



COMMON COUNCIL MEETING

Common Council Chambers

Tuesday, July 6, 2021

6:30 p.m.

I. ROLL CALL:

II. REVIEW OF MINUTES:

Public Hearing Meeting June 21, 2021

Common Council Meeting June 21, 2021

Special Meeting June 30, 2021

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

IV. PUBLIC PARTICIPATION:

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

VI. REPORTS OF COMMITTEES AND BOARDS:

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

VII. MOTIONS AND RESOLUTIONS:

- 1. Resolution R-21-58, setting a Public Hearing for Local Law Amending Chapter 19, Section 4.5 of the code of ordinances of the City of Poughkeepsie**

VIII. ORDINANCES AND LOCAL LAWS:

- 1. Local Law LL-21-01, amending Chapter 14 of the City of Poughkeepsie Code of Ordinances Entitled Offenses and Miscellaneous Provisions**

IX. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. A PRESENTATION BY DUTCHESS COUNTY & COUNTY CONSULTANT, on the 44/55 Connector.**
- 2. FROM ELIAS LOPEZ, a notice of property damage sustained on June 9, 2021.**
- 3. FROM NEW HAMBURG FIRE DISTRICT, a notice of property damage sustained on June 10, 2021.**

4. FROM JONATHAN WONG, a notice of property damage

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

**RESOLUTION
(R-21-58)**

**INTRODUCED BY COUNCILMEMBER BRANNEN, CHAIR SALEM,
COUNCILMEMBER MENIST AND COUNCILMEMBER L. JOHNSON:**

WHEREAS, more than a quarter of all properties in the City of Poughkeepsie (the "City") have been identified as historic assets in its historic resource inventory because they hold unique historical, cultural, and architectural value that forms our unique heritage as a city and community; and

WHEREAS, the city suffered irreversible losses to many unique and historically significant properties due to misguided policies during the period of "urban renewal" of the 1960s and 1970s; and

WHEREAS, subsequent to these losses, there has been new focus on preservation to prevent further demolition of historically significant assets and ample research has indicated the numerous benefits of preserving historic assets, including improved property values and increased tax revenue, increased tourism, and the environmental benefits of rehabilitation as compared to demolition and new construction; and

WHEREAS, despite this research and national trend in policy toward restoration and preservation, the City of Poughkeepsie has continued to lose many of its historic resources to demolition, demolition by neglect, and alteration, including forty percent of its historically significant properties from the late 1970s until today; and

WHEREAS, since the last historic resource inventory in 1977, the losses of historic assets have affected every corner of the City of Poughkeepsie with the fifth ward suffering a loss of 69 percent of its historic assets, the third ward suffering a loss of 53 percent of its historic assets, the seventh ward suffering a loss of 52 percent of its historic assets, the first ward suffering a loss of 48 percent of its historic assets, the second ward suffering a loss of 39 percent of its historic assets, the sixth ward suffering a loss of 37 percent of its historic assets, the eighth ward suffering a loss of 27 percent of its historic assets, and the fourth ward suffering a loss of 16 percent of its historic assets; and

WHEREAS, the City of Poughkeepsie has a historic preservation ordinance to protect these invaluable assets; and

WHEREAS, the Common Council desires to further protect these historic assets and streamline and improve the process of historic preservation,

NOW, THEREFORE,

BE IT RESOLVED, that a Local Law, entitled "Local Law Amending Chapter 19, section 4.5 of the of the City of Poughkeepsie Code of Ordinances of the City of Poughkeepsie to

Further Protect the City of Poughkeepsie's Historic Resources and Improve on the Historic Preservation Administrative Process"; is hereby introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

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

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

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

SECONDED BY COUNCILMEMBER _____ .

**A LOCAL LAW AMENDING CHAPTER 19, SECTION 4.5 OF THE CODE OF ORDINANCES OF
THE CITY OF POUGHKEEPSIE TO FURTHER PROTECT THE CITY OF POUGHKEEPSIE'S
HISTORIC RESOURCES AND IMPROVE ON THE HISTORIC PRESERVATION
ADMINISTRATIVE PROCESS**

**SPONSORED BY COUNCILMEMBER BRANNEN, CHAIR SALEM, COUNCILMEMBER
LORRAINE JOHNSON, AND COUNCIL MEMBER MENIST**

SECTION 1. Legislative Intent

The City of Poughkeepsie has a remarkable and unique history, illustrated by its historic resources throughout all of its neighborhoods. These historic resources, when preserved and cared for, create a link to our past and our shared sense of place and identity, which, in turn, fosters strong community ties. These historic resources also offer a pathway to a more economically secure and vibrant future. Ample research has demonstrated the economic value of historic preservation through improved property values, attracting new residents and visitors to historic districts, and more cost-efficient rehabilitation, compared to demolition and new construction. Moreover, historic rehabilitation offers a more environmentally sustainable form of development for legacy cities, such as Poughkeepsie.

Unfortunately, the City of Poughkeepsie has had limited success over the past several generations in preserving its unique history, superb architectural craftsmanship and beauty, and economically important historic assets. As reported by the Historic District and Landmark Preservation Commission to the Common Council in their update of the historic resource inventory of 2019, many of our historic assets have been lost since the previous historic resource inventory. Of those designated as "exceptional," 29 percent have been lost through alteration or demolition. Of those designated as "excellent," 39 percent have been lost through alteration or demolition. Of those designated as "good," 44 percent have been lost through alteration or demolition. As demonstrated by the updated historic resource inventory, historic assets are much more likely to be preserved if they are designated. Additionally, there is a further problem of many historically significant properties being lost through demolition by neglect.

To address this significant loss of historic assets and the ongoing problem of demolition by neglect, it is the intent of the Common Council of the City of Poughkeepsie to clarify and strengthen the current historic preservation ordinance to further protect the city's stock of historic properties. The amendments will enhance the city's ability to protect historic properties against demolition by neglect. The amendments will better protect the city's historic stock by implementing a demolition review process that will require a review of historic properties, designated and non-designated, prior to the issuance of a demolition permit. The amendment will also change the administrative review process for the issuance of a certificate of appropriateness where the proposed application needs additional city approvals. It is the goal of the council to provide reasonable measures of protection of historic and potentially historic properties while respecting the rights of property owners.

SECTION 2. BE IT ENACTED, by the Common Council of the City of Poughkeepsie, a local law amending Section 19-4.5 of the Code of Ordinances of the City of Poughkeepsie entitled "Historic District and Landmarks Preservation Commission", to provide as follows:

Section 19-4.5 Historic District and Landmarks Preservation Commission.

(1) *Definitions.*

ADJACENT PROPERTY

The term adjacent property shall be defined as any property that shares any portion of a parcel boundary line or that is situated within 150 feet of a property within a historic district or that is on the local, state, national historic registry or on the city's historic resource inventory.

ALTERATION

Change or modification of an improvement on a landmark site or of an improvement parcel located within a historic district, including, but not limited to:

- (a) Exterior changes to or modifications of structure, architectural details or visual characteristics such as paint color and surface texture;
- (b) Grading or surface paving;
- (c) Construction of new structures;
- (d) Cutting or removal of trees and other natural features;
- (e) Disturbance of archaeological sites or areas; and
- (f) The placement or removal of any exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings and landscape accessories that affect the exterior visual qualities of the improvement parcel.

BUILDING

A building, such as a house, barn, hotel or similar construction, which is created principally to shelter any form of human activity. Building may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.

CERTIFICATE OF APPROPRIATENESS

A certificate issued by the Commission indicating its approval of plans for alteration, construction, removal, or demolition of a landmark, an improvement on a landmark site or an improvement located within an historic district.

COMMISSION

The Historic Preservation Commission created pursuant to this section.

COMPATIBLE

Capable of existing together in harmony (harmonious, consistent).

CONTRIBUTING PROPERTY IN A HISTORIC DISTRICT

Includes any building, other structure or site that, by age, location, design, setting, materials, workmanship or association, adds to the district's sense of time and place and historical development or

is capable of yielding important information about a historically significant period.

DEMOLITION

Any act or process that destroys in part or in whole any exterior improvement or landscape feature of a historic landmark or within a historic district.

EXTERIOR ARCHITECTURAL FEATURE

The architectural style, design, general arrangement and components of all of the outer surfaces of an improvement, as distinguished from the interior surfaces enclosed by said exterior features, including, but not limited to, the kind, color and texture of the building material and the type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvement.

HISTORIC DISTRICT

A geographically definable area possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. In addition, historic districts consist of contributing and noncontributing properties. Objects, structures, buildings and sites within a historic district are usually thematically linked by architectural style or designer, date of development, distinctive urban plan, and/or historic associations.

IMPROVEMENT

Any structure, building, fixture, object or feature which, in whole or in part, constitutes an exterior or public interior betterment of any real property.

LANDMARK

A building, district, site, structure, or object significant in American history, architecture, engineering, archaeology or culture at the national, state, or local level.

NONCONTRIBUTING PROPERTY IN A HISTORIC DISTRICT

Includes any building, other structure or site that does not add to the district's sense of time and place and historical development; or one where the location, design, setting, materials, workmanship or association have been so altered or have so deteriorated that the overall integrity of the building, structure, or site has been irretrievably lost. Although changes to a noncontributing property may not have historical significance, they may affect the historic integrity of the district as a whole.

OBJECT

The term "object" is used to distinguish from buildings and structures those constructions that are primarily artistic in nature or are relatively small in scale and simply constructed. Examples include boundary markers, mileposts, boats, fountains, monuments, and sculpture.

ORDINARY REPAIRS AND MAINTENANCE

Replacement of any part of an improvement for which a permit issued by the Building Department is not required by law, where the purpose and effect of such work or replacement is to correct any deterioration or decay of or damage to such improvement or any part thereof and to restore same, as nearly as may be practicable, to its condition prior to the occurrence of such deterioration, decay or damage.

OWNER

Any person or persons having such right to, title or interest in any improvement so as to be legally entitled upon obtaining the required permits and approvals from the City agencies having jurisdiction over building construction, reconstruction, alteration or other work as to which such person seeks the authorization or approval of the Commission pursuant to this chapter.

REMOVAL

Any relocation of an improvement and/or landscape feature on its site or to another site.

SITE

A geographic location of historic significance not necessarily containing a building. Examples of a site are a battlefield, designed landscape, landscape feature, trail, cemetery, or camp site.

STRUCTURE

The term "structure" is used to distinguish from buildings those functional constructions made for purposes other than creating human shelter. Examples would include bridges, piers, clocks, lighthouses, bandstands, gazebos, water towers, tunnels, and civil engineering structures such as a canal.

