-

POUGHKEEPSIE CITY HOUSING AUTHORITY, CITY OF POUGHKEEPSIE and TOWN
OF POUGHKEEPSIE

X-----X

2024 JUN -7 AM 11:59
CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

To:

POUGHKEEPSIE CITY HOUSING AUTHORITY, 4 Howard Street, Poughkeepsie, NY 12601
CITY OF POUGHKEEPSIE, City Chamberlain – 1st Floor, 62 Civic Center Plaza, Poughkeepsie,
NY 112601

TOWN OF POUGHKEEPSIE, Felicia Salvatore, Town Clerk, 1 Overocker Road, Town of
Poughkeepsie, Poughkeepsie, NY 12603

PLEASE TAKE NOTICE that the undersigned claimant hereby makes claim and demands
against you as follows:

1. Name and post office address of each claimant and claimant's attorney is:

Claimant:

JENNIFER LORD
159 Washington Street, Building 6, Apartment 3A
Poughkeepsie, NY 12601

Attorney for Claimant:

Hach & Rose, LLP
112 Madison Avenue, 10th Floor
New York, NY 10016

2. Nature of this Claim:

Jennifer Lord: To recover money damages from personal injuries, pain and suffering,
medical expenses, disability and related damages incurred by and on
behalf of claimant, Jennifer Lord, due to an accident resulting from
negligence, carelessness, recklessness, and culpable conduct of
Poughkeepsie City Housing Authority, City of Poughkeepsie and Town
of Poughkeepsie, their servants, agents and/or employees.

3. The time when, the place where and the manner in which the claim arose:

The accident occurred on or about the March 11, 2024, at approximately 1:45 P.M. The accident
occurred on the East sidewalk adjacent to the premises located at 159 Washington Street,
Poughkeepsie, NY 12601. While claimant was walking upon the aforementioned sidewalk, she
was caused to trip and fall on a misleveled, raised, and/or otherwise defective portion of the
sidewalk. (See annexed photographs). Said occurrence was due to the carelessness, recklessness
and negligence of the Poughkeepsie City Housing Authority, City of Poughkeepsie and Town of

Poughkeepsie by their agents, servants, employees, agencies and/or departments in the ownership, operation, maintenance, control, supervision, inspection and repair of the aforesaid location.

Poughkeepsie City Housing Authority, City of Poughkeepsie and Town of Poughkeepsie had prior written notice of the dangerous, hazardous and defective condition within the above-mentioned premises.

Poughkeepsie City Housing Authority, City of Poughkeepsie and Town of Poughkeepsie had actual notice of the dangerous, hazardous and defective condition within the above-mentioned premises.

Poughkeepsie City Housing Authority, City of Poughkeepsie and Town of Poughkeepsie had constructive notice of the dangerous, hazardous and defective condition within the above-mentioned premises.

Poughkeepsie City Housing Authority, City of Poughkeepsie and Town of Poughkeepsie caused and created the dangerous, hazardous and defective condition within the above-mentioned premises.

4. The items of damage or injuries claimed are:

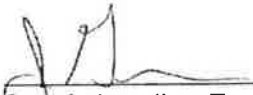
JENNIFER LORD - injuries to her right ankle and other injuries the full extent of which are presently unknown, permanent physical pain and mental anguish, loss of quality of life, future pain and suffering, future medical bills, future diminution of income and compensatory damages.

TOTAL AMOUNT CLAIMED: Five Million Dollars (\$5,000,000)

The undersigned claimant therefore presents this claim for adjustment and payment. You are hereby notified that unless said claim is adjusted and paid within the time provide by law from the date of presentation to you, the claimant intends to commence an action on this claim.

As you are now formally put on notice of this claim, please search for and preserve all evidence pertaining to the above referenced accident/incident at the above referenced location, including but not limited to any and all videos, accident/incident reports, witness statements, and/or any documentation regarding the investigation of said accident.

