



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Tuesday, July 9, 2024, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is July 9, 2024, and the time is 6:35pm

I. ROLL CALL: ALL PRESENT

II. REVIEW OF MINUTES:

NONE

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

ADD:

- 3. FROM CELEBRATING THE AFRICAN SPIRIT**, a presentation on the revised Site Placement of the C.A.S marker at Waryas Park

IV. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. FROM SUPRINA TROCHE AND JAIME RANSOME**, a presentation on their project “ No Longer Empty” to beautify main street.
- 2. FROM BARBARA D. COHEN**, an amended Notice of Claim for personal injury sustained on April 27, 2024.

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

- **Nicholas Kalogris – Maryland Ave/For the Many**
- **Carmen McGill – Glenwood Ave/C.A.S**
- **Laurie Sandow – S. Grand Ave***

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- **Suprina Troche – Delafield St**
 - **Jeff Aman – Barnard Ave**
 - **Darrett Roberts – Hooker Ave / CVH**
 - **Daniel Atonna – College Ave/For the Many**
 - **Mary Reynolds – Academy St**
 - **Nancy Foster – Revive College Hill Park Coalition**
 - **Doug Nobiletti -Academy St**
 - **Andrew Hiller – Hickory Bush/MHVDSA**
 - **Dr. Michelle Bodden White – Academy St**
 - **Albert White – Academy St**
 - **Rosemary Fritz Grabowska – Innis Ave**
- *Submitted Written Comments**

Revised Waryas Park Site Selection Plan for the C.A.S. Marker

Prepared for Mayor Yvonne Flowers

and

The City of Poughkeepsie

Common Council

July 9, 2024



Before we begin our talk about the Marker this evening, we need to take a moment to recognize a very special person on this project—

Carolynn Costella, who passed away unexpectedly this past Saturday. Carolynn was the Lead Researcher on the Marker project, as well as being C.A.S.' Secretary. A Librarian by profession, Carolynn would do anything and everything in her power to help our Poughkeepsie young people. And she always did everything with a kind word and a smile. Carolynn, you will always hold a special place on this project and in our hearts.



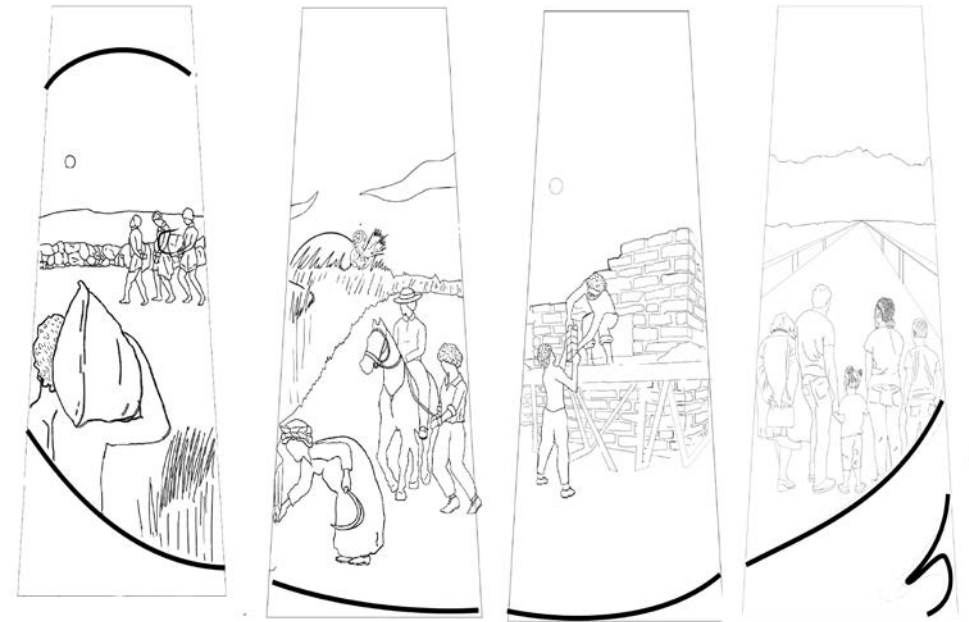
Recap...

At our initial meeting, C.A.S., a City of Poughkeepsie Non-Profit, requested approval to install a Marker in Waryas Park to commemorate the enslaved Africans who literally built much of what has become Poughkeepsie today.

Slaveholders had been memorialized, but recognition of the contributions of enslaved persons has been noticeably absent from our history.

C.A.S.' Mission is to rectify this scenario, by educating all Americans, starting with this Marker designed by City of Poughkeepsie youth and artists.

Working with 4th State Metals, whom many of you may know from the Corey Ingram Circle project here in the City of Poughkeepsie, we have developed a pre-production model, and tentative site plan we'd like to share with you today.