- (2) *Purpose.* It is hereby declared as a matter of public policy that the protection, enhancement and perpetuation of landmarks and historic districts are necessary to promote the economic, cultural, educational, and general welfare of the public. Inasmuch as the identity of a people is founded on its past and inasmuch as the City of Poughkeepsie has many significant historic, architectural and cultural resources which constitute its heritage, this section is intended to:
- (a) Protect and enhance the landmarks and historic districts, which represent distinctive elements of the City of Poughkeepsie's historic, architectural, and cultural heritage;
 - (b) Foster civic pride in the accomplishments of the past;
 - (c) Protect and enhance the City of Poughkeepsie's attractiveness to visitors and the support and stimulus to the economy thereby provided;
 - (d) Ensure the harmonious, orderly, and efficient growth and development of the City of Poughkeepsie; and
 - (e) Stabilize and improve property values.
- (3) *Historic Preservation Commission.* There is hereby created a Commission to be known as the "City of Poughkeepsie Historic District and Landmark Preservation Commission."
- (a) The Commission shall consist of seven members to be appointed, to the extent available in the community, by the Mayor as follows:
 - 1. At least one shall be an architect experienced in working with historic buildings;
 - 2. At least one shall be a historian;

3. At least three members shall reside in historic districts or historic landmarks;
 4. At least one shall have demonstrated significant interest in and commitment to the field of historic preservation evidenced either by involvement in a local historic preservation group, employment or volunteer activity in the field of historic preservation, or other serious interest in the field; and
 5. All members shall have a known interest in historic preservation and architectural development within the City of Poughkeepsie.
- (b) Commission members shall serve for a term of four (4) years, with the exception of the initial term of one (1) of the members, which shall be one (1) year; one (1) which shall be two (2) years, and one (1) which shall be three (3) years.
1. The Mayor shall act within 60 days to fill a vacancy, including expired terms. A member whose term has expired shall serve until the Mayor appoints a successor;
 2. Any Commission member missing three (3) consecutive meetings shall automatically forfeit his or her appointment, and as such, a vacancy shall automatically be created. Further, any member missing four (4) meetings in a calendar year, except for major illness, shall forfeit his or her appointment, creating a vacancy.
- (c) The Chairman and Vice Chairman of the Commission shall be elected by and from among the members of the Commission.
- (d) The powers of the Commission shall include:
1. Employment of staff and professional consultants to assist the Commission in carrying out its duties, within the budget provided by the City;
 2. Promulgation of rules and regulations as necessary to carry out the duties of the Commission;
 3. Adoption of criteria for the identification of significant historic, architectural, and cultural landmarks and for the delineation of historic districts;
 4. Conduct of surveys of significant historic, architectural, and cultural landmarks and historic districts within the City;
 5. Recommending designation of identified structures or resources as landmarks and historic districts;
 6. Recommendation to the Common Council of the donation of facade easements and development rights and the making of recommendations to the City government concerning the acquisition of facade easements or other interests in real property as necessary to carry out the purposes of this section;
 7. Increasing public awareness of the value of historic, cultural and architectural preservation by developing and participating in public education programs;
 8. Making recommendations to City government concerning the utilization of state, federal or private

funds to promote the preservation of landmarks and historic districts within the City;

9. Recommending acquisition of a landmark structure by the City government where its preservation is essential to the purposes of this section and where private preservation is not feasible;
10. Approval, approval with modifications or disapproval of certificates of appropriateness pursuant to this section; and
11. Deciding hardship pursuant to this section.

12. Review proposed actions located or proposed to be located adjacent to a Local, State or National Landmark or Local, State or National Historic District and render an advisory opinion to the reviewing body, agency, department or official as to whether or not the proposed action will adversely affect the historic character and integrity of the adjacent landmark or historic district. An action shall be defined as an action under Article 8 of the NYS Environmental Conservation Law.

- (e) The Commission shall meet at least monthly, but meetings may be held at any time on the written request of any two Commission members or on the call of the Chairman or the Mayor.
 - (f) A quorum for the transaction of business shall consist of a majority of the Commission's members, but not less than a majority of the full authorized membership may grant or deny a certificate of appropriateness or recommend landmarks or historic districts.
 - (g) **The Commission shall publish an annual report by December 31st of each calendar year that lists the properties or districts newly designated on the local, state, or national historic registries, as well as any properties on the historic resource inventory that have been lost to demolition or that are undergoing demolition by neglect, as well as other findings or Commission activities it deems pertinent to an annual report. This report shall be circulated to the Mayor, the Common Council, the Planning Board, and the Building Inspector and shall be published on the city website.**
- (4) *Designation of landmarks or historic districts.*
- (a) The Commission may designate a building, object, structure, or site as a landmark if it:
 1. Possesses special character or historic or aesthetic interest or value as part of the cultural, political, economic or social history of the locality, region, state or nation; or
 2. Is identified with historic personages; or
 3. Embodies the distinguishing characteristics of an architectural style; or
 4. Is the work of a designer whose work has significantly influenced an age; or
 5. Because of unique location or singular physical characteristic, represents an established and familiar visual feature of the neighborhood.
 - (b) The Commission may designate a group of properties as an historic district if it:

1. Contains properties which meet one or more of the criteria for designation of a landmark; and
 2. By reason of possessing such qualities, it constitutes a distinct section of the City.
- (c) The boundaries of each historic district and each individual landmark designated henceforth shall be specified in detail and shall be filed, in writing, with the Building Department for public inspection.
- (d) Notice of a proposed designation shall be sent by regular mail to the owner of the property proposed for designation or the property upon which the landmark sits, describing the property and/or proposed landmark under consideration for designation and announcing a public hearing by the Commission to consider the designation. Once the Commission has issued notice of a proposed designation, no building permits shall be issued by the Building Inspector until the Commission has made its decision.
- (e) The Commission shall hold a public hearing prior to designation of any landmark or historic district. The Commission, the applicant, owners and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural, or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments, or other evidence offered outside of the hearing.
- (f) The Commission shall approve, approve with modifications or deny the application within 45 days of the public hearing, except that the Commission may agree with the applicant, in writing, to extend the time period within which a designation will be made.
- (g) An application recommended for approval shall be forwarded to the Common Council for their consideration. The Common Council shall hold a public hearing prior to the designation of any landmark or historic district. Such public hearing shall occur within 60 days from receipt of the approved application from the Commission. Notice of the hearing shall be sent by regular mail to the owner of the property proposed for designation. No building permits shall be issued by the Building Inspector until the Common Council has made its decision. The same criteria for designation shall be used by the Common Council and the Commission. The Common Council shall approve or disapprove the designation within 75 days from receipt of the approved application from the Commission.
- (h) The City Chamberlain shall forward notice of each designated building, object, site, structure, or district and the boundaries of each to the office of the Dutchess County Clerk for recordation.
- (5) *Certificate of appropriateness for alteration, demolition or new construction affecting landmarks or historic districts.* No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction, or moving of a landmark or property within an historic district, nor shall any person make any material change in the appearance of such property or landmark, its light fixtures, signs, sidewalks, fences, steps, paving, or other exterior elements which affect the appearance and cohesiveness of the landmark or historic district, without first obtaining a certificate of appropriateness from the Commission. **The Building Department shall review all applications for building permits to determine if a property is a locally designated landmark or in a local historic district and shall refer all such properties to the Commission to obtain a certificate of appropriateness prior to issuance of a building permit for any of the actions listed above.**
- (6) *Criteria for approval of certificate of appropriateness.*

- (a) In passing upon an application for a certificate of appropriateness, the Commission shall not consider changes to interior spaces, unless they are open to the public. The Commission's decision shall be **guided by the Secretary of the Interior's Standards for Rehabilitation and** based on the following principles:
1. Properties which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;
 2. Any alteration of existing properties shall be compatible with their historic character, as well as with the surrounding district; and
 3. New construction shall be compatible with the district in which it is located.
- (b) In applying the principle of compatibility, the Commission shall consider the following factors:
1. The general design, character and appropriateness to the property of the proposed alteration or new construction;
 2. The scale of the proposed alteration or new construction in relation to the property itself, surrounding properties and the neighborhood;
 3. Texture, materials, and color and their relation to similar features of other properties in the neighborhood;
 4. Visual compatibility with surrounding properties, including proportion of the property's front facade, proportion and arrangement of windows and other openings within the facade, roof, shape, and the rhythm of spacing of properties on streets, including setback; and
 5. The importance of historic, architectural or other features to the significance of the property.
- (c) **Actions requiring approvals of both the Historic District & Landmark Preservation Commission and the Planning Board**
- Any development that requires both approval from the Planning Board and a Certificate of Appropriateness is required to first make application to and receive from, the Commission a Certificate of Appropriateness.**
- (d) **Actions located or proposed to be located adjacent to a local, state or national landmark or local, state or national historic district**
- The commission shall render an advisory opinion to the reviewing body, agency, department or official as to whether or not the proposed action will adversely affect the historic character and integrity of the adjacent landmark or historic district. An action shall be defined as an action under Article 8 of the NYS Environmental Conservation Law.**

(7) *Certificate of appropriateness application procedure.*

- (a) Prior to the commencement of any work requiring a certificate of appropriateness, the owner shall file an application for a building permit as necessary along with an application for a certificate of appropriateness on a form as approved by the Building Inspector and shall contain, at a minimum, the following:
1. Name, address and telephone number of applicant;
 2. Location and photographs of property;
 3. Elevation drawings of proposed changes, if available;
 4. Perspective drawings, including relationship to adjacent properties, if available;
 5. Samples of color or materials to be used;
 6. Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination, and a plan showing the sign's location on the property; and
 7. Any other information which the Commission may deem necessary in order to visualize the proposed work.
- (b) No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Commission. The certificate of appropriateness required by this section shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the City of Poughkeepsie.
- (c) The Commission shall approve, deny or approve the certificate of appropriateness with modifications within 45 days after receiving the completed application from the Building Department. The Commission may hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views.
- (d) All decisions of the Commission shall be in writing. A copy shall be provided to the applicant and a copy filed with the Building Department for public inspection. The Commission's decision shall state the reasons for denying or modifying the application.
- (e) Certificates of appropriateness shall be valid for a concurrent period of time with the building permit required to complete the work approved by the certificate of appropriateness or for one year if no building permit is required.

(8) **Early Design Guidance**

- (a) **Large projects that could potentially have a significant impact on an individual landmark or historic district are required to participate in the Early Design Guidance process. The purpose of this process is to provide input from the Commission on the design of the project as it relates to criteria for the approval of a Certificate of Appropriateness at a time when such input may**

readily be incorporated into the design without adversely affecting design costs or the project schedule.

