



THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING MINUTES

Tuesday, June 18, 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 18, 2024, and the time is 6:33pm

I. ROLL CALL: ALL PRESENT

II. REVIEW OF MINUTES:

Common Council Meeting Minutes of June 4, 2024

A motion to accept the minutes was made by Councilmember Brown and seconded by Vice Chair Shook.

CCM Minutes of June 4, 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.

At approximately 6:37 pm, a motion to suspend the rules to allow for City and State proclamations to be presented to the Kazolias family was made by Councilmember Brown and seconded by Vice Chair Shook.

At approximately, 6:57 pm, a motion to resume the rules was made by Councilmember Brown and seconded by Councilmember Grant.

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

A motion to defer the Notice of Claim to Corporation Counsel was made by Vice Chair Shook and seconded by Councilmember Grant

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**
- **Colleen Barberan – Flannery Ave**
- **Ken Levinson – Garfield Place**
- **Carmella Conklyn – Flannery Ave**
- **Karen Turner – Rose St**
- **Kane Bowers – Union St**
- **June Nemon – Union St**
- **Darrett Roberts – Hooker Ave/CVH-DSA**
- **Linda Bartee – Garden St / CVH**
- **Suprina Troche – Delafield St**
- **Doug Nobiletti – Academy St**
- **Laurie Sandow – S. Grand Ave ***
- **Candace Lewis – Loockerman Ave**
- **Lou Lewis – Loockerman Ave**
- **Nicole Hewitt – Art Effect**
- **Ken Stickle – Catharine St**
- **Nico Verol – Lown Court**
- **Bill & Karen DeTorres****

***Submitted Written Comments**

****Submitted Written Comments ONLY**

Laurie Sadow public comments,

City of Poughkeepsie Common Council meeting of June 18, 2024

First, my respects to Gus Kazolias, and sympathy to his extended family on their loss. Though Gus and I held views that only occasionally aligned, we always shared a friendly greeting and a mutual respect for each other's commitment to advocating for our community and holding elected officials accountable. How unfortunate that this City suffers from a Council that actively shuns the public and discourages involvement, tipping their hat with presentations and "fond memories" only after a person is gone.

In fact, at its last meeting, the Council gave the public a disturbing window into its own dysfunction, divisions, and lack of information-sharing and communication between members. At the beginning of the year, I questioned Yvonne Flowers about her Exempt Firemen's membership, and the number of Exempts on her slate. Flowers took offense at that question. Let me explain how the Councilmembers who share that private club membership are already hurting this city.

At the last meeting, we had Council-and-Exempts members who declared their deference to the Mayor on certain votes. Not a single Councilmember was elected to defer to the Mayor. On the contrary, the City's Charter—whose redrafting meetings were not attended by a single current councilmember—reads (and I quote): "The revised charter specifies and emphasizes that the common council, as representatives of the people of the City, has explicit oversight powers and supervisory authority over the performance of the executive branch in the administration of the operations of the City." I am not a betting person, but I am willing to place a wager for any councilmember to produce a dictionary where "deference" is included among the definitions for "oversight power" and "supervisory authority".

Recently, two different boards—the Dutchess County-Poughkeepsie Land Bank, and the Poughkeepsie Housing Authority—each held rush meetings with rush resolutions at the request of City Finance Director Brian Martinez (see attached agendas and documents).

Five of seven Housing Authority Board members are appointed by the Mayor; five of nine Land Bank members are appointed by Poughkeepsie's Mayor or Common Council. Yet their public meetings are never announced in the City's Buzz. The Housing Authority's rushed meeting was not held on its normal schedule and the content (and lack of content) of its agenda violated Open Meetings Law. What was the purpose of those recent rushed meetings? Excerpting from a document posted by the Dutchess County-Poughkeepsie Land Bank: "the city's application for a Choice Neighborhoods Grant through Housing and Urban Development emphasizing redevelopment of the MLK and Thurgood Marshall housing developments to encompass mixed income housing" as well as "In short, the City has been studying ways to redefine affordable housing to encompass mixed income housing." [The complete Land Bank document is attached.] Why would those meetings be something done in a rush, with their purpose and content not widely publicized, but instead kept mostly secret?