Aerial view of proposed C.A.S. Marker site

This location is on level ground facilitating universal access

Is an undeveloped area between two parking lots, simultaneously allowing for easy access and a space to reflect

Has an unimpeded view of the Hudson River, which is key to the history in this narrative

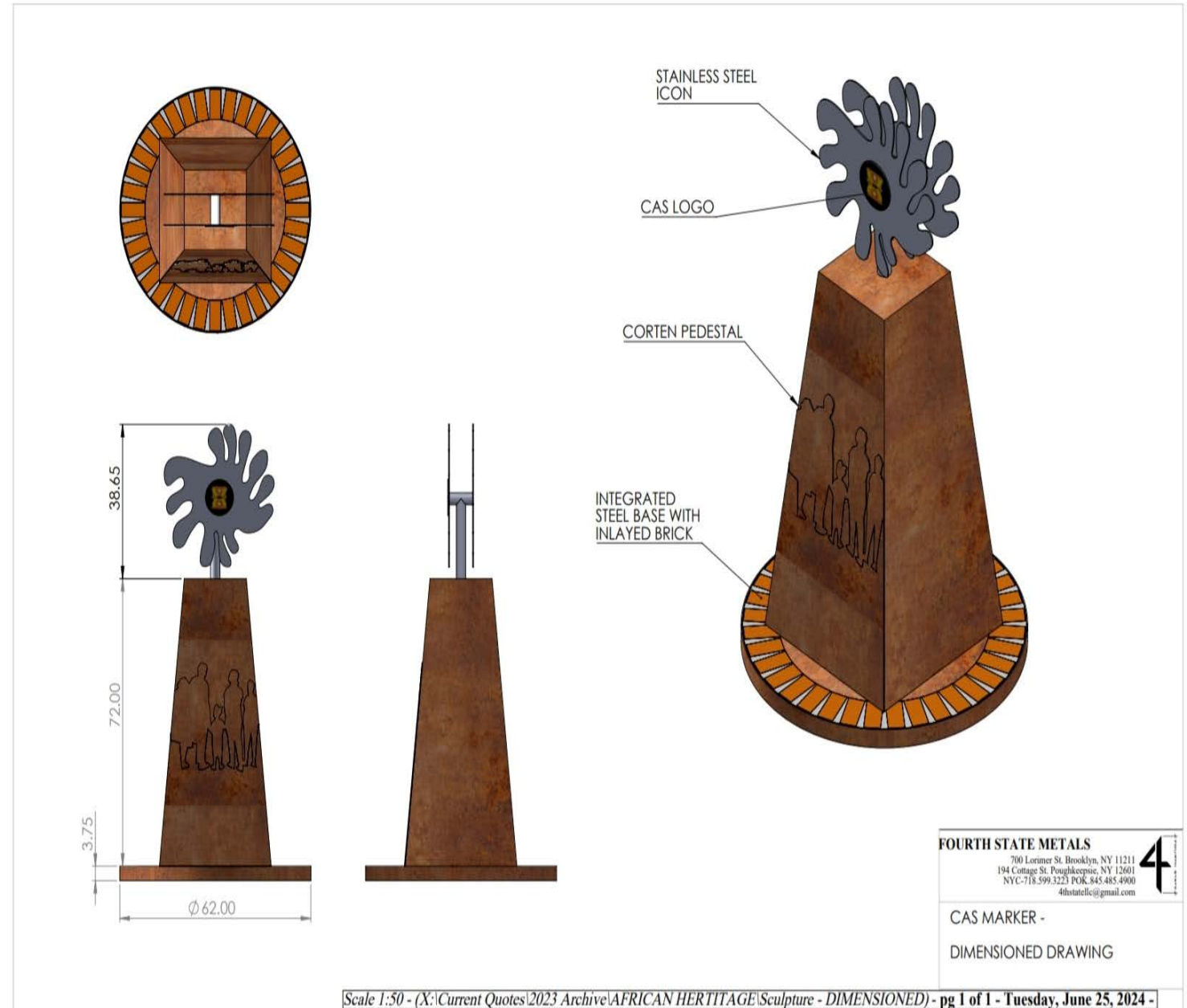


A Rendering of the Proposed Marker and its Principal Components

This is a schematic diagram of the proposed Marker, as it would be installed in Waryas Park.

Note that the historic brick motif, which ties into one of the bas-relief illustrations on the pedestal, is inlayed into the steel base.

The Marker sculpture would be installed as a unit onto the existing concrete pad.



Actual site as it exists today plus the Marker that would be installed on the current concrete pad.



Looking West towards the proposed C.A.S. Marker site

As you can see, within the small footprint of Waryas Park, this placement would offer the optimum

Access

Gathering Area

Historically significant Views



Where we are:
We have a pre-
production
plan & a

dedicated
team of
community
volunteers
We have \$
commitments
The support of
Ward
Councilperson
Henry



Victor
C Waryas Park

John M Flowers Cir

Parking - Po
Train S

Rip Van Winkle Ho
parking o

What are the next steps in the process to obtain City of Poughkeepsie approval to place the C.A.S. Marker in Waryas Park?

???



Let's share the
full
story of
American History!
Thank you.



Laurie Sandow public comments, c/PK Common Council meeting, July 9, 2024

There's so much to talk about before this Council retreats behind their extended summer break. And, of course, there's no way for members of the public to do that with only three minutes per speaker. Any councilmember has the right to make a motion to suspend the rules and lengthen the public comment period. But they don't. The Charter also provides for the Chair, at his discretion, to suspend the rules for public comment prior to a vote on any resolution. But he never has.