(b) For the purposes of this chapter, large projects are defined as:

1. New construction in an historic district of any primary structure, or

2. New construction of any accessory structure with a gross square footage of 800 square feet or more in an historic district, or new construction of any accessory structure with a gross square footage of 800 square feet or more on the same tax parcel as an individual landmark, or new construction of any accessory structure with a gross square footage of 800 square feet or more when the proposed accessory structure will be located within 150 feet of the individual landmark, or

3. New additions that will increase the existing footprint of an individual landmark or a structure located within an historic district by 50% or more, or

4. Any renovation or reconstruction (excluding projects that involve only the replacement of roof coverings) that will affect 50% or more of the exterior envelope of an individual landmarks or a structure located within an historic district.

(c) Applicants subject to Early Design Guidance shall submit materials for review by the Commission as soon as the design has reached a stage of development that would allow the Commission to understand the basic proposal and its significant details.

(d) Based on the information provided, the Commission will provide written general feedback and non-binding recommendations and comments that might help the applicant further refine the project prior to submitting an application for a Certificate of Appropriateness.

(e) The Commission shall circulate the written recommendations and comments from Early Design Guidance to the Chamberlain who will then circulate such document to the Planning Department, Planning Board Chair, Common Council Chair, and Corporation Counsel.

(9)(8) Certificate of economic hardship.

(a) *Relief where a certificate of appropriateness is denied.* An applicant whose certificate of appropriateness has been denied or approved with conditions that the applicant finds unacceptable may apply for a certificate of economic hardship for the purposes of obtaining relief from the strict application of this chapter.

(b) *Application form.* Application for a certificate of economic hardship shall be made on a form prepared by the Commission.

(c) The Commission shall schedule a public hearing concerning the application, and any person may testify at the hearing concerning economic hardship. The Commission may solicit expert testimony or request that the applicant for a certificate of economic hardship make submissions concerning any or all of the following information before it makes a determination on the application:

1. Estimate of the cost of the proposed construction, alteration, demolition, or removal and an estimate of any additional cost that would be incurred to comply with the recommendations of the Commission for changes necessary for the issuance of a certificate of appropriateness;

2. A report from a licensed architect or engineer with experience in rehabilitation as to the structural soundness of any structures on the property and their suitability for rehabilitation;
 3. The estimated market value of the property in its current condition; after completion of the proposed construction, alteration, demolition, or removal; after any changes recommended by the Commission; and in the case of a proposed demolition, after renovation of the existing property for continued use;
 4. In the case of a proposed demolition, an estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure on the property;
 5. Amount paid for the property upon which the landmark exists, the date of purchase, and the party from whom was purchased, including a description of the relationship, if any, between the owner of record or applicant and the person from whom the property was purchased and any items of financing between the seller and buyer;
 6. If the property is income-producing, the annual gross income from the property for the previous two years; itemized operating and maintenance expenses for the previous two years; and depreciation deduction and annual cash flow before and after debt service, if any, during the same period;
 7. Remaining balance on any mortgage or other financing secured by the property and annual debt service, if any, for the previous two years;
 8. All appraisals obtained within the previous two years by the owner or applicant in connection with the purchase, financing or ownership of the property;
 9. Any listing of the property for sale or rent, price asked, and offers received, if any, within the previous two years;
 10. Assessed value of the property according to the two most-recent assessments;
 11. Real estate taxes for the previous two years;
 12. Form of ownership or operation of the property, whether sole proprietorship, for profit or not-for-profit corporation, limited partnership, joint venture, or other;
 13. Any other information, including the income tax bracket of the owner, applicant, or principal investors of the property, considered necessary by the Commission to make a determination as to whether the property does yield a reasonable return to the owners.
- (d) *Proof required.* In order to prove the existence of economic hardship, the applicant must establish that unless the proposed work is accomplished, the property will be incapable of earning a reasonable return or of being put to reasonable use.
- (e) In the case of a proposal to remove or demolish a landmark or structure within an historic district, the

applicant must additionally prove that:

1. The property cannot be adapted for any other use, whether by the current owner or a purchase, which would result in reasonable return; and
2. Reasonable efforts to find a purchaser interested in acquiring the property for rehabilitation and preservation have been made and failed.

(10)(9) Determination by the Commission.

- (a) *Hardship not proven.* If hardship is not proven, the Commission shall deny the application and notify the applicant, in writing, of the final denial, and a copy shall be filed with the Building Department for public inspection.
- (b) *Hardship proven.* If the Commission finds that economic hardship has been proven, relief shall be provided in one of the following ways:
 1. The Commission may relax the strict application of the criteria concerning certificates of appropriateness sufficiently to relieve the hardship. In this case, the Commission shall issue a certificate of appropriateness, with conditions as necessary. The Commission shall approve only such work as is necessary to alleviate the hardship.
 2. The Commission may investigate plans and make recommendations to the Common Council for City actions which, if taken, will allow for a reasonable use of or reasonable return from the subject property or will otherwise preserve the property without hardship to the owner.
- (c) If neither Subsection (9)(b)1 nor 2 resolves the issue, the Commission may issue a certificate of economic hardship allowing the work to proceed as proposed.

(11) Demolition Review.

The purpose of this section is to establish a procedure for reviewing requests to demolish building(s) or structure(s) designated on the State and/or National Register of Historic places or listed on the City of Poughkeepsie Historic Resource Inventory as potentially eligible for designation at the local, state and/or national level. Before any building permit is granted, such building(s) or structure(s) proposed for demolition will first be reviewed to determine whether the property shall be recommended by the commission for designation as a local landmark.

Said inventory heretofore mentioned and on file in the Office of Planning and Zoning was prepared pursuant to a Memorandum of Agreement between the city, the State Historic Preservation office (SHPO) and the federal Advisory Council on Historic Preservation. Said inventory may be amended to include additional building(s) or structure(s) and said amendments shall be filed in the Office of Planning and Zoning and shall be subject to the provisions of this article. Amendments may be initiated by the commission or the property owner following submittal of a Historic Determination Application documenting the significance of the resource. The commission shall determine whether or not the property will be added to the Inventory based on the criteria of historic significance listed in Section 19-4.5, Section 4(a).

(a) Procedure for Demolition Review:

1. Whenever an application is filed with the appropriate city department for a demolition permit of any building or structure, said city department shall review the property to determine if it is on the State and/or National Register of Historic Places, is in a local historic district, or is enumerated on the City of Poughkeepsie Historic Resource Inventory.
2. Whenever an application is filed with the appropriate city department for a demolition permit of any building or structure designated on the State and/or National Register of Historic Places or enumerated on the City of Poughkeepsie Historic Resource Inventory, said city department shall forward a copy of said application to the commission within two (2) business days of receipt of the same.
3. Any owner of a property who proposes to demolish any building or structure designated or enumerated as provided in paragraph 1 above, may prior to the filing of an application with the appropriate city department for a demolition permit, request the commission to initiate the procedure set forth in this article for a determination whether said property shall be recommended for designation as a local landmark as if an application for demolition had been filed.
4. The commission shall hold a public hearing for consideration as to whether said building or structure shall be recommended for designation as a local landmark.
5. The commission shall make its recommendation within forty-five (45) days of the date of filing of the application for a demolition permit with the City of Poughkeepsie or forty-five (45) days of the date of receipt of a request for a commission demolition review. Failure to take action thereon within such time shall be deemed a determination not to recommend the designation of the building or structure as a local landmark.
6. In the event the commission recommends to City Council that the subject property be designated a local landmark, the Chairperson or his designee shall appear at the public hearing of the City Council to give testimony on behalf of the commission. The City Planner shall be responsible for transmitting the commission's recommendation to the City Chamberlain and members of the City Council within two (2) business days of the commission's decision.
7. In making its determination, the commission shall use the criteria specified in Section 19-4.5, Section 4(a). The procedure for recommending the designation of building(s) or structure(s) as local landmark shall be completed in accordance with the provisions of Section 19-4.5, Section 4(a-h).
8. Buildings or structures which have been determined to constitute an imminent danger to public health, safety or welfare are subject to the exercise of the chief code enforcement officer's emergency powers to cause said building(s) or structure(s) to be immediately demolished.

(12)(10)-Enforcement. All work performed pursuant to a certificate of appropriateness issued under this section shall conform to any requirements included therein. It shall be the duty of the applicant to notify the Building Inspector to inspect any work to assure compliance. In the event work is found that is not being performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Commission, the Building Inspector shall issue a stop-work order, and all work shall immediately

cease. No further work shall be undertaken on the project as long as a stop-work order is in effect.

(13) ~~(11)~~ Maintenance and repair required.

- (a) Nothing in this section shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within an historic district which does not involve a change in design, material, color or outward appearance.
- (b) No owner or person with an interest in real property designated as a landmark or included within an historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any architectural feature which would, in the judgment of the Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.
- (c) Examples of such **serious disrepair and** deterioration include:
 - 1. Deterioration of exterior walls, **foundations** or other vertical support **that causes leaning, sagging, listing, or buckling or deterioration of flooring or floor supports, roofs, or other horizontal members that causes leaning, sagging, slitting, listing, or buckling;**
 - 2. Deterioration of roofs or other horizontal members;
 - 3. Deterioration of exterior chimneys **that causes leaning, sagging, listing or buckling;**
 - 4. Deterioration [of] **or** crumbling of exterior **plaster**, stucco or mortar;
 - 5. Ineffective waterproofing of exterior walls, **including lack of paint or weathering due to lack of paint or other protective covering**, roofs or foundations, including broken windows or doors;
 - 6. Deterioration of any feature so as to create a hazardous condition, which could lead to the claim that demolition is necessary for the public safety.
 - 7. Rotting, holes, or other forms of decay;
 - 8. **Deterioration of exterior stairs, porches, handrails, windows and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling;**
 - 9. **Deterioration that has a detrimental effect on the surrounding historic district or deterioration that contributes to a hazardous or unsafe condition;**
 - 10. **Deterioration of fences, gates, and accessory structures;**

(14) Demolition by neglect.

If, in the judgment of the commission, a violation of this local law exists that will result in a detrimental effect upon the life and character of a designated historic resource, landmark, property or on the character of a historic district as a whole, the commission shall request the Building

Department to establish a record of violations. Such record may include dated materials such as photographs and written reports of the condition of the property so as to record or measure the deterioration.

The building inspector and the commission are authorized to work with a property owner to identify resources for maintenance and stabilization before taking enforcement action under this section.

The Commission, based on the written record of violations, shall hold a public hearing to receive testimony from the Building Inspector, property owner, and other members of the public or city staff or officials to determine if a demolition by neglect is occurring. The Commission shall make such determination by a majority vote and state in writing the necessary repairs to reverse the demolition by neglect.

The building department and the owner of record shall be notified of the Commission's finding, stating the reasons thereof. Such notice shall be accomplished in the following manner:

- (1) By certified mailing to the last known address of the owner of record by the City Chamberlain;
or
- (2) Notice shall be attached to the building or landmark by the Building Inspector.