At the last Council meeting, Da'Ron Wilson made clear that he somehow knew or learned about the meetings (whether before or afterwards), giving a "shout out to council members Ernest Henry and Teresita [as misspelled in the meeting transcript] 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." Has the substance of those meetings and grant application ever been announced or discussed at any Council meeting? No, not by Ernest Henry, nor Terriciana Brown, nor Mayor Flowers. In a city experiencing a housing crisis, especially an affordable housing crisis, not one of them saw fit to bring this to the floor. When questioned, Dr. Brian Martinez wrote in reply, "as with all grants, the Council is asked to accept funds when the award is made." So much for oversight power and supervisory authority (not to mention, shades of Sue Serino's position regarding the County's 26 Oakley St. shelter grant).

Ernest Henry did not reply to either of two different email inquiries I sent, asking about his meeting(s). At the June 4 Common Council meeting, Terriciana Brown claimed she "give[s] committee reports after [she] attends [Poughkeepsie Housing Authority meetings]." I submitted a FOIL for her alleged reports, and have yet to receive any.

Agenda posted by the Poughkeepsie Housing Authority for its May 31, 2024 Special Meeting:
<http://poughkeepsiehousingauthority.org/wp-content/uploads/2024/05/May-31-2024-Special-Meeting-Agenda.pdf>

Documents posted by the Dutchess County-Poughkeepsie Land Bank for its June 5, 2024 Special Board Meeting

—Agenda: https://dcpoklandbank.org/wp-content/uploads/2024/06/Agenda_2024-6-5.pdf

—Agenda Item #7: <https://dcpoklandbank.org/wp-content/uploads/2024/06/Land-Bank-City-of-POK-Choice-Neighborhood-Grant-Case-for-Support.docx.pdf>

Ask: With the absence of a quorum at the last meeting we would like to schedule a special meeting of the Board of Directors to discuss the Land Bank's participation in the City of Poughkeepsie Housing Task Force and to commit up to \$100K of LB resources over the next two years to support a planning effort sponsored by HUD. Regrettably, the City needs our help by next Wed evening. Would either Mon 6pm or Wed evening work? Please let me know.

Background: At last week's Board Meeting, Brian Martinez announced that the City of Poughkeepsie is applying for a [Choice Neighborhoods Grant](#) through Housing and Urban Development.

https://www.hud.gov/program_offices/cfo/gmomgmt/grantsinfo/fundingopps/FY24_Choice_Neighborhoods_Planning_Grant

When awarded, the planning grant emphasizes redevelopment of the MLK and Thurgood Marshall housing developments. The grant award requires a commitment to provide project deliverables to HUD within 30 months of the award, (awards expected in Sep 2024). Planning has three components: people, neighborhood, and housing. As LB ED, I have been asked to join the Mayor's Housing Task Force and to be part of the overarching effort associated with redevelopment and planning.

In short, the City has been studying ways to redefine affordable housing to encompass mixed income housing. The grant requires one-for-one replacement of existing low-income units but could represent a powerful response to the housing shortages felt acutely by moderate income families throughout our country. Notably, the neighborhood and people components of the planning model are defined by education, wrap around services if needed, cradle-to-career incentives and much more. Last week, we discussed the possibility of the Land Bank participating in the collaborative efforts the grant requires.

The \$ ask: we also discussed that the City needs financial commitments from partner organizations to help fund the process via grant matches. Grant matches need to be documented in the application. Matches make the City more competitive for the base grant award of \$500K. Guided by a consultant with an award winning resume in affordable housing and "place-making", and vast experience with the Choice Neighborhoods grant, the City's goal is to match the \$500K grant dollar-for-dollar. Toward this end, the City Council passed a resolution last week to match \$250K of the \$500K award. One or more other donors have made much smaller 5-figure promises. I confirmed with the NY's Home and Community Renewal Office that we can request funds in our Land Bank Initiative Phase II application (which is now open). The members who attended last meeting were unanimously supportive but without a quorum we couldn't entertain a vote.