Dated: New York, New York
June 6, 2024



Joseph Guardino, Esq.
Hach & Rose, LLP
Attorneys for Claimant
112 Madison Avenue, 10th Floor
New York, NY 10016
212.779.0057

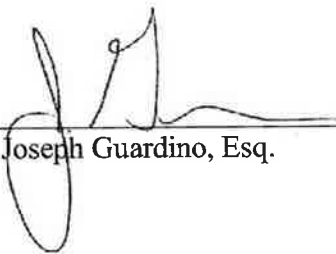
AMENDED ATTORNEY'S VERIFICATION

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Joseph Guardino, being duly sworn, deposes and says that he is a member of Hach & Rose, LLP, the attorneys for claimant, JENNIFER LORD, with an office at 112 Madison Avenue, 10th Floor, New York, New York 10016. I affirm that I have read the foregoing Notice of Claim and know the contents thereof, and that the same is true to my own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters, I believe them to be true. The source of my information and the grounds for my belief as to all matters in the foregoing Notice of Claim are based on records, reports, correspondence, communications and investigations in connection with this matter.

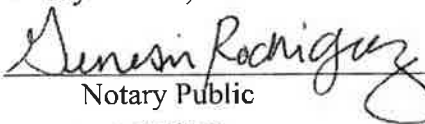
That the reason why this verification is made by me, and not by the claimant, is because the claimant does not reside within the County of New York, the county in which Hach & Rose is located.

Dated: New York, New York



Joseph Guardino, Esq.

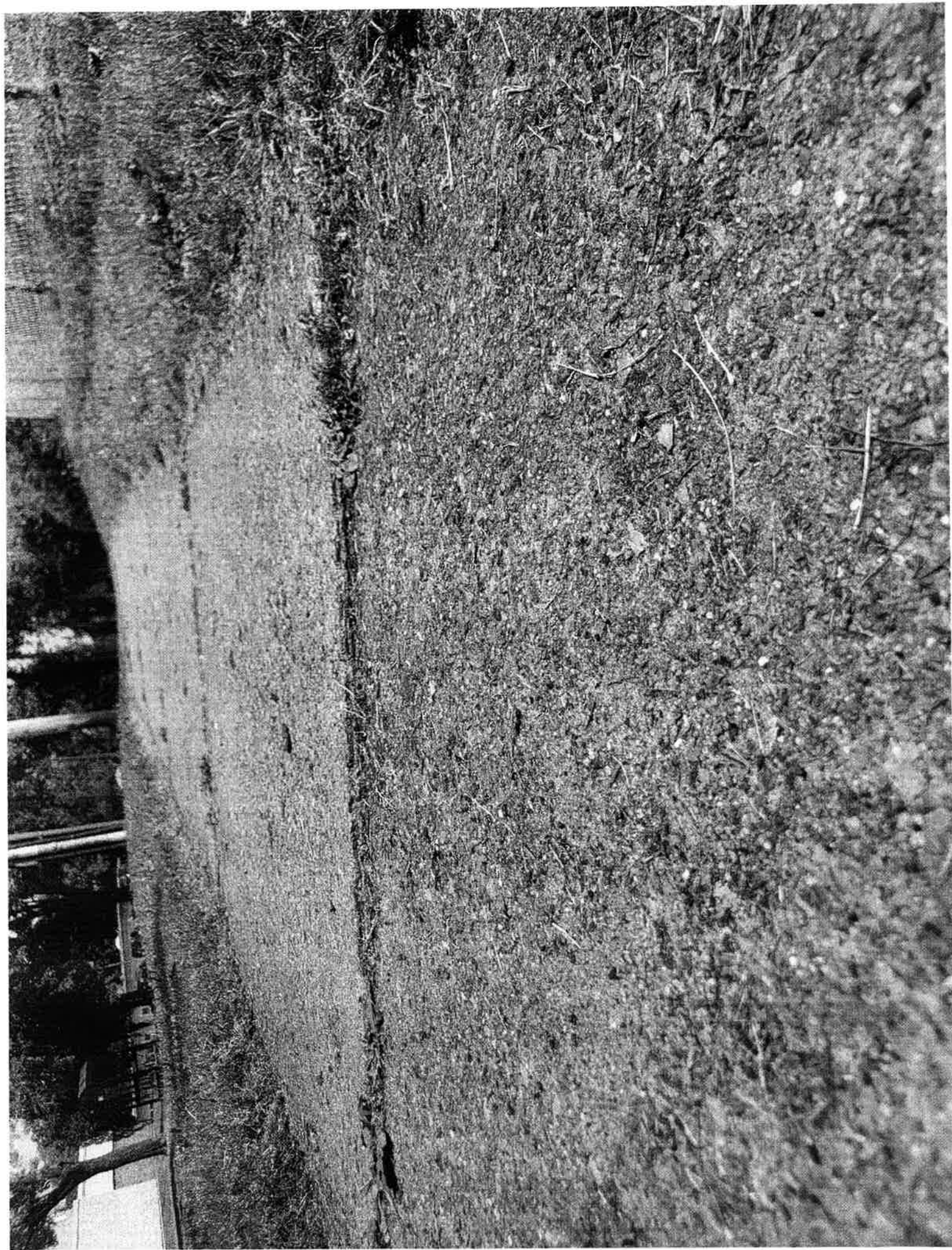
Sworn to before me this
6th day of June, 2024