Upon receipt of the Commission's written notice of determination of demolition by neglect, the Building Inspector shall issue a written notice to the owner of record giving ninety (90) days from the date of mailing such notice to satisfy the commission that necessary repairs have been effected. The commission, upon request, may allow an extension for a reasonable period to allow the owner to secure financing, labor or materials.

If the necessary repairs are not completed, the Building Inspector and Corporation Counsel shall commence legal action against the owner.

~~(15)~~(12)Violations.

- (a) Failure to comply with any of the provisions of this section shall be deemed a violation, and the violator shall be liable to a penalty ~~not exceeding \$1,000 and, for a continuation of such violation, to an additional penalty not exceeding \$10 per day.~~ of not less than \$500 or 15 days in jail, or both for each day the violation continues.
- (b) Any person who demolishes, alters, constructs, or permits a designated property to fall into a serious state of disrepair in violation of this section shall be required to restore the property and its site to its appearance prior to the violation. Any action to enforce this subsection shall be brought by the Corporation Counsel. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

~~(15)~~(13)Appeals. Any person aggrieved by a decision of the Historic Preservation Commission relating to a hardship or a certificate of appropriateness may, within 30 days of the decision, file a written application with the Common Council for review of the decision. Reviews shall be conducted ~~based on the same record that was before the Commission using the same criteria.~~

(16) Any person aggrieved by a decision of the Commission may bring a proceeding to review in a manner provided by Article 78 of the Civil Practice Law and Rules.

(17) Miscellaneous

The provisions of this law shall supersede any inconsistent law or ordinance of the City of Poughkeepsie.

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

LOCAL LAW AMENDING CHAPTER 14 OF THE CITY OF POUGHKEEPSIE CODE OF
ORDINANCES ENTITLED OFFENSES AND MISCELLANEOUS PROVISIONS
(LL-21-01)

INTRODUCED BY COUNCILMEMBERS PETSAS, FLOWERS & L. JOHNSON:

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

14-72 Legislative Findings

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

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

This local law also allows the police to impound any vehicles used in violation of this local law, provides for a \$1,500.00 redemption fee, which the title owner of a vehicle impounded under this law must pay before the vehicle will be released back to the owner, and a fine not to exceed \$250.00 for violating the provisions of this article. Failure to reclaim an off road vehicle and pay the applicable redemption fee will result in the destruction of such vehicle in accordance with applicable laws.

14-73 Definitions

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

OFF-ROAD VEHICLES

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

OPERATE

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

PUBLIC HIGHWAY

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

14-74 Restrictions

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

14-75 Penalties for offenses; impoundment and redemption.

- A. Any person who operates an off-road vehicle in violation of § 14-74 of this chapter shall be guilty of an offense punishable by a fine not to exceed \$250.00.
- B. In addition to the penalties set forth in subsection (A) of this section, a police officer may immediately impound an off-road vehicle that has been operated in violation of § 14-74 of this chapter. Such impounded off-road vehicle shall be stored by the police department or enforcement agency pending the identification of the owner of such off-road vehicle as registered with the New York State Department of Motor Vehicles. Such title owner shall be sent notice of such impoundment, at the address on file with the New York State Department of Motor Vehicles, by certified mail within ten (10) days after the impoundment, if such titled owner can be identified. Neither the City of Poughkeepsie, nor any agent or employee thereof, shall be liable for any damages arising out of the provision of any erroneous name or address of such owner. The owner of the off-road vehicle operated in violation of § 14-74 of this chapter may redeem such off-road vehicle upon satisfactory proof of ownership and payment of a redemption fee of \$1,500.00. An off-road vehicle impounded under this subsection shall only be released to the owner of such off-road vehicle, or to such owner's agent as evidenced by a written, notarized proof of agency, or duly executed power of attorney. Any and all unclaimed off road vehicles impounded as a result of a violation of this ordinance shall be destroyed in accordance with all applicable laws.

14-76 Enforcement

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

14-77 Severability.

If any clause, sentence, paragraph or part of this chapter or application thereof to any person or circumstances shall be judged by any court to be invalid, such judgment shall not affect, impair or

invalidate the remainder thereof or the application thereof to other persons and circumstances but shall be confined in its operation to the clause, sentence, paragraph or part hereof an the persons or circumstances directly involved in the controversy in which the judgement shall have been rendered.

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

SECONDED BY COUNCILMEMBER: _____

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 6/23/21

NAME AND ADDRESS OF EACH CLAIMANT:

Elias Lopez
20 Essex Road, Poughkeepsie NY 12601

TELEPHONE NUMBER: 845 380 9239

NAME AND ADDRESS OF ATTORNEY (IF ANY):

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

On June 9, 2021. My truck was parked in the DPW Parking lot (26 Howard st), when a tree fell onto the truck causing substantial damage.

ITEMS DAMAGED OR INJURIES SUSTAINED:

Rear bumper, right rear quarter panel, tailgate, left side mirror housing.

Elias Lopez
Signature of Claimant

Signature of Claimant

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

Elias Lopez being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

Elias Lopez
Signature of Claimant

Signature of Claimant

Sworn to before me this

23 day of June,
David C. Cichinsky
Notary Public

DAVIDA C. CICHINSKY
NOTARY PUBLIC STATE OF NEW YORK
ULSTER COUNTY
LIC. #01C16416245
COMM. EXP. 04/12/2025

NOTE: After submitting this form to the City Chamberlain, please direct any inquires to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2021 JUN 23 AM 11:04



ACCIDENT / INCIDENT REPORT

CITY OF POUGHKEEPSIE, NEW YORK

2021 -

FOR INTERNAL USE

FROM: STREETS

DEPT.

DATE OF REPORT: 6/16/21

FORWARD TO: (For Internal Use Only)

☐ MAYOR'S OFFICE / CITY ADMINISTRATOR
☐ CORPORATION COUNSEL
☐ COMMISSIONER OF PUBLIC WORKS

☒ SAFETY COORDINATOR
☐ SUPERVISOR OF PUBLIC WORKS
☐ CENTRAL GARAGE

X (1) DESCRIPTION OF CITY VEHICLE:

MAKE & YEAR: 2012

NONE

VEHICLE #:

PLATE #:

(2) OPERATOR OF CITY VEHICLE:

NAME:

DOB:

LICENSE #:

RESTRICTIONS:

(3) PASSENGER(S) IN CITY VEHICLE:

☐ NO

☐ YES (FILL IN BELOW)

NAME:

ADDRESS:

NAME:

ADDRESS:

(4) OTHER VEHICLE / PROPERTY:

☐ NO

☒ YES (FILL IN BELOW)

OWNER'S NAME:

ELIAS LOPEZ

ADDRESS:

DRIVER'S NAME:

VEHICLE PARKED

N/A

DOB:

ADDRESS:

LICENSE #:

RESTRICTIONS:

MAKE & YEAR:

2007 TOYOTA TUNDRA WHITE

PLATE #:

DNA9767

INSURANCE CO.:

(5) PASSENGER(S) IN OTHER VEHICLE:

☐ NO

☐ YES (FILL IN BELOW)

NAME:

ADDRESS:

NAME:

ADDRESS:

NAME:

ADDRESS:

(6) WITNESSES:

☐ NO

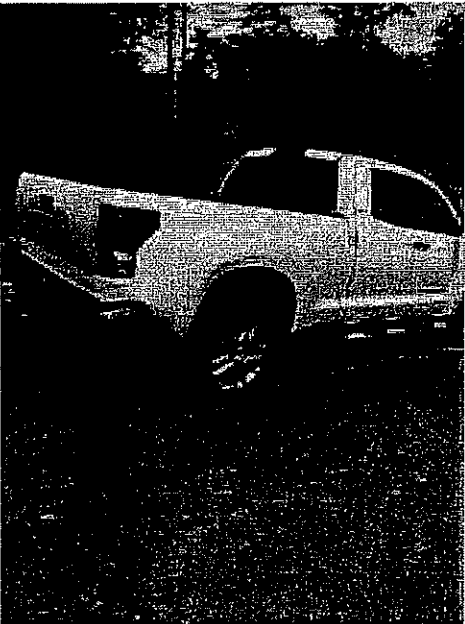
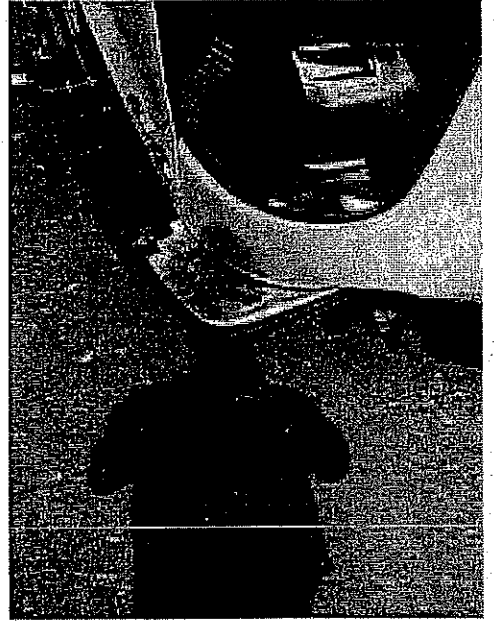
☐ YES (FILL IN BELOW)

NAME:

ADDRESS:

NAME:

ADDRESS:



Vince's Auto Body Works

Email: info@vincesautobodyworks.com
QUALITY SERVICE SINCE 1946
185 Smith Street, Poughkeepsie, NY 12601
Phone: (845) 454-3220
FAX: (845) 485-4111

Workfile ID: 1f217deb
PartsShare: 6hNXTd
Federal ID: 14-1677303
State ID: 7034149
License Number: RS# 7034149

Preliminary Estimate

Customer: Lopez, Elias

Written By: JOE RIVERA, IA-1651855

Insured: Lopez, Elias
Type of Loss: Comprehensive
Point of Impact: 16 Non-Collision

Policy #:
Date of Loss:

Claim #:
Days to Repair: 0

Owner:

Lopez, Elias
20 ESSEX ROAD
POUGHKEEPSIE, NY 12601
(845) 380-9239 Cell

Inspection Location:

Vince's Auto Body Works
185 Smith Street
Poughkeepsie, NY 12601
Repair Facility
(845) 454-3220 Business
Date Inspected: 6/14/2021

Insurance Company:

VEHICLE

2007 TOYO Tundra SR5 Doublecab 145.7" WB 4WD 4D P/U 8-4.7L Gasoline EFI WHITE

VIN: 5TBBT541X7S458001	Interior Color: BLACK	Mileage In: 151,010	Vehicle Out:
License: DNA9767	Exterior Color: WHITE	Mileage Out:	
State: NY	Production Date: 9/2007	Condition: Good	Job #:

TRANSMISSION

Automatic Transmission
Overdrive
4 Wheel Drive

POWER

Power Steering
Power Brakes
Power Windows
Power Locks
Power Mirrors
Power Driver Seat

DECOR

Dual Mirrors

Body Side Moldings
Overhead Console

CONVENIENCE

Air Conditioning
Intermittent Wipers
Tilt Wheel
Cruise Control
Keyless Entry
Climate Control

RADIO

AM Radio

FM Radio

Stereo

Search/Seek

CD Player

Auxiliary Audio Connection

SAFETY

Drivers Side Air Bag
Passenger Air Bag
Anti-Lock Brakes (4)
4 Wheel Disc Brakes
Traction Control
Stability Control

Front Side Impact Air Bags

Head/Curtain Air Bags

Positraction

WHEELS

Styled Steel Wheels

PAINT

Clear Coat Paint

TRUCK

Trailer Hitch
Trailer Package

Get live updates at www.carwise.com/e/42zCP9

Preliminary Estimate

Customer: Lopez, Elias

2007 TOYO Tundra SR5 Doublecab 145.7" WB 4WD 4D P/U 8-4.7L Gasoline EFI WHITE

Line	Oper	Description	Part Number	Qty	Extended Price \$	Labor	Paint
1		REAR BUMPER					
2	**	Repl A/M Bumper w/o road warrior pkg w/o park assist	521510C060	1	985.00	1.2	
3		R&I Trailer hitch factory installed				0.4	
4		PICK UP BOX					
5	*	Rpr RT Side panel w/o Sport pkg				5.0	4.3
6		Add for Clear Coat					1.7
7	*	Rpr Tail gate				1.5	2.3
8		Overlap Major Adj. Panel					-0.4
9		Add for Clear Coat					0.4
10		Repl RT Pivot	661100C020	1	42.27	0.1	0.2
11		Add for Clear Coat					0.1
12		Repl RT Stone guard	662430C010	1	28.19	0.3	
13		CAB					
14	*	Rpr Roof panel				3.5	3.4
15		Overlap Major Non-Adj. Panel					-0.2
16	*	Add for Clear Coat					0.6
17		R&I RT Drip molding front				0.5	
18		R&I LT Drip molding front				0.5	
19		BACK GLASS					
20		R&I Back glass Toyota				2.8	
21		WINDSHIELD					
22		R&I RT Side molding				Incl.	
23		R&I LT Side molding				Incl.	
24		R&I Windshield Toyota, w/o Limited w/o wiper de-icer				3.7	
25		FRONT DOOR					
26	**	Repl A/M LT Mirror w/o heated w/power	879400C231	1	171.00	0.3	
27		R&I LT R&I trim panel				0.5	
28		MISCELLANEOUS OPERATIONS					
29	*	Repl Cover car/bag		1	5.00	0.2	
30	#	Cover Interior		1	5.00 T	0.2	
31	#	Color tint		1		0.5	
32	#	Color sand and buff		1	T	1.0	
33	#	URETHANE KIT		1	25.00 T		
34	#	Cover vehicle for overspray primer		1	5.00 T	0.3	
35			OTHER CHARGES				
36	#		E.P.C.	1	4.50		
SUBTOTALS					1,270.96	22.5	12.4

Preliminary Estimate

Customer: Lopez, Elias

2007 TOYO Tundra SR5 Doublecab 145.7" WB 4WD 4D P/U 8-4.7L Gasoline EFI WHITE

ESTIMATE TOTALS

Category	Basis	Rate	Cost \$
Parts			1,231.46
Body Labor	22.5 hrs @	\$ 55.00 /hr	1,237.50
Paint Labor	12.4 hrs @	\$ 55.00 /hr	682.00
Paint Supplies	12.4 hrs @	\$ 28.00 /hr	347.20
Miscellaneous			35.00
Other Charges			4.50
Subtotal			3,537.66
Sales Tax	\$ 3,537.66 @	8.1250 %	287.43
Grand Total			3,825.09
Deductible			0.00
CUSTOMER PAY			0.00
INSURANCE PAY			3,825.09

All vehicle parts are O.E.M. unless stated otherwise. Paint, coatings are PPG, 3M and others. Part/labor prices are current and subject to change. Shop is not responsible for damages hidden or otherwise overlooked by its employees. This estimate does not obligate this shop to repair this vehicle.

AUTHORIZATION OF REPAIRS: I authorize Vince's Auto Body Works to make the enclosed described repairs. Their employees and/or agents may road test my vehicle as they see fit. I agree that this shop is not responsible for vehicle damage, theft, fire and/or loss due to reasons beyond their normal control. Old parts will be junked unless instructed otherwise. Signed: _____ Date: _____

Time: _____

DIRECTION OF PAY: I authorize _____ to make payment for the supplemental repairs to my vehicle directly to Vince's Auto Body Works in my behalf. Amount (if known)

\$ _____

Signed _____ Date _____

PURSUANT TO SECTION 2610 OF THE INSURANCE LAW, AN INSURANCE COMPANY CANNOT REQUIRE THAT REPAIRS BE MADE TO A MOTOR VEHICLE IN A PARTICULAR PLACE OR REPAIR SHOP. YOU HAVE THE RIGHT TO HAVE YOUR VEHICLE REPAIRED IN THE SHOP OF YOUR CHOICE.

Preliminary Estimate

Customer: Lopez, Elias

2007 TOYO Tundra SR5 Doublecab 145.7" WB 4WD 4D P/U 8-4.7L Gasoline EFI WHITE

ANY PERSON WHO KNOWINGLY AND WITH INTENT TO DEFRAUD ANY INSURANCE COMPANY OR OTHER PERSON FILES AN APPLICATION FOR COMMERCIAL INSURANCE OR A STATEMENT OF CLAIM FOR ANY COMMERCIAL OR PERSONAL INSURANCE BENEFITS CONTAINING ANY MATERIALLY FALSE INFORMATION, OR CONCEALS FOR THE PURPOSE OF MISLEADING, INFORMATION CONCERNING ANY FACT MATERIAL THERETO, AND ANY PERSON WHO, IN CONNECTION WITH SUCH APPLICATION OR CLAIM, KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

You are entitled to the return of all replaced parts, except warranty and exchange parts, but you must ask for them in writing before any work is done. If you authorize work by phone, the shop must keep any replaced parts, and make them available when you pick up the vehicle.

THE PREPARATION OF THIS ESTIMATE MAY HAVE BEEN BASED ON THE USE OF CRASH PARTS SUPPLIED BY A SOURCE OTHER THAN THE MANUFACTURER OF YOUR MOTOR VEHICLE. THERE ARE WARRANTIES APPLICABLE TO THESE REPLACEMENT PARTS. THESE WARRANTIES ARE PROVIDED BY THE MANUFACTURER AND/OR DISTRIBUTOR OF THE PARTS RATHER THAN BY THE ORIGINAL MANUFACTURER OF YOUR VEHICLE.

Preliminary Estimate

Customer: Lopez, Elias

2007 TOYO Tundra SR5 Doublecab 145.7" WB 4WD 4D P/U 8-4.7L Gasoline EFI WHITE

Estimate based on MOTOR CRASH ESTIMATING GUIDE and potentially other third party sources of data. Unless otherwise noted, (a) all items are derived from the Guide ARM8192, CCC Data Date 06/09/2021, and potentially other third party sources of data; and (b) the parts presented are OEM-parts. OEM parts are manufactured by or for the vehicle's Original Equipment Manufacturer (OEM) according to OEM's specifications for U.S. distribution. OEM parts are available at OE/Vehicle dealerships or the specified supplier. OPT OEM (Optional OEM) or ALT OEM (Alternative OEM) parts are OEM parts that may be provided by or through alternate sources other than the OEM vehicle dealerships with discounted pricing. Asterisk (*) or Double Asterisk (**) indicates that the parts and/or labor data provided by third party sources of data may have been modified or may have come from an alternate data source. Tilde sign (~) items indicate MOTOR Not-Included Labor operations. The symbol (<>) indicates the refinish operation WILL NOT be performed as a separate procedure from the other panels in the estimate. Non-Original Equipment Manufacturer aftermarket parts are described as Non OEM, A/M or NAGS. Used parts are described as LKQ, RCY, or USED. Reconditioned parts are described as Recond. Recored parts are described as Recore. NAGS Part Numbers and Benchmark Prices are provided by National Auto Glass Specifications. Labor operation times listed on the line with the NAGS information are MOTOR suggested labor operation times. NAGS labor operation times are not included. Pound sign (#) items indicate manual entries.

Some 2021 vehicles contain minor changes from the previous year. For those vehicles, prior to receiving updated data from the vehicle manufacturer, labor and parts data from the previous year may be used. The CCC ONE estimator has a list of applicable vehicles. Parts numbers and prices should be confirmed with the local dealership.

The following is a list of additional abbreviations or symbols that may be used to describe work to be done or parts to be repaired or replaced:

SYMBOLS FOLLOWING PART PRICE:

m=MOTOR Mechanical component. s=MOTOR Structural component. T=Miscellaneous Taxed charge category.
X=Miscellaneous Non-Taxed charge category.

SYMBOLS FOLLOWING LABOR:

D=Diagnostic labor category. E=Electrical labor category. F=Frame labor category. G=Glass labor category.
M=Mechanical labor category. S=Structural labor category. (numbers) 1 through 4=User Defined Labor Categories.

OTHER SYMBOLS AND ABBREVIATIONS:

Adj.=Adjacent. Algn.=Align. ALU=Aluminum. A/M=Aftermarket part. Bld=Blend. BOR=Boron steel.
CAPA=Certified Automotive Parts Association. D&R=Disconnect and Reconnect. HSS=High Strength Steel.
HYD=Hydroformed Steel. Incl.=Included. LKQ=Like Kind and Quality. LT=Left. MAG=Magnesium. Non-Adj.=Non
Adjacent. NSF=NSF International Certified Part. O/H=Overhaul. Qty=Quantity. Refn=Refinish. Repl=Replace.
R&I=Remove and Install. R&R=Remove and Replace. Rpr=Repair. RT=Right. SAS=Sandwiched Steel.
Sect=Section. Subl=Sublet. UHS=Ultra High Strength Steel. N=Note(s) associated with the estimate line.

CCC ONE Estimating - A product of CCC Information Services Inc.

The following is a list of abbreviations that may be used in CCC ONE Estimating that are not part of the MOTOR CRASH ESTIMATING GUIDE:

BAR=Bureau of Automotive Repair. EPA=Environmental Protection Agency. NHTSA= National Highway
Transportation and Safety Administration. PDR=Paintless Dent Repair. VIN=Vehicle Identification Number.