My thoughts about the financial contribution would be to commit \$50,000 of the Land Bank's current cash (\$25,000 in 2024 and \$25,000 in 2025) and then request \$50,000 in our Land Bank Initiative Phase II Application. I feel participating in and financially supporting this planning process will demonstrate the Land Bank's commitment to the City of Poughkeepsie and its

residents and well-planned, community-driven development. Moreover, it provides an opportunity to enter more meaningful collaboration with other like-minded organizations. Today I received an email from City of Poughkeepsie Mayor Yvonne Flowers requesting a partnership letter and an invitation to participate in the proposed Housing Task Force. There is a very tight turnaround time for this. (Due June 5th)

If you'd like to discuss the City's application or have questions regarding the City's plans please reach out to Brian Martinez: BMartinez@cityofpoughkeepsie.com biz cell: (845) 654-0805...this weekend pers cell: (757) 575-0491.

Please reach out to me if you'd like to discuss why I feel the Land Bank should participate. executivedirector@dcpoklandbank.org (845) 293-3547

More information about the City's Application (taken from Mayor Flowers' email):

Choice Neighborhoods Planning Grant

The City is working with the Poughkeepsie Housing Authority (PHA) to apply for a Choice Neighborhoods Planning Grant from the U.S. Department of Housing and Urban Development (HUD).

The Choice Neighborhoods Planning Grant supports communities with creating transformation plans to redevelop severely distressed public housing and revitalize the surrounding neighborhood by addressing three key areas: Housing, People (with a focus on education, employment, and health), and Neighborhood.

The Planning Grant, if awarded, will fund the development of a plan for the revitalization of two PHA sites — Thurgood Marshall Terrace and Martin Luther King Jr. Garden Apartments — and the surrounding Northside neighborhood. Applications are due to HUD no later than June 10, 2024. Award announcements are expected no later than September 16, 2024.

Task Forces

As part of the City's grant application, we are proposing three task forces that correspond to the program's key areas: Housing, People, and Neighborhood. These task forces will be critical to the success of our grant application, planning process and the development of our transformation plan.

Request

We would be honored if you would serve as a member of the Housing Task Force. We consider your partnership vital to the success of this endeavor. Can we count on your partnership?

What Is Expected of Partners?

The City will have thirty (30) months from the award of a Choice Planning Grant to complete the transformation plan for Thurgood Marshall Terrace, Martin Luther King Jr. Garden Apartments, and the surrounding Northside neighborhood. We anticipate the process will start in September 2024 and be completed no later than March 2027. We anticipate task forces will meet monthly. In addition to three co-chairs (including at least one resident), each task force will be staffed by a team of City staff and dedicated consultants.

Partnership Letter [Deadline: June 5]

The grant application requires Partnership Letters from each partner. Our application will be scored on the breadth, depth and quality of our partnerships. This score represents almost 10% of our total score.

In order to ensure we meet the grant application deadline, we are requesting all Partnership Letters by end-of-day Wednesday, June 5.

To support this tight turnaround, we have asked our grantwriting team to draft a Partnership Letter template and include draft text where relevant. This will be E-mailed to you no later than end-of-day Thursday, May 30.

More info on the Choice Neighborhood Planning Grant

FAQ: Choice Neighborhoods Program

WHAT IS THE CHOICE NEIGHBORHOODS GRANT?

Choice Neighborhoods is a program at HUD that helps communities develop and/or implement plans to redevelop severely distressed public housing and/or HUD-assisted housing and revitalize the surrounding neighborhood by addressing three key areas:

- Housing: Replacing severely distressed public and/or HUD-assisted housing with high-quality, mixed-income housing that is well-managed and responsive to the needs of the surrounding neighborhood.
- People: Supporting the residents of the targeted housing to address challenges they may have with respect to health, employment and income, and their children's education.
- Neighborhood: Create the conditions necessary for public and private reinvestment in the surrounding neighborhood to offer the amenities and assets that make a community a great place to live (from business activity to public safety and good schools).