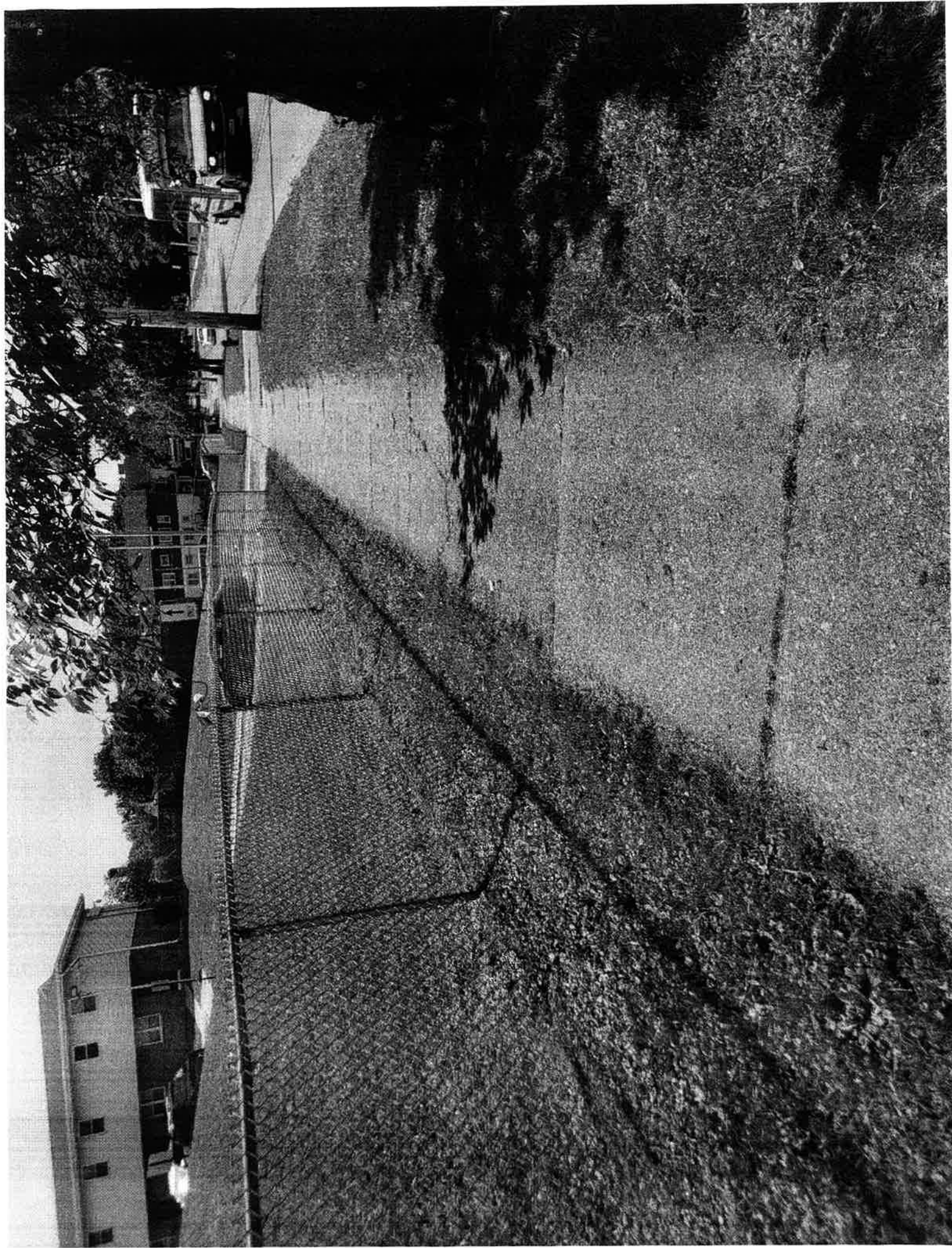


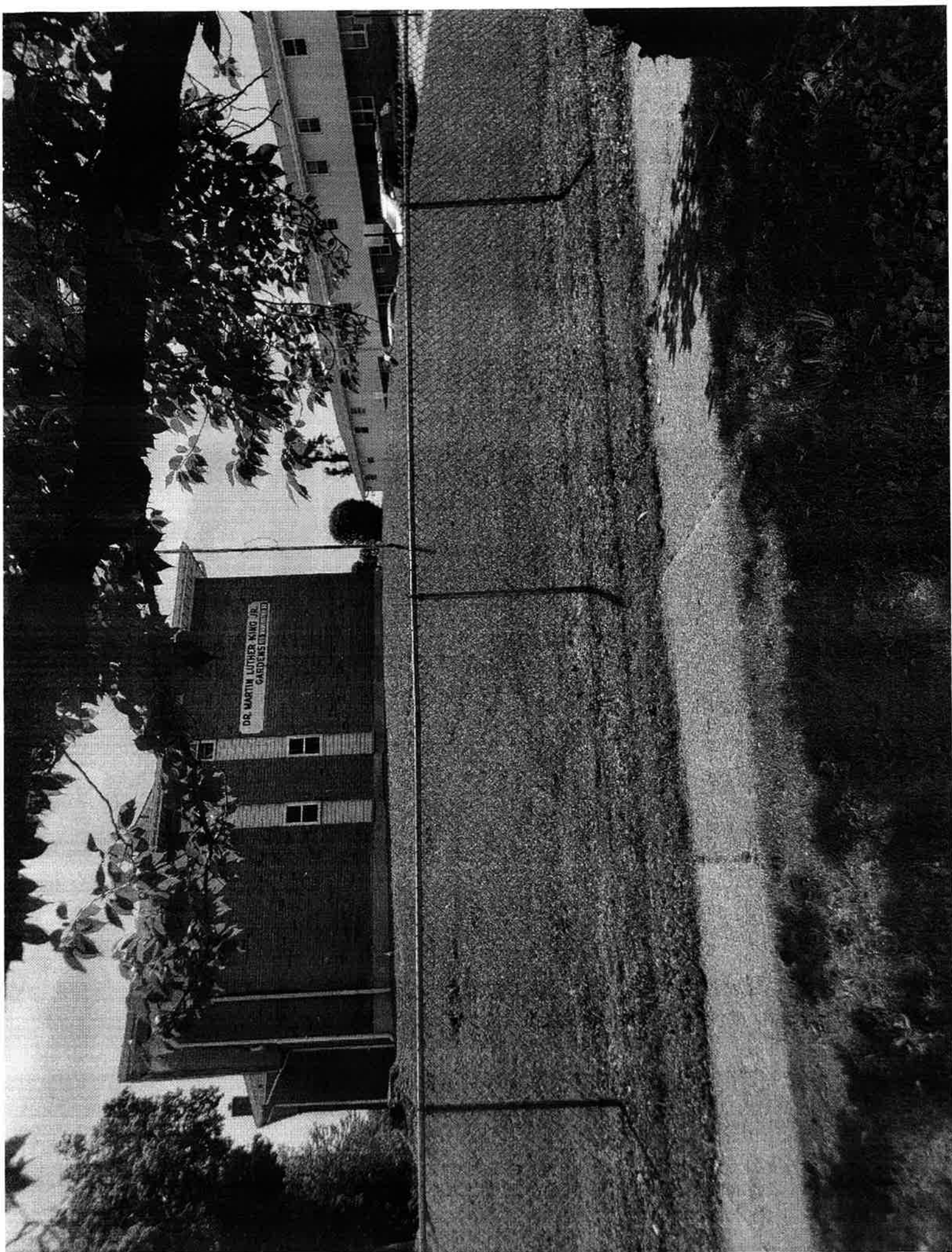
Notary Public

Genesis Rodriguez
Notary Public, State of New York
Reg. No. 01RO6423854
Qualified in Bronx County
Commission Expires 10/18/2025











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 Terriciana 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

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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.

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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

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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:

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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

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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**