Preliminary Estimate

Customer: Lopez, Elias

2007 TOYO Tundra SR5 Doublecab 145.7" WB 4WD 4D P/U 8-4.7L Gasoline EFI WHITE

PARTS SUPPLIER LIST

Line	Supplier	Description	Price
2	Keystone 24 JEANNE DRIVE NEWBURGH NY 12550 (845) 566-0900	#TO1103117DSC A/M Bumper w/o road warrior pkg w/o park assist Quote: 909394306 Expires: 07/29/21	\$ 985.00
26	Keystone 24 JEANNE DRIVE NEWBURGH NY 12550 (845) 566-0900	#TO1320242 A/M LT Mirror w/o heated w/power Quote: 909390109 Expires: 07/29/21	\$ 171.00

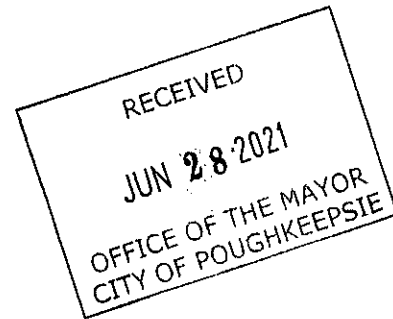


New Hamburg Fire District

15 Channingville Road
Wappingers Falls, NY 12590

June 15, 2021

Mayor Rob Rolison
Commissioner of Finance, Brian Martinez
City of Poughkeepsie
City Hall- 1st Floor
62 Civic Center Plaza
Poughkeepsie, NY 12601



NOTICE OF CLAIM

Dear Mayor Rolison:

This is a NOTICE OF CLAIM under the General Municipal Law regarding the damages to the New Hamburg Fire District 2009 Sutphen SPH 100 Aerial Platform.

The damages were sustained on June 10, 2021, while at a mutual aid call to the City of Poughkeepsie at 5 Parker Avenue.

Please notify your insurance carrier with a copy of this letter.

Very truly yours,

Jeffrey D. Renihan
Chief
New Hamburg Fire District

Cc: Marshall & Sterling Insurance
VFIS – Glatfelter Claims Management

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN
2021 JUN 29 PM 1:44

PLEASE PRINT OR TYPE FORM CLEARLY

NOTE: Claim must be filed with and served to the City Chamberlain in triplicate (3 copies) within 90 days after the claim arises. Use additional sheets if necessary.

NOTICE OF CLAIM AGAINST THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 05/20/2021

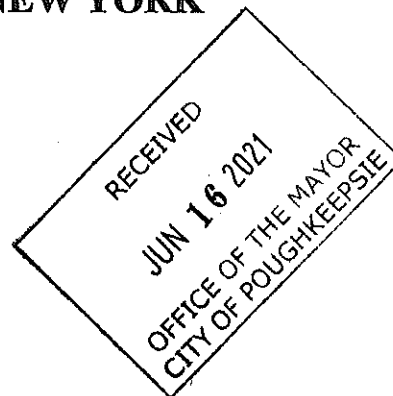
NAME AND ADDRESS OF EACH CLAIMANT:

Jonathan L Wong
3001 Main Street, Cortlandt Manor NY 10567

TELEPHONE NUMBER: 914-403-5101

NAME AND ADDRESS OF ATTORNEY (IF ANY):

NA



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

The last months the City of Poughkeepsie did some works on our sidewalk and parking lot to the Poughkeepsie McDonalds Store. They left the entrance to the sidewalk broken

ITEMS DAMAGED OR INJURIES SUSTAINED:

The sidewalk outside our Store broken

Jonathan Wong 5-28-2021
Signature of Claimant

Signature of Claimant

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

Jonathan Wong being duly sworn, say(s) that he/she is/are the claimant(s) named in the foregoing claim, that he/she has/have read the same and know(s) the contents thereof; that the same is true to his/her own knowledge, except as to the matters alleged upon information and belief and as to those items, he/she believes it to be true.

Jonathan Wong
Signature of Claimant

Signature of Claimant

Sworn to before me this 28th day of May, 2021

Francis S Elone
Notary Public



NOTE: After submitting this form to the City Chamberlain, please direct any inquiries to the Corporation Counsel at (845) 451-4065, Monday to Friday, 8:30 a.m. - 4:00 p.m.

CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

2021 JUN 16 AM 11:21



Official Minutes of the Public Hearing of June 21, 2021 Public Hearing Regarding the Proposed
Local Law Restricting Off-road Vehicles



THE CITY OF POUGHKEEPSIE
NEW YORK

PUBLIC HEARING

Monday, June 21, 2021 5:30 p.m.

City Hall / Zoom

The Public Hearing was conducted using videoconferencing, as permitted by the NYS Open Meetings Law.

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is June 21, 2021 and the time is 5:35 pm.

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

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

**THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE
PROPOSED LOCAL LAW RESTRICTING OFF-ROAD VEHICLES**

Councilmember-At-Large Salem called the meeting to order at 5:35 p.m.

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

1. Brian Robinson – Montgomery St.
2. Bill Rubin – 18 Eagle Lane
3. Anne Lancelotti – One Dutchess
4. Kevin Carswell
5. Elijah Appelson

At 5:55 PM the Public Hearing was adjourned.

Official Minutes of the Public Hearing of June 21, 2021 Public Hearing Regarding the Proposed
Local Law Restricting Off-road Vehicles

Dated: June 22, 2021

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on June 21, 2021.

Respectfully submitted,

Jasmin N. Davis
City Chamberlain



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, June 21, 2021 6:30 p.m.

City Hall/Zoom

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

Welcome to the regularly scheduled meeting of the City of Poughkeepsie Common Council the date is June 21, 2021, and the time is 6:33 pm.

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

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

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

Let's all recite the pledge of allegiance.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL - Six present, two absent at time of roll call (Councilmember Cherry late arrival)

II. REVIEW OF MINUTES:

Common Council Meeting June 7, 2021

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

CCM Minutes 06-7-2021						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

NONE

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

1. Professor Joan Mandle

2. Laurie Sandow

At the May 17th Common Council meeting I asked when this Council would resume in-person meetings, and noted that nothing has served this Council better than the pandemic in their ability to hide from and exclude the public. Other localities have been holding controlled in-person meetings. The NYS Committee on Open Government has stated that in-person public gatherings have not been prohibited by the Governor's Executive Orders. [Directly quoting NYS Committee on Open Government Assistant Director Ms. Kristin O'Neill, who wrote on May 13, 2021: "There has never been a prohibition on in-person meetings. Executive Order 202.1, which has been repeatedly extended, most recently by EO 202.107 until June 9, 2021, permits public bodies to prohibit in-person attendance (as long as they offer a remote option), but does not require public bodies to do so."] And in the Chair's remarks of May 17, Salem insisted they were working to resume in-person meetings. Yet a Freedom of Information request has produced no responses from a single councilmember, and absolutely no evidence of that claim. So I am asking again, when will those who've been silenced this past year by the exclusive use of digital platforms have their voices heard and be present once again in Council Chambers? At the next Council meeting on June 7th, I noted that week after week, the Council's agenda includes absolutely nothing about 14-year-olds being murdered, arson on S. Clinton, a tidal wave of evictions, market rate apartments that people can't

afford, misery for N. Hamilton residents, and more. And I pointed out that instead, rather than urgent issues, we had yet another Southern Waterfront presentation. So what's on tonight's Council agenda? A fourth waterfront presentation brought to you by councilmembers who prioritize their own re-election campaigns and campaign contributions over the life and death issues facing city residents. And though, in the June 7th Chair's remarks, Salem insisted they were working to assemble a meeting to address violence in the city, once again a Freedom of Information request has not only produced absolutely no evidence to support that claim, and produced no replies whatsoever from a single council member, it has produced one response from the Police Department reading "The PD has no requested documentation." Three months ago, Councilmembers Salem, Menist, Brannen, Cherry, and Randall and Lorraine Johnson all sponsored a resolution to create a Southern Waterfront task force. Sarah Brannen has stated that tonight she'll request that the term and deadlines of the Southern Waterfront task force be extended. I am absolutely opposed to that extension. What Brannen has proved most clearly in the past three months is her inability to fulfill the terms of the very resolution she helped write, instead obstructing its work by introducing grandstanding presentations at one task force meeting after another. Lastly, we still have the 8th Ward vacancy created by Matt McNamara's resignation. And we still have a situation where the Council required resumés and cover letters by May 27th while not scheduling interviews until after the primaries are concluded. One councilmember has publicly stated that they were not consulted in advance about the interview dates and cannot attend. Six people, myself included, sent letters of interest to fill the vacancy. The Council Chair has still not made all applicant names public, and while the Council continues to deprive the 8th Ward of representation, and while interviews have still not yet been conducted, two or more councilmembers have publicly endorsed an applicant unknown to the public, and two or more other councilmembers are said to have privately endorsed a different candidate. As always, the "Me First" councilmembers focus on their own benefit and their own backroom squabbles, interests, and shifting alliances, while pretending to be champions of the democratic process.

3. Ken Stier

Before some general comments about my experience in my first, and almost surely my only political campaign as a candidate, I wanted to highlight a matter of pressing importance that has gotten far too little attention so far. I refer to the large-scale (roughly 220 units) housing development on Main Street commonly referred to as the Wallace Campus, which has been before the City Planning Board for more than a year. It is only recently that the public's views have been solicited and it's fair to say the response has been passionate - for and against. That reflects that the project is easily the most consequential in years for what remains of our central business district - and the City at large. As initially

conceived the apartment complex would offer very affordable housing – three-quarters under 50% of our Area Median Income (AMI). That’s either very, very generous workforce housing or the kernel of concentrated poverty. The planned inclusion of some three dozen supportive housing units for people with major life challenges - mental illness, drug abuse, finding footing after years of incarceration, etc. - deepens the concern. Poughkeepsie is already host to lots of troubled folks – at least two-thirds of the county’s total and Dutchess’ well-deserved reputation for wrap-around social services is attracting more. This project would be a magnet for more, and that’s a prescription for more disruption on Main Street, already the daily battlefield of sordid quality-of-life offences and bloody, under-reported NY Post-worthy crime scenes. *It is probably not hyperbole to say the project presents Poughkeepsie with a stark ‘fork-in-the-road’ decision – either the City fights to retain a respectable core business district or resigns itself to the once famous commercial corridor – hanging a left up North Hamilton – becoming a huge welfare campus.* Why it is important for our city to have a vibrant commercial core I will leave to others better qualified to explain, but it is very much related to why the local property tax burden increasingly falls on residences. Fortunately, there’s still time for more considered community oversight. But that will require the immediate, focused engagement of City Hall and the Common Council – which should also convene public hearings as well. To date, City Hall has insisted it stick to the sidelines because there is “a process” - essentially leaving the matter entirely in the hands of the all-volunteer Planning Board. While packed with talent for discussing competing design features, ad nauseum, boards members privately admit they are out of their depth when considering the wider implications. That’s why the board shirks its proper, over-arching mandate to weigh whether projects will have a “positive impact” including on the community’s “character.” Instead, the Planning Board insists on a more pinched interpretation – that they can only consider ‘land use’ issues, not ‘tenancy’ – even though who lives on this fragile (300) block is the most decisive factor in impact. This is why the Wallace Campus has to be considered by the City’s wider governance structure. Rob – there’s no dodging this - getting it right, or wrong, may well prove decisive for your political future. Again, fortunately this is not rocket science. What has been proposed is what maximizes the profits of the developers, given federal and state incentives. Now Poughkeepsie needs to dig into the details and rebalance the project so that it better serves our City’s interests. Some council members have already begun to do this. Part II - I now know where every mulberry – chestnut and gingko - tree is in my ward. All go unharvested. Tonight, on the eve of our little local elections I can genuinely say I’m feeling quite calm. That’s not to say I’m confident of prevailing – because I’m not. After all, I’m up against, among others, the formidable Debra Long, a life-long Poughkeepsiean and one of the highest profile community activists we blessed to have. She’s also no doubt benefited from being endorsed by