Why? Because when you have a Council Chair as belligerent as Da'Ron Wilson, the voice of the public is a democratic value he's yet to embrace, and extending public comment time and hearing from the public prior to votes on any resolution are courtesies he's never offered. This is despite the At-Large Council member being required by the City Charter to answer to all city voters, and not just those of a single ward. Then there's the irony of the "For The Many" lobbying organization that's monopolized public comments at meeting after meeting, now complaining about the very conditions they created — that is, the need to arrive far in advance of a meeting in order to be assured of a speaking position on the sign-up sheet. If the lobbying organization doesn't like what they've created, imagine how members of the general public feel about that.

Transparency is among the bedrocks of democracy. It goes without saying that democracy cannot be defended or preserved when a governing body violates or undermines its fundamental principles. Our Councilmembers use social media to glory in their privileges and selfies at the same time they operate with a siege mentality, shutting the public out of actual knowledge and information. At the last meeting, Mayor Flowers lectured Evan Menist for raising questions about an item that she said had been in Council hands for 10 days. Surely her attention would and should be better focused on the Council and Administration having withheld information from the public until the Council's agenda is finally posted with only three days' notice, not to mention the backroom deals this Administration never reveals to the public at all.

At the last Council meeting, we heard lie after lie foisted on the public. No surprise, the tag team of Corporation Counsel Rebecca Valk and Council Chair

Da’Ron Wilson seek to punish and exclude the public for calling out their lies, rather than prosecute electeds for their violations of both oath and ethics.

At the last Council meeting, there was a resolution presented as if it was urgent—an item that should have gone to the City's Waterfront Advisory Committee (the WAC) before ever appearing on a Council agenda. But it hadn't. And despite the Mayor, Common Council and Corporation Counsel all being made aware of the WAC meeting scheduled to take place the following day, neither the resolution nor amendment were submitted for the WAC's consideration. It's "fascinating" that so-called rush items have suddenly become a favorite strategy for manipulating vote outcomes—from the Discovery Museum item, to the County's deceptive College Hill Park communication tower item, to garnering support for a City grant application that was not only rushed through meetings of both the County–City Land Bank, as well as the never-publicly-announced, no-records-kept, Poughkeepsie Housing Authority meetings with tenants at MLK and Thurgood Marshall.

Developers in this City are sharp observers of this dynamic, and employ a different but similar strategy for manipulating approvals and vote outcomes, that is, submitting initial plans and replies to Requests for Proposals (RFPs) that, once accepted, transform to bear little resemblance to their originally submitted paperwork and approval.

We have a serious problem in this City stemming from the Council and Mayor alike—a problem rooted in secrecy, manipulation, and favoritism shown to certain friends and supporters of the Council and Mayor; while indifference and/or hostility is shown to anyone who dares to question or criticize. This problem is compounded by outright lies and lawbreaking that is tolerated and even aided, yet never challenged, by this City's Corporation Counsel Rebecca Valk.

VI. CHAIRMAN'S COMMENTS AND PRESENTATIONS:

First, I would like to thank everybody that came out and thank you to *Celebrating the African Spirit*, of course, with your presentation.

Thank you for the Frederick Douglass Day Flyer.

Also, for those that did not hear July 11th PK Stand Up for Community Action against 26 Oakley on Market Street, the sixth floor, 5:30 p.m. July 15th, which is next Monday. Same thing, 6:30 p.m. on Market Street for the legislature.

Thank you to the Arts Commission as well for your arts.

Don't forget about porch, party. I mean, Porchfest, of course. All up and down Academy Street. That is a great event to be [at].

There was also going to be a veteran - if you travel down Raymond Avenue or if you've seen in Arlington, there'll be a presentation in August from the veterans who want to do a veteran's walk here in the City of Poughkeepsie as well. And on August 2nd, the Renegades will be honoring the Newburgh Gorham's since it's one of the original Black/ Negro League teams, they'll be having an event at 7 p.m., so make sure that you go to support that event as well.

I just also want to make sure that everybody is aware that the about the tower. I know you keep hearing about it. The tower that exists is not for business. It's not for a business entity is for our emergency medical services, our fire department and our police department to be able to get communications from the north side of Poughkeepsie. So with the tower that's already existing, either one way or the other, it's still going to be there if the city replaces it or the county with their venture, but it's there already. If you go, go up there and if you attend Frederick Douglass there, you'll see it right there. But it is for our fire and police and our emergency services to be able to service the north side of Poughkeepsie. It does not help for the other side to see if something does happen.

Unfortunately, if it does not, if something does happen, our fire department and our emergency services and our DPW will be at a loss to communicate with the north side of Poughkeepsie, but there is an existing tower there for those that just might not be sure of that.

And it's been there prior to before I was even born. Also, I just want to make sure as we as. Yes, that is very old. And as they as you heard, we will be going into our summer session, but of course, your council members will be around and available via email or phone calls in at various events. I want everybody, as you see, as the heat is turning up, to make sure that you're keeping yourself hydrated. Make sure you're checking in on those that might not. If you have pets and things like that, make sure you're keeping them hydrated. Please don't keep them out long. Please enjoy your summer and have a great summer. Enjoy all the wonderful things in the city of Poughkeepsie and we will see you in the fall. Not the fall, but it'll be late summer. So thank you once again for everybody that came out today.