The City of Poughkeepsie, in consultation with the Poughkeepsie Housing Authority (PHA), is applying for a Planning Grant to help us develop such a plan – called a Transformation Plan – for Thurgood Marshall Terrace, Martin Luther King Jr. Garden Apartments, and the surrounding Northside neighborhood in partnership with residents, local leaders, Poughkeepsie City School District, business owners, and other community stakeholders.

WHAT DOES THE PLANNING PROCESS LOOK LIKE?

The City, in consultation with PHA, will work with Thurgood Marshall Terrace and Martin Luther King Jr. Garden Apartments residents, Northside neighborhood residents, local organizations, service providers, City departments, Poughkeepsie City School District, Dutchess County Government and more to develop the plan. We anticipate creating working groups to address priority issues like housing, economic development, employment, education, health and wellness, and more. The City, with the support of PHA, will host several community meetings to obtain broader community involvement and input as the plan develops. There will also be focus groups and multiple other opportunities for residents to get involved.

The first part of the planning process will be spent understanding the community and the needs and priorities of its residents. This will include a detailed resident survey of Thurgood Marshall Terrace and Martin Luther King Jr. Garden Apartments households; a walking audit of the community; one-on-one interviews; and more. The second part will be spent working with residents to establish a vision for the community; what the community's goals are for Housing, People, and Neighborhood; and what are the strategies to achieve those goals. Finally, the last part of the planning process will be developing the Transformation Plan itself, including how we will implement the plan that has been created.

HOW LONG WILL THE PLANNING TAKE?

The City will have thirty (30) months from the award of a Choice Planning Grant to complete the Transformation Plan for Thurgood Marshall Terrace, Martin Luther King Jr. Garden Apartments, and the surrounding Northside neighborhood. We anticipate the process will start in September 2024 and be completed no later than March 2027.

Full NOFO:

https://www.hud.gov/sites/dfiles/CFO/documents/FY24_Choice_Neighborhoods_Planning_Grants_NOFO.pdf

Creekside View Apartments, LLC
43 Verazzano Blvd.
Poughkeepsie, NY 12601

June 18, 2024

Dear City Council Members,

We are writing to express our concerns regarding the proposed implementation of rent stabilization in our city. As landlords in the community, we believe that enacting rent control measures could have a significant negative impact on our ability to maintain our property. We are small landlords, we own 9 units in the city. We have worked hard to provide quality housing for our tenants and have gone many years without raising rents at all. When we do raise rents it's usually in the range of \$25-\$50/month, which has been less than the inflation rate. It has become increasingly difficult to make a profit with recent increases in taxes, utilities, insurance, etc. Often overlooked is the tenant that doesn't pay, resulting in months without income as it takes a long time to get them evicted. Also, the tenant that moves out in the middle of the night or moves out with extensive damage to their unit. These are expenses that are never able to be recouped. Even if a judgement is received from the court, we've never actually been able to collect funds from these judgements. We recently had a tenant that didn't pay rent for almost 3 years. Every time we would serve him with the required 14-day move out notice, which costs us approximately \$300 to serve, he would pay the amount in full, leaving us without the ability to evict. Although we had no vacancies during the past year when the survey came out, over the past 5 years we've averaged 7.4 months of missed rent per year. The vacancy studies do not take this into account.

While the intention behind rent control is to make housing more affordable, it often leads to reduced investment in the housing market, deterioration of property maintenance, and a decrease in the overall availability of housing units. While we agree that landlords shouldn't be able to drastically increase rent on an existing tenant, I believe there is a way to accomplish this without imposing rent control across the board.

Instead of imposing rent control, we urge the city council to consider alternative measures that promote affordable housing while maintaining a healthy housing market. Encouraging the development of new housing, providing incentives for landlords to offer affordable rents, and supporting programs that assist low-income individuals with housing costs are

potential avenues to explore. We also ask the city to implement measures to make tenants more responsible for paying rent on time. Tenants know that they're able to not pay for several months then move out without any ramifications.

We kindly request that the city council thoroughly examine the potential ramifications of rent control before making any final decisions on this matter.

Thank you for considering our perspective on this important issue.

Sincerely,
Bill & Karen DeTorres

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

Thank you everyone that came out for expressing your opinions on the different, various issues that are concerning our city once again, and we always appreciate all the public comments and public support.