the long-term incumbent of the First Ward- who has not had a word of reply for me for many months. (Still hoping Chris that you can prove you're not an early lame duck.) I'm calm mostly because the effort of campaigning has been a reward in itself not just because of the mulberries I'm harvesting (for pies etc.) but because it has forced to me to push the boundaries of what I know about my ward- which, most importantly, is to say my neighbors. That's been reward enough, as cliché as that may sound. One highlight was spending a summery dusk getting to know Ms. Lenora Hayes – outside her home on Delafield – where she has lived for 50 years since the Thurgood Marshall Terrace Homes opened. Pity that the Poughkeepsie Housing Authority has still not gotten around to erecting an entrance sign at this complex, to properly name this place and honor our first African-American Supreme Court Justice. A grandmother of 12, and at retirement age, she still receives neighbors' babies at 6:30 in the morning, some just 6 months old, up to 11 years, so their Moms can go to work - only coming back some 12 hours later. A wise, soulful, indispensable stalwart - one of our many unsung heroines; she deserves celebration! Just across the street, another Poughkeepsie native has returned after a few years in Brooklyn, only to find he has to pay just about the same in rent – \$2,600 for a two-bedroom apartment that's hardly luxurious. On North Bridge Street and Charles Street, a Ghanaian family is fixing their new home, across the street from a retired TV producer from Manhattan who is renovating a second one on Mill. Next to them are two EMT workers from Astoria fixing up other houses, as investors. On the corner an extended Egyptian-Jordanian family run a deli they want to expand. There's plenty of diversity and dynamism. There's also stagnation, and quiet despair. One widespread challenge. Managing absentee landlords who too often seem indifferent to their tenants and unfazed by the City's dictates. Here's one thing that should happen. Every single property owner in the City should be clearly known and readily reachable - by email and text - by any City agency at any time. More specifically, the City needs to markedly tighten up its sanitation enforcement and generally make landlords more responsive. (More details later.) Absentee landlords of our largest housing complexes should be invited to show up on premise to demonstrate that they'd be happy to have their own parents or grandparents live in, say Admiral Halsey, where there are no activities for its many seniors, despite a pretty attractive community room. It's the worst building they have ever lived in some residents told me. On-site management hardly ever seems around. Charles St/Bixby needs a new community room, one of among many changes. Meanwhile, RIP has persistent vermin issues, among other woes. And all these places should have real community bulletin boards – not just where management talks one-way to tenants – but where residents can post things. This is just one small step among many needed to encourage a genuine sense of community – of knowing thy neighbor. Frankly, if I fail to join the Council, I'll probably also feel relieved. Relieved because I have a far

deeper appreciation of the gnawing needs all around. I'll be quite happy to welcome whoever does become the next First Ward representative - Deb, or Jacqueline, or Laura or Warren - and to pass along to them a long list of those needs and ardent wishes, the ones I mentioned and many more - curbing tax hikes, slowing down traffic, and especially more Programming for KIDS!!!!, etc., etc. Fulfilled the way I think this position should be worked - given all those needs - this could easily be a full-time job. I hope whoever prevails will regard it as such as well.

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

Juneteenth commemorates June 19th, 1865, when African-Americans were freed and could no longer be held as slaves by white slave owners. And we celebrated that this past Saturday, June 19th. And a critical moment of history is now a federal holiday as of last week here in the United States, here in our community. And while this is great news and indicates a positive forward momentum in the fight against racism and oppression, there's still a lot of work left to do to ensure equity and justice for our black community members here in Poughkeepsie. I was able to attend a couple of events on Saturday, first at the Family Partnership Center. I went to a memorial and mural unveiling to honor the wife of the late Tre Theodore Arrington. It was a beautiful ceremony. A number of folks spoke to the legend and the work and the impact that she had on the youth in the city, because you still have in that expression that does carry through each of those young people as they come up through the community and they become leaders in the community and in other places. And I was very happy to be able to attend that. The mural is in the Family Partnership Center on the first floor. I work there, so I walk by it every day now and it is beautiful. Lesson was a local mirrorless did it and has many other murals in that building. So if you haven't seen that mural, please do go to the Family Partnership Center and check it out. It was really well done and it is a great honor for Tre to have that up in that building. Additionally, I then popped over to Mansion Square Park and I attended the Community Juneteenth event that was organized by council member Flowers and council member Lorraine Johnson. It was packed, packed with community members and packed with community organizations, all giving out really, really good information. I learned a lot of things that were happening in the community that have been happening through the pandemic, but we haven't been necessarily able to connect with each other. And that was one of the things that I thought was most valuable, is although it was a very, very hot day, it was nice to see people without my son walking around the park, dancing, music, food. I had a delicious fish sandwich. And I just really value the camaraderie that I felt from other members of the community and Council members Flowers and Johnson should be very proud. It was a great event and I hope that it happens every year, if not in that capacity, in some kind of capacity, which is so important to mark the occasion that, again, there's still a lot of work left to do. But now that it's a federal holiday, I think that that is a good, positive mark. Forward vaccines are still being

administered and are now widely available. Many you can just walk right up and walk right into a health care center and get if you haven't gotten a shot yet, go get one. It's important that we all get vaccinated, although many are being lifted. We don't wear masks anymore. If we're vaccinated and things are loosening, thankfully, it is important to make sure that nobody gets left out. So if you're looking for information on where to get a vaccine, there's a ton of information on the CDC website. There's a ton of information on the county website. If you need help, let me know. I'll help you find out where you can go get a vaccine, how it works and any other information that you're looking for. Again, it's really important that none of us get left out of this health care measure as you move forward, not knowing what else could occur. It's very important. And now vaccines that there's not such a run on the vaccine. So it's much easier to get one at this moment of time. And then lastly, tomorrow, there is a Democratic primary election. And I don't know if anyone else knows about that. I know about that. And polls are open from six a.m. to nine p.m. the period of early voting has passed. So if you haven't voted, this is your last chance to vote in this critical election for the city of Poughkeepsie. So, again, polls tomorrow are open from 6:00 in the morning until 9:00 at night. Find your polling place at the board of election website, again, if you need help finding out where to vote, I'll help you out. Make sure you have a voting plan when you're able, whether it's before work, during work, during your lunch hour after work, tell your friends, tell your family it's very important to get out there and cast your vote to make sure that your voice is heard. With that, I conclude my comments.

VI. REPORTS OF COMMITTEES AND BOARDS:

1. SOUTHERN WATERFRONT REDEVELOPMENT TASK FORCE

I'll kick us off and then turn it over to my co-chair Kafui, and I wanted to start off by thanking all the council members for who supported the creation of this task force. I will say without hesitation, it is probably one of the most rewarding experiences I've had since working in local government here in Poughkeepsie so far in the past few years. Just the positivity that everybody has brought to the process, all of the different task force members has been really, really great. And I will tell you, it doesn't mean that we agree on everything all the time. For those of you who have been on these kinds of working groups and task forces before, you know, that's virtually impossible. But that's OK, because that's part of the process. And for the past couple of months, since our first meeting, we have met a number of times, pretty much every other week, a couple of times, two weeks in a row since the process started. And we did deliver. The short term recommendations are now final and they appear on the city's website. I will forward a copy of it to anyone who wants it by email as an attachment. But there are 10 recommendations that are all about short term access. And I want to thank Mr. Nelson, Mr. Duplika, Chris Gent, Terry Clayton, and I think I'm forgetting one other person from the engineering department whose name is escaping me at this moment. So I apologize. But thank you too for

coming on the walkthrough with us. And this was a really complicated piece of property to work with because it's simultaneously a really it's a blank slate, but there are a lot of issues with it. So it took us a lot more conversation in order to get to these short term recommendations than we anticipated. But we did get them to you in the time frame anticipated. And so I'm just going to share my screen. Can everybody see that? I'm going to start as a slide show so that you can see it. So there are 10 recommendations. About short term public access and as a reminder, this site used to be open to the public, but for several years has not been it's been cordoned off with a chain link fence. Council member Menist and I met with the administration back in February in the hopes of getting it open in time for striper season in late April, early May. We were told definitively at that time that it was just too complicated because of some of the existing conditions. So after meeting with D.C., doing multiple walkthrough and deliberating the most important things to get done in the short term, we came up with what I would consider a punch list of things to do. So first and foremost, removing debris and public privately owned property from the site, I believe. I don't see Mr. Nelson on my screen, but I think he can attest to the fact that some of this has been started. But it's not completed yet. There was there's a trailer there. There was someone's private boat there. And there was just a lot of debris. And I think that's already beginning to be cleaned up. There is already a public parking lot available to members of the public, but the issue is that it's hard to know when it's open and if it's publicly available because there's no signage. So like you have Liberty Street Lamp, for example, it has a sign that tells you it's a public lot. This one does not. And there's no curb cut to allow people to turn off of Rinaldi Boulevard into the site. So we're recommending that there be a curb cut and some signage to indicate that members of the public can park there, because right now, the only way to access it is through the parking lot that is designated for Shadows and Grandview. But this lower lot is actually part of the deal of our site. It's publicly owned and it can be parked in during normal hours like all of the other publicly owned lots. So we're recommending that a curb cut be made and it would be relatively easy. We've heard from Mr. Duplika because there's not a hard curb there. It's mostly just grass. And so it would be mostly landscaping to make that done. Obviously, there's the chain link fence. We're recommending that the chain link fence be removed and moved further down on the site. And if you look in the report, there's a line there that indicates where we recommend it be located. That was one of the biggest points of deliberation for the task force. And you can see all of that. I won't go through all the details now, but you can see where we landed and how we got there in the report. This is a term that came up in the task force to create a welcome mat at the beginning. So some signage, maybe some porta potties, some other things temporarily so that people know they're arriving somewhere. The fifth is to install a walkway along the shoreline because the future development is uncertain. We're recommending not putting in a paved walkway at this time, but putting in some crushed stone or stone dust which is allowed on the site. We asked DEC if that would be an issue given the remediation and they said no. And so this pedestrian walkway could be put in and easily changed in the future if need be creating wooden displays. A lot of