And now to the mayor's comments.

VII. MAYOR'S COMMENTS:

So one, I want to extend my condolences to Carolyn Costello's family. I met her when I was at the Frederick Douglass Day, and so, she kind of took a liking to my grandson. So, I didn't know she passed. So please send our condolences to her family. Also, too, I wanted to send condolences to, Mr. Robert Levine, who was also on, he was on the planning board. He passed away as well, so I extend our condolences to his family and thank him for the contributions that he had made to the city of Poughkeepsie, serving on the planning board. He served for many years and was a vital component to really helping with the economic growth in the City of Poughkeepsie, so I just wanted to extend that as well.

I want to thank our city staff, our police department, fire department, DPW, our traffic control officers on the 4th of July. I mean, there was a lot of people that were in the parks. They saw the bands that played for free. Our Councilmember Evan Menist was down there. He had his band play as well.

It was really nice to see all the activity that was going on down at the river. And to see all the families enjoying the day. And of course, you know, the fireworks, which was sponsored by Central Hudson, Nuvance and Walkway over the Hudson. So, they were involved in helping with the cost of the fireworks. We weren't involved with the fireworks, the ticket sales that were on the walkway. Some people were mixing that up. That was totally on the walkway. But it was nice to be up there to, you know, see the fireworks. So I just appreciate everybody's effort into that.

Also, you know, we're continuing our efforts on, on Main Street at 472 Main, where the vacant lot [is]. If you drive by there now, our, DPW staff along with our sanitation, you know, also with the owners of that property were able to, kind of clear out the land there. And there were agencies that were involved and organizations that help the individuals to let them know the services that were available. So we had a series of days where people have went out to discuss, what was available. And then and so that way didn't, bring more trauma to some individuals that were using that place as their home. When we came in and they realized that now all this stuff is being taken and thrown into the garbage.

So, there was a process and it also happened on Cannon Street because there was an encampment that was there. So, that was also, dealt with.

I know that it came up about, Hudson River Housing Center, conducting services there next to that lot.

Well, the reason why that was happening, because all the activity was happening there. So, we wanted to have a place so that way the county, Mental Health America and some of the other organizations had a place for them to go when they were talking to individuals, trying to provide services to get them off of Main Street. They're not going to be there forever. They're

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only going to be there for this year. Hopefully we don't need to have them there for the following year, but there's many times that I went up there, and one particular time a person who was working with an individual was actually working with the person in her car because she had no other place and the person wasn't going to go down to North Road with her.

So, they need a place to be able to, to talk with individuals and give them the resources that they need. So the thing is, was bringing the services to where the people are and not thinking that the people were going to go down to where the offices were. So that's the reason why they're operating there. And that's their property. So, they decided that, you know, they would help with the services there. So we're supporting that.

As far as the city is concerned, also, so, we know that shooting that just happened over the weekend or during the 4th of July. You know, prayers are going out to the family of the victims that were involved with that. But we are meeting with the police department and other law agencies involving some of these properties that are operating illegally and holding clubs illegally. So, we are cracking down on that. So there will be a task force that would actually go through and they're going to start issuing violations.

Unfortunately, it's - for whatever reason - people think it's a free for all. I don't know why, but now there's a lot of, you know, storefronts and I guess some restaurants that decide to turn their places into clubs in the evening. So, you know, if they're not properly zoned for that or if they're not properly have license for that, then they're going to be dealt with. Because it's getting out of hand.

And the complaints that are coming to us is become a bit overwhelming. So we really need to address that, unfortunately.

Also too, it's great that everybody wants to use our pools. But we seem to be at full capacity on every day. So, we just wanted people to be mindful that we do have to make sure we are in compliance when it comes down to that, because of the fact that we can get shut down if there's too many people in the pool.

So we do ask people to be mindful of that. And what we're going to do is try to come up with additional plans so that way individuals that do come will have the opportunity to be able to use the pool. So it doesn't like you get there at a certain time, and that you can't use it for the day at all, because now there's others that are there. So we're looking at other ways of on being able to accommodate that. It happens for the first three weeks when the pool opens. And after that, it kind of dies down a little bit because people go on vacation. Also, too, Spratt pool is open. So that has not filled to capacity so if people are able to go to Spratt, then we ask them to go there. Their bands work at both pools.

The other thing is, too, is that we're noticing that there's vendors that are setting up in the parks and on the streets that don't have any kind of permits or any approval to do so. They're also operating in places where it's not zoned for that. So that can also be dealt with because it's getting out of hand.

And the thing is, is that there's a reason why we go through that process. So that way we know who are operating in our parks and there's certain places that they cannot operate, but somehow they're pitching up tents and tables and grills and selling food, and not even having

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proper permits to the health department. So we're also addressing that as well. That seems to be coming up as a big problem.

The other thing is to be here.