Now we will move on to the mayor's comments.

VII. MAYOR'S COMMENTS:

Well, I know a lot was brought out tonight.

So, one as far as the grills and Malcolm X Park, we are going to bring them back. We took them out a few - couple months ago because of all the fires that were being started in there. So, we did talk about them coming back, especially after the other event that I was there. They had to bring a grill back there. So it is on its way of that happening.

Also too, and it came up in regards to Main Street.

We are.. we did have a meeting today because we were bringing into the task force. I will let Councilmember Grant talk a little bit about it, because he's been meeting with individuals on Main Street for a number of.. a couple of months. And they were talking about how they're making improvements there. But what happened is, is that I have been up, on Main Street, which is probably why Miss Turner has made a comment, because she'd see me there because she has been hanging up there herself. But I did not, you know, hire anyone to do anything to Miss Turner.

[Some interruption from the audience]

But yes, we've been up there.

And so what happened is, is that we will - you'll see more people going up there providing services to the individuals that are on Main Street. And then, within about a week or so after that, you're going to start seeing more, enforcement on Main Street moving individuals. Like I said at the last meeting, this is nothing new. This has been happening in our parks. It's been happening on the other part of Main Street. We remove individuals from there, offer services, and then they went to another place. They move around throughout the city of Poughkeepsie for people to say to, we're not doing anything whatsoever. Then you're not paying attention to the other work that we've been doing.

I know Councilmember Grant, and myself, when I was on the council, we were constantly in Rose Street. We were constantly doing things and trying to, you know, move people out of that section of Main. And the police has been working very hard in doing so.

They have done that. They have moved from that area.

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You don't see them by Dollar General anymore. You don't see them in the Rose Street lot anymore. But they move their self down to that lot. We did talk to the owners. They're frustrated. They've been trying also, there's been stuff removed from that property. And then the next day, more stuff is there. So, they have been trying.

So we are working with them and we're coming up with some ideas of how we're going to address that situation. It's like I said before, it's like whack a mole. You kind of get to, you know, move people from one place, they pop up somewhere else.

So we're trying to push more people into services and getting help versus them going to another section of the city, because each time they move, there's more people that seem to be coming from other places.

The police have been trying to remove individuals from the lot, and when they do, they can only give them an appearance ticket. That's the way the law is set up at this point. And so now a lot of many of the individuals that are occupying the streets and occupying these lots know what the outcome is going to be. So, if you give them an appearance ticket, they don't show up in court. No one's going down there trying to track them down because no one knows where to go to get them. So, what happens is, is that it's a revolving cycle. They just keep coming out. And then, you know, we have [been] talking to state officials to figure out what we can do about it. But, you know, the police officers are very frustrated as well.

So, it's been... it's been kind of a nightmare for some individuals.

But what's going on there lot that is going to be dealt with because of the fact that it's we were up there and they were basically people telling us off and basically cursing at the police officers and even the individuals that were going up there and were providing food. They were actually threatened. So, some people stopped going up there because of what's been going on. So, we are trying to find more ways of helping individuals. You know, going through what they're going through. I mean, some of them are not taking there meds anymore, so it's causing a problem there. So, we're really, the Hudson River Housing will be opening the outreach resource center. That's going to be right next to that area so we can provide more services there.

And then actually, as we're moving people out of the site, because unfortunately, these individuals are not going to go to North Road, they're not going to go down to the county to get those services. The services have to come to them. So if anybody else has a better answer to that, please let us know, because we hear a lot of complaints, but we don't hear any solutions. So we are working on that as much as we can.

So, and the other thing is too, is I want to thank, Serena from Nature's Impact. She was here at City Hall. If you walk around City Hall and you see a lot of the planters, and you see the nice flowers and plantings that are there. It is our kids from the Early Learning Center that was working along with, Serena, from Nature's Impact and also with Carrie from Crazy Over Art. It was a great day. They came here and spent the day planting flowers. So, you know, we ever see our little kids, or you see them thank them for helping, doing what they did around City

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Hall to make things beautiful.