people got excited about the opportunity for public education on the site to talk about the history, talk about ecology and where there are certain hazards on the site instead of just putting a fence around them to put up some wooden displays to prevent people from tripping, but then use the wooden panels as educational panels temporarily, we recommend stabilizing some of the loose gravel. A lot of concerns came up around making sure that the city is patrolling for safety, just like they do with the rest of the parks. And also we talk about the timeline for implementation and creating an implementation working group, which I and several other members of the task force have agreed to be a part of, to work collaboratively with the administration on implementing some of these things because the devil is in the details. And so putting in a safety railing, for example, was something that we debated a lot. But then picking out that safety railing and making sure that it is in keeping with the site itself and is attractive is something that people really wanted to have a voice in. So those are our short term recommendations. Some of them might seem like they would have been obvious or like a no brainer and some of them were, but some of them were not, and those were the ones that we really spent time on with. It took everybody a while to get familiarized with the site conditions. And I think we have a really good handle on that now. We've been able to make contact with DEC., which has been really, really helpful, especially as we think about the long term recommendations as well. So all that said, we now have about three weeks left before the long term recommendations are due. And in speaking to Emily Svenson, who helped in drafting the report and editing it and then also some of the other task force members who helped pull those short term recommendations together, we do think we would be able to deliver a much more thorough report to the council that will guide future long term development of this site if we were able to have an extension of that time frame. And there's one really important reason why, and that's because we're trying to do inclusive community engagement, which we know sometimes works in the city and sometimes doesn't. But no matter what takes a lot of time and effort to do it right. And so with that, I'm going to turn it over to my co-chair Kafui to talk a little bit about the community engagement that he's been spearheading. Thank you.

Kafui Atttoh: Thank you so much, Sarah. Let me just start by saying it's been really great to be able to serve on the task force and I think I echo what John and who's on the task force said earlier, and that can really proud of the recommendations we've put forward. So, as you all know, because it was passed by this body, the kind of resolution had two components, short term and long term. So we having passed now the short term recommendations, we've moved on to kind of the long term, the long term recommendations and the language in the resolution, I think is really important, which is, you know, the tasks we're asked to consider options for the long term development of, you know, portion of the formative of our site inland from and then from shore. And in the event that a great project does not proceed. And I think as we move to the task force, I think almost, you know, some of what we've learned is that, you know, whether it proceeds or not, actually having a greater input from the public will and will be necessary and will benefit whatever happens happens at the place, which means

that the public input is even more important and gathering is even more important. So in terms of what we have done, apart from hosting a number of publicly public meetings, is, you know, I've been spearheading a survey community survey that I think will, once it's completed, offer a set of clear picture, a clear picture of kind of what priorities people in the city the priorities people in the city have for these. It'll take time, though. And so going back to kind of serious point, I think, again, I think would really benefit of the process and the ultimate proposal to get to extend the timeline a bit so that we can we can get further from the public input. I think we've done a good job thus far, but I think in terms of quality and representation, definitely be definitely worthwhile. So I think that's really in terms of the long term issue where we were at, which is we've already collected a lot, but it's great to collect more and we need a little bit more time. So I'd ask you to consider that I realize, you know, given comments earlier, that there's all sorts of other priorities. But I think this is really I think is really important and great to be able to present to the council a sense of how people see the waterfront. These aren't these aren't studies that are often done by developers. But they are ones that should be done by the city.

Councilmember Brannen: Thanks, Kafui have we do you had shared in the last task force meeting a little bit about the survey, just in terms of the number of responses. And also we discussed some concerns about the diversity of respondents. And I feel like that's important for us to share with the council members, because we had a really long discussion about that in the last meeting. And I know you just got a bunch of paper surveys from Juneteenth, so that was great. But could you just share, as of the last meeting how many responses there were and there was a breakdown by demographic.

Kafui Atttoh: So lots of things have changed because of the influx of new surveys. But the last meeting place, we had around 300 in survey. Three hundred and seventy completed surveys, around 50 percent or 60 percent were white respondents. Eight percent were black respondents, five percent was Latino respondents. And then it was optional question. So a number of people did not respond after 24 hours, up to four hundred and thirty respondents, which is excellent. And the numbers are closer to what we, is what is it? It's you know, when you look at the demographics of the city versus the survey, you want them to be you want them to be close, closer than they are. So I think I think we're moving in that direction just a little bit more time would be great on people on this call have helped a move that Cherry helped with the school district. That was excellent. Juneteenth being able to table a Juneteenth thanks to some member flowers was excellent. We also we got a lot of responses there. So even as we made the rounds, you know, the city. So we're trying. So I think we're moving in the right direction.

Councilmember Brannen: Yeah. And we did talk about whether we should just cut off the public engagement and try to make our deadline. And as a group, we weren't comfortable with that because it seemed important to make sure that we

tried to hear as many voices as possible and took the risk to come to you after making that decision to ask for a little more time. So I hope that you all can understand why we felt that was important. And you can support the task force by giving us a little more time to be able to summarize the results of that public engagement. Also, some of the best practices that we've been gathering, Emily, we heard today is summarizing those. And we want to deliver something really, really good to the council and also to the administration, because we think that whatever we do now, if we put in the time, will be really prepared for whatever comes next. So we want to give you all a product or work product that we feel proud of. So thank you and happy to answer any questions. Thank you so much.

VII. MOTIONS AND RESOLUTIONS:

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

1. **SEQRA Resolution R-21-55 and Sale Resolution R-21-56**, authorizing the Sale of City Owned Property at: 302 Church St.: 6161-23-285902

NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) RESOLUTION REGARDING A SALE OF CERTAIN CITY OWNED PROPERTIES (R-21-55)

BY COUNCILMEMBER CHERRY:

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 302 Church Street and identified as Tax Map No. 6161-23-285902; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and
4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and
6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER BRANNEN

Official Minutes of the Common Council Meeting of June 21, 2021

SEORA R-21-55						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

**R E S O L U T I O N
(R-21-56)**

INTRODUCED BY COUNCILMEMBER CHERRY:

WHEREAS, the City of Poughkeepsie has previously taken title to a single family house located at 302 Church Street (Tax Map No: 6161-23-285902), in the City of Poughkeepsie by reason of unpaid real property taxes; and

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

WHEREAS, an offer has been received from Vicente Govea and Paulina Govea in the amount of \$56,000; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Vicente Govea and Paulina Govea is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and

conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from Vicente Govea and Paulina Govea to purchase premises known as 302 Church Street (Tax Map No: 6161-23-285902), in the City of Poughkeepsie for the sum of \$56,000.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

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

- A. That the Purchaser shall close and accept title within thirty (30) days of the date of the adoption of this resolution.
- B. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;
- D. Purchaser agrees that they shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation;
- E. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law;
- F. Purchaser shall abate any and all building code violations within sixty (60) days.
- G. Purchaser agrees that the premises will be owner-occupied for at least three (3) years from the date of transfer.
- H. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record

BE IT FURTHER RESOLVED, that the Mayor or the City Administrator is hereby authorized to sign the deed and any other documents required to effect the sale, provided such deed contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER BRANNEN.

R-21-56			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

- 2. Resolution R-21-57, to amend Resolution R-21-31 to extend time for the Southern Waterfront Site Redevelopment Task Force to complete recommendations**

RESOLUTION

(R-21-57)

Resolution to amend Resolution R-21-31 to extend time for the Southern Waterfront Site Redevelopment Task Force to complete recommendations

INTRODUCED BY CHAIRSALEM, VICE-CHAIR BRANNEN, COUNCILMEMBER MENIST:

WHEREAS, Resolution R21-31 created the Southern Waterfront Site Redevelopment Task Force (the "Task Force") to study the reactivation of the former DeLaval site and tasked it with providing recommendations for Near-term improvements and Longer-term redevelopment; and

WHEREAS, the Task Force was inaugurated upon appointment of members on April 5, 2021; and

WHEREAS, the Task Force has been working diligently on its charge and has completed and unanimously adopted its recommendations for Near-term improvements; and

WHEREAS, Resolution R21-31 called for the recommendations for Longer-term redevelopment to be submitted within 90 days of its inauguration, which is July 4, 2021; and

WHEREAS, the Task Force has requested additional time to develop its Longer-term redevelopment recommendations in light of the large quantity of valuable input it has received;

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby amends Resolution R21-31 to extend the date by which the Task Force will provide its Longer-term recommendations to the Council until September 10, 2021.

SECONDED BY BRANNEN **:**

R-21-57			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☐	☒	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☐	☒	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. A PRESENTATION FROM CITY ASSESSOR JOHN TAYLOR, on Real Estate Markets and Valuation.**
- 2. FROM MICHAEL GOLD, a notice of property damage sustained on April 21, 2021.**

1. UNFINISHED BUSINESS:

2. NEW BUSINESS:

3. ADJOURNMENT:

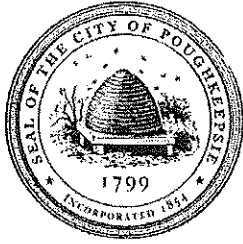
A motion was made by Councilmember Brannen and seconded by Councilmember Flowers to adjourn the meeting at 8:46pm.

Dated: June 24, 2021

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, June 21, 2021.

Respectfully submitted,

**Jasmin Nicole Davis
City Chamberlain**



THE CITY OF POUGHKEEPSIE
NEW YORK
SPECIAL COMMON COUNCIL
MEETING MINUTES

Wednesday, June 30, 2021

5:30 pm

City Hall

Chair Salem called the meeting to order at 5:46 p.m.

I. PLEDGE OF ALLIANCE:

II. ROLL CALL 8 Present 0 Absent

II. MOTIONS AND RESOLUTIONS:

1. A motion was made by Councilmember Flowers and seconded by Councilmember L. Johnson to nominate Sakima McClinton to fill the vacancy and serve as the 8th ward Councilmember

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

A motion was made by Councilmember Brannen and Councilmember L. Johnson to adjourn the meeting at 6:02 p.m.

Dated: July 1, 2021

I hereby certify that this true and correct copy of the Minutes of the Special Common Council Meeting held on June 30, 2021.

Respectfully submitted,

Special Common Council Meeting Minutes of Wednesday, June 30, 2021

Jasmin Nicole Davis
City Chamberlain