And so, also to so we're asking people to please sign up for the buzz again. Because they're like events like this will be in the buzz. So we just encourage people to sign up for that and also sign up to our website so that you're, you get a rundown of all the events and things that are happening for the summer because there's so much that is happening in the city, but it's wonderful to see. So, if you do sign up for the buzz, we try to make sure we have as much in there for each week. So that way, you know, what's going on for that weekend or that week.

And of course, on agenda today, it's going to be, the appointment of the city administrator.

And as Joe Donat and he is, in the audience here. I appreciate the work that the search committee has done. In this process, we went through a rigorous process. I have to say, and I'm really, glad you know of the selection that was made. I actually appointed him out of three candidates. I've worked with, and it's individual. He's our interim director of planning and development. I work closely with them for the last six months, and I was very impressed of some of the things that I have given to him. And he's actually shown, you know, how capable and how much of a passion he has for the city. He has experience in working with cities like Newburgh. He's also had, experience and working on a federal level when I've been in Washington and even in, up in Albany, people know of him. I know that the work that he has done and the money he has helped bring to, cities. So I am very, excited about this appointment. I'm looking forward to working with him. He was also involved with our RFP for our food trucks and also for ice House. He did very well with that. And he's also been working with the individuals for the bid. And to get that, going and working also with the zone. And he's been working along with our planning department in regards to that. So, I am thrilled to be working with him moving forward. And I appreciate the council's support on this. And, looking forward as we're moving the city forward.

So thank you, chair.

NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

VIII. REPORTS OF COMMITTEES AND BOARDS:

CONSENT AGENDA:

Councilmember Menist made a motion to move Resolution R-24-58 from the Consent Agenda to the Action Agenda which was seconded by Councilmember Grant

Vice Chair Shook made a motion to move Resolution R-24-59 from the Consent Agenda to the Action Agenda which was seconded by Councilmember Brown

Councilmember Menist made a motion to approve the remaining items on the Consent Agenda which was seconded by Councilmember Henry

IX. MOTIONS AND RESOLUTIONS:

- 1. R-24-54, Bond Resolution Authorizing the Acquisition of Fire Department Vehicles and Apparatus**

RESOLUTION

R-24-54

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

EXTRACT OF MINUTES (Fire Department Vehicles and Apparatus)

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on July 9, 2024 at 6:30 o'clock p.m., local time.

The meeting was called to order by Chair Wilson, and, upon roll being called, the following members were:

PRESENT:

Councilmember at Large Da’Ron Wilson
Councilmember Ernest Henry
Councilmember Evan Menist
Councilmember Terriciana Brown
Councilmember Nathan Shook
Councilmember Ondie James
Councilmember Christopher Grant
Councilmember Nedra Patterson Thompson
Councilmember Megan Deichler

ABSENT:

The following persons were ALSO PRESENT:

Commissioner of Finance Brian Martinez, PhD

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The following resolution was offered by Councilmember Menist, seconded by Councilmember Henry, to wit;

BOND RESOLUTION DATED JULY 9, 2024

A RESOLUTION AUTHORIZING THE ACQUISITION OF TWO PUMPER TRUCKS AND ONE LADDER TRUCK FOR FIRE DEPARTMENT PURPOSES AND THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,200,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

SECTION 1. The acquisition of two pumper trucks and one ladder truck with custom aluminum cab, custom chassis and 100' aerial, including firefighting apparatus, for City fire department purposes is hereby authorized at an aggregate estimated maximum cost of \$4,200,000 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is twenty years.

SECTION 2. It is hereby determined that the aforesaid purpose described above constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. The City plans to finance the cost of said purpose by the issuance of serial bonds of the City in an aggregate amount not to exceed \$4,200,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds shall be applied to reimburse the City for expenditures made after the effective date of this resolution for the purposes for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 6. The bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and

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payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 7. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Commissioner of Finance, the Chief Fiscal Officer of the City. The Commissioner of Finance is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Chamberlain is hereby authorized to affix the corporate seal of the City to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 8. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with;

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

- (3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

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(2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with;
and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Chamberlain is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Poughkeepsie Journal, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 12. This resolution shall take effect immediately.

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The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Councilmember at Large Da’Ron Wilson	VOTING ____
Councilmember Ernest Henry	VOTING ____
Councilmember Evan Menist	VOTING ____
Councilmember Terriciana Brown	VOTING ____
Councilmember Nathan Shook	VOTING ____
Councilmember Ondie James	VOTING ____
Councilmember Christopher Grant	VOTING ____
Councilmember Nedra Patterson Thompson	VOTING ____
Councilmember Megan Deichler	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

Submitted to Council: Council Action: Roll call vote taken: Yes ____ No ____ Ayes ____ Nays ____ Abstain ____ Absent ____ Approved by Mayor on _____ Mayor’s Signature _____ Yvonne Flowers	I hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted at a regular meeting of the Common Council held July 9, 2024. _____ City Chamberlain
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CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) He is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 9th day of July, 2024 and entitled:

BOND RESOLUTION DATED JULY 9, 2024

A RESOLUTION AUTHORIZING THE ACQUISITION OF TWO PUMPER TRUCKS AND ONE LADDER TRUCK FOR FIRE DEPARTMENT PURPOSES AND THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,200,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed. As of the date hereof, each such resolution is in full force and effect and has not been amended, repealed or rescinded.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 9th day of July, 2024

-SEAL-

Jamar M. Cummings
City Chamberlain

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Executive Summary–Not a part of the Resolution

This Bond Resolution for **Two Pumper Trucks and One 100’ Ladder Truck and firefighting apparatus** includes:

<u>Purpose</u>	<u>Capital Budget Items</u>	<u>PPU (Max. Period for Financing)</u>	<u>Total Estimated Maximum Cost</u>	<u>Other Funds</u>	<u>Bonds Authorized</u>
Section 1. Acquisition of two pumper trucks and one 100’ ladder truck and firefighting apparatus		20 years	\$4,200,000	\$0	\$4,200,000
Grand Total			\$4,200,000	\$0	\$4,200,000

R-24-54 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

2. R-24-55, Bond Resolution Authorizing Construction of An Addition to The N. Clover Street Firehouse

R-24-55

INTRODUCED BY CHAIR WILSON, COUNCILMEMBERS SHOOK, PATTERSON THOMPSON,

Official Minutes of the Common Council Meeting of July 2, 2024

MENIST, DEICHLER, GRANT, HENRY, BROWN AND JAMES

EXTRACT OF MINUTES
(N. Clover St. Firehouse Addition)

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on July 9, 2024 at 6:30 o'clock p.m., local time.

The meeting was called to order by Chairman Wilson, and, upon roll being called, the following members were:

PRESENT:

Councilmember at Large Da’Ron Wilson
Councilmember Ernest Henry
Councilmember Evan Menist
Councilmember Terriciana Brown
Councilmember Nathan Shook
Councilmember Ondie James
Councilmember Christopher Grant
Councilmember Nedra Patterson Thompson
Councilmember Megan Deichler

ABSENT:

The following persons were ALSO PRESENT:

Commissioner of Finance Brian Martinez, PhD

The following resolution was offered by Councilmember Menist , seconded by Councilmember Henry, to wit;

BOND RESOLUTION DATED JULY 9, 2024

A RESOLUTION AUTHORIZING CONSTRUCTION OF AN ADDITION TO THE N. CLOVER STREET FIREHOUSE AND THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,000,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

Official Minutes of the Common Council Meeting of July 2, 2024

SECTION 1. The specific purpose to be financed pursuant to this section is the construction of an addition to the N. Clover Street Firehouse at the rear of the existing apparatus bay. The estimated maximum cost of said purpose is \$1,000,000, and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 12 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is fifteen (15) years.

SECTION 2. It is hereby determined that the aforesaid purpose described above constitutes a Type II Action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQR not to have a significant impact on the environment.

SECTION 3. The City plans to finance the cost of said purpose by the issuance of serial bonds of the City in an aggregate amount not to exceed \$1,000,000, hereby authorized to be issued therefor pursuant to the Local Finance Law.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds shall be applied to reimburse the City for expenditures made after the effective date of this resolution for the purposes for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 6. The bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 7. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Commissioner of Finance, the Chief Fiscal Officer of the City. The Commissioner of Finance is hereby authorized to sign any serial bonds issued pursuant to this resolution and any

Official Minutes of the Common Council Meeting of July 2, 2024

bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Chamberlain is hereby authorized to affix the corporate seal of the City to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 8. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with;

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

- (3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

- (2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with;

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

- (3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Chamberlain is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Poughkeepsie Journal, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 12. This resolution shall take effect immediately.

Official Minutes of the Common Council Meeting of July 2, 2024

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Councilmember at Large Da’Ron Wilson	VOTING ____
Councilmember Ernest Henry	VOTING ____
Councilmember Evan Menist	VOTING ____
Councilmember Terricena Brown	VOTING ____
Councilmember Nathan Shook	VOTING ____
Councilmember Ondie James	VOTING ____
Councilmember Christopher Grant	VOTING ____
Councilmember Nedra Patterson Thompson	VOTING ____
Councilmember Megan Deichler	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

Submitted to Council: Council Action: Roll call vote taken: Yes ____ No ____ Ayes ____ Nays ____ Abstain ____ Absent ____ Approved by Mayor on _____ Mayor’s Signature _____ Yvonne Flowers	I hereby certify the foregoing to be a true and correct copy of a Resolution duly adopted at a regular meeting of the Common Council held July 9, 2024. _____ City Chamberlain
---	--

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) He is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 9th day of July, 2024 and entitled:

BOND RESOLUTION DATED JULY 9, 2024

A RESOLUTION AUTHORIZING CONSTRUCTION OF AN ADDITION TO THE N. CLOVER STREET FIREHOUSE AND THE ISSUANCE OF SERIAL BONDS OF THE CITY

Official Minutes of the Common Council Meeting of July 2, 2024

OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,000,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed. As of the date hereof, each such resolution is in full force and effect and has not been amended, repealed or rescinded.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand this 10th day of July, 2024