I also want to say congratulations to our seniors. The Poughkeepsie High School seniors, they walk through City Hall. We're very proud of them. We congratulate them on their graduation.

And also too – I had quite a few things here.

I want to thank our Planning and Development director, Joe Donat and then also his team working with the council members. Thank you so much for really getting involved with your wards and making the revisions for the zoning. And hopefully soon we'll be able to get to a point where now we can pass a revised zoning code. So that way we can start with the development here in the City of a Poughkeepsie.

I want to thank all those who were involved with the Juneteenth event. It was... it was a beautiful event over the weekend and organizations that got involved to do their own events at their locations. I try to hop around as many as I could on that day. And it was great. Unfortunately, a lot of them were happening around the same time. But it was nice that people participated. And I really do appreciate that. Tomorrow there is going to be Juneteenth, events throughout the city. And I know there's one at Malcolm X Park.

And then there's also the carnival that starts tomorrow. There will be fireworks. Thanks to, John O'Connor and partners. They actually, provided sponsorship for the fireworks.

So the fireworks are going to be down, at the waterfront around 9:00. So, if you get a chance to go down to the carnival, it's going to be at the Delaval site. Which is nice, because we haven't had anything down there in, I think, almost over a decade, a couple decades. So it's nice to see some kind of happen down in that area.

Also, the pool house is going to have a ribbon cutting on June 29th, and that's going to be at 10:30 am. And then after the ribbon cutting, the pools will be open. So, both pools. And so, we do ask individuals that, if you're planning on attending the pools that you do need to sign up and register so you can get a band to use the pools. You can also do it there too. But we're asking people to ahead of time to do that. And it's been, it's been a very good process and people will be coming in, which is great. So, we're hoping everyone enjoys our pools during the summer.

Also, too, there's fireworks on 4th of July. So that's going to be also down at the waterfront. And that's going to start, I think, at nine, 9:00. And, but people are welcome to go down earlier and hopefully I'm not sure, but it the Ice House going to be open by then? No? Okay. All right. Well, so should be open afterwards. But, come down and the family down going to have a, you know, nice firework celebration down there.

And then one last thing I want to congratulate Jamar Cummings. He just started yesterday and was sworn in last week, so thank you. Looking forward to working with you. And I think I covered everything.

So, that's it.

VIII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

IX. REPORTS OF COMMITTEES AND BOARDS:

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

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.

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

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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 COUNCILMEMBER SHOOK

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R-24-45 - 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	☒	☐	☐	☐

<insert supplements>

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%

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
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%

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
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%

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”

**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 SHOOK

**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____:

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R-24-46 - 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	☒	☐	☐	☐

3. **R-24-48**, Resolution Approving License Agreement For The Art Effect To Place A Piece Of Art In Pulaski Park

**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 SHOOK

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:

- (a) 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

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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

R-24-48 - 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	☒	☐	☐	☐

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4. **R-24-49**, Resolution Approving Richard Dorritie to the City of Poughkeepsie Board of Ethics.

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 COUNCILMEMBER SHOOK

R-24-49 - 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	☒	☐	☐	☐

A motion to approve the two Ordinances on the consent agenda was made by Councilmember Patterson Thompson and seconded by Councilmember Brown.

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.

**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 SHOOK:

ADDITIONS denoted by **Underlining and Bold**

O-24-04 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

2. **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.

**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 SHOOK:

ADDITIONS denoted by **Underlining and Bold**

O-24-05 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

ACTION AGENDA:

XII. MOTIONS AND RESOLUTIONS:

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”

**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

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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, July 2nd at 5:30 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 SHOOK

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*

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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 1 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_____:

A motion was made by Councilmember Brown to amend the proposed Local Law to define a “small landlord” as 1 (one) for the purpose of the public hearing and was seconded by Councilmember Deichler.

R-24-47 - VOICE VOTE TO APPROVE RESOLUTION BASED UPON AMENDMENT						
☒ 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	☒	☐	☐	☐

XIII. ADJOURNMENT:

There was a motion to adjourn the meeting at 8:30 pm made by Majority Leader Patterson Thompson which was seconded by Councilmember James.

Dated: June 24, 2024

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, June 18, 2024.

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