-SEAL-

Jamar M. Cummings
City Chamberlain

Official Minutes of the Common Council Meeting of July 2, 2024

Executive Summary–Not a part of the Resolution

This Bond Resolution for **N. Clover St. Firehouse Addition** includes:

<u>Purpose</u>	<u>Capital Budget Items</u>	<u>PPU (Max. Period for Financing)</u>	<u>Total Estimated Maximum Cost</u>	<u>Other Funds</u>	<u>Bonds Authorized</u>
Section 1. N. Clover St. Firehouse addition		15 years	\$1,000,000	\$0	\$1,000,000
Grand Total			\$1,000,000	\$0	\$1,000,000

R-24-55 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

3. R-24-56, Resolution to Approve MOA between the Joint Water Board and the UFPO (United Federation of Police Officers)

**RESOLUTION
(R-24-56)**

SPONSORED BY CHAIR WILSON, COUNCILMEMBERS SHOOK, PATTERSON THOMPSON, MENIST, DEICHLER, GRANT, HENRY, BROWN AND JAMES:
WHEREAS, representatives of the City of Poughkeepsie and the Town of Poughkeepsie, on behalf the Joint Water Board of the Town and City of Poughkeepsie, (“Joint Water Board”) and the United Federation of Police Officers (“UFPO”), representing employees of the Joint Water

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Plant, have negotiated on and settled upon certain financial terms and conditions into a Memorandum of Agreement (“MOA”) that will form a successor Collective Bargaining Agreement (“CBA”) between the Joint Water Board and the UFPO; and

WHEREAS, the current CBA with the UFPO expired on December 31, 2022

WHEREAS, the proposed MOA provides for a contract term of January 1, 2023 through December 31, 2025 and is annexed hereto and made a part hereof; and

WHEREAS, the union membership has ratified the terms of the MOA; and

WHEREAS, the Town of Poughkeepsie Town Board is expected to vote on the MOA at its meeting held on July 10, 2024; and

WHEREAS, it is the desire of the Common Council to authorize and approve the financial terms of the settlement; and

WHEREAS, the 2024 City Budget will be adjusted by separate budget amendment to address the retroactive salary increase for 2023 and partial year 2024 salaries; and

WHEREAS, the Common Council has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council does hereby authorize and approve the financial aspects of the proposed MOA in substantially the same form and substance as annexed hereto; and

BE IT FURTHER RESOLVED, that the Common Council hereby authorizes the Mayor to enter into a CBA containing the financial terms of substantially the same form and substance as set forth in the attached MOA; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

SECONDED BY COUNCILMEMBER HENRY

R-24-56 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

MEMORANDUM OF AGREEMENT
(WITH ANNOTATIONS ADDED)

**JOINT WATER BOARD
AND
THE UNITED FEDERATION OF POLICE
OFFICERS
JOINT WATER BOARD EMPLOYEES**

January 1, 2023 – December 31, 2025

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is entered into by and between the negotiating teams for Joint Water Board (hereinafter "JWB") and the United Federation of Police Officers (hereinafter "UFPO") for Joint Water Board employees, referred to collectively as the parties.

WHEREAS, the JWB and the UFPO are parties to a collective bargaining agreement which had an expiration date of December 31, 2022; and

WHEREAS, the parties have now reached an agreement as of the date of execution of this Memorandum of Agreement on the terms and conditions for a successor collective bargaining agreement for the period of **January 1, 2023 through December 31, 2025** and wish to memorialize their understanding, in writing, pending the signing of a new collective bargaining agreement; and

WHEREAS, upon execution of this Memorandum of Agreement by the negotiating committees of both the JWB and UFPO, the parties agree to comply with the following:

1. All parties who sign this Memorandum of Agreement shall support and endorse it for ratification by their respective bodies. This Memorandum of Agreement is subject to ratification by the UFPO, JWB, City of Poughkeepsie Common Council ("City") and Town Board of the Town of Poughkeepsie ("Town") as set forth herein.

2. All terms and conditions of the collective bargaining agreement, which has an expiration date of December 31, 2025, shall remain in full force and effect except as agreed to be modified per the attached.

3. The UFPO shall ratify, by a majority vote of the members, the terms and conditions set forth in this agreement at a vote of the membership held on or before June 27, 2024.

4. After ratification by the JWB, City and Town, all new terms and conditions shall become effective as of January 1, 2023, unless a different date is provided in this Agreement.

5. The JWB shall prepare a draft collective bargaining agreement which shall be placed in final form acceptable to each party and shall be signed by the parties no later than **60** calendar days after the successful ratification vote of the JWB, City and Town. Upon signing of the collective bargaining agreement, this Memorandum of Agreement shall have no further force and effect.

6. The parties agree that upon approval of the JWB, City and Town by resolution after ratification by the UFPO, this Memorandum of Agreement shall have the full force and effect of the collective bargaining agreement between the parties.

NOW, THEREFORE, in consideration of the promises and mutual covenants contained herein, upon ratification by the UFPO and approval by the City, Town and JWB by resolution, the parties agree that a successor collective bargaining agreement to the one that has an

6. Article III Section 3E, shall be amended to read

“The **UNION** will forward a list containing the name of elected officers, committee members and three (3) shop stewards to the Water Plant Administrator. The Water Plant Administrator and Human Resources will also be advised of any and all changes in the local Union administration via email or letter.”

7. Article VI Section 2B, shall be replaced with the following

“Each employee will receive a copy of any document, which is made a part of his/her personnel folder. Employees shall have access, upon reasonable notice, to their personnel file and, further shall have the right to reply to any material in the file. Upon the employees review of their personnel file, the employee may request copies of any documents contained in their file and such copies shall be received within 10 business days. After material has been in an employee's file for one year, an employee may formally request removal of said material. Additionally, the **EMPLOYER** shall review all personnel files each year with the decision as to what is to be removed remaining solely with the **EMPLOYER**. No material older than three (3) years may be used in a disciplinary action, except for purposes of progressive discipline.”

8. Article VI Section 4, shall be amended to read

“Labor -Management Committees are hereby established.”

9. Article VI Section 4, a new subsection D shall be added to include the following

“The City of Poughkeepsie is reconstituting its Safety Committee, which will review all safety matters within City government. The Safety Committee is to include a member of each Union and each Union shall designate one member. The Safety Committee will meet on a quarterly basis. A time and location will be agreed upon by all parties. Either party may call additional meetings upon seven (7) business days' notice, which shall include the agenda for the meeting. The Safety Committee is advisory and as necessary shall make recommendations to the Water Plant Administrator.”

10. Article VI Section 5, shall be amended to read:

“Out of title work occurs when an employee is assigned by the Water Plant Administrator, with prior approval by Human Resources, to perform the duties of a higher title. Out of title work will be compensated at the rate of the higher title from the first day it is so assigned, however, the employee will be compensated at the higher rate only for time actually worked, and not for benefit time. To be eligible for an out of title assignment and pay, an employee must meet the minimum qualifications of the higher title and complete the employment application for that title. The following factors, in order, will be used to determine which of those eligible will be assigned out of title pay.”

1. Experience

2. Documented job performance
3. Seniority

11. Article X, addition of section 6 to read:

“Any employee required to work by the Water Plant Administrator during a formally declared State of Emergency or Weather Emergency by either the Mayor of the City of Poughkeepsie or the Supervisor of the Town of Poughkeepsie, shall be paid at the rate of time and one-half of his/her regular rate of pay.”

12. Article XI Section 1, shall be amended to read

“All full-time employees of the EMPLOYER represented by the UNION shall be granted the following paid holidays: New Year's Day, Martin Luther King Day, Presidents Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Columbus Day, Veterans Day, Thanksgiving Day, Friday after Thanksgiving, Christmas and Good Friday.”

13. Article XII, shall be amended to include the following language

Newly hired employees will receive personal days on the following prorated basis:

5 days when hired in the 1st quarter (January – March)

4 days when hired in the 2nd quarter (April – June)

3 days when hired in the 3rd quarter (July – September)

2 days when hired in the 4th quarter (October – December)

14. Article XIV Section 9A, shall be replaced with the following

“All employees represented by the Union shall receive an amount equal to seventy-five percent (75%) of their accumulated sick leave at termination of employment, provided, however, that an employee shall not be entitled to the benefits of this section if (s)he has not been regularly and continuously employed for a period of five (5) years prior to termination of employment, and provided further that sick leave will be allowed to be accumulated without limitation; provided, however, that any accumulated days of sick leave exceeding 180 days, will be ineligible in any computation for payment upon separation, retirement, discharge or otherwise, and provided further that such termination of employment shall not be a result of charges placed against the employee. Within the last year of employment, employees are not permitted to engage in the repetitive use of sick time to exhaust ineligible sick time. Repetition is considered a pattern of sick time in blocks of two days to avoid the need for a doctor's note. The Water Plant Administrator shall monitor sick time requests to avoid operational disruptions due to absenteeism.”

15. Article XIV Section 9B, shall be removed entirely.

16. Article XIV Section 4, shall be amended to replace “Personnel Department” with “Human Resources”.

17. Article XIV Section 4, shall be amended to add the following

“An employee out on leave for injury or illness can return to work when their personal doctor gives approval. If the employer requires additional time off for return-to-work approval, the additional time will be paid by the employer at their current salary and time will not be taken from their accruals. If the employer requires a medical examination, employees must attend the scheduled appointments. Failure to attend will result in the employee utilizing their accrued time while another appointment is scheduled. All notices of exam will be sent via certified mail and email. Employees will be required to provide the examining physician with prior x-rays, MRI, test results, and medical reports in their possession or in the possession of their physician(s), so that the examining physician may review the same.”

18. Article XIV Section 5, shall be amended to replace “has not” to “has no”.

19. Article XIV addition of Section 11 to read

“In the event of a declared pandemic in which state or federal rules require employees to remain away from work for a specified time, employees will be granted such time off with no impact to their accruals, consistent with federal and state guidelines and with City and Town of Poughkeepsie policies in response to the declared emergency. Verification must be provided in the form of laboratory tests and/or a doctor’s note.”

20. Article XIV addition of Section 12 to include the following:

“Sick leave incentive. After completion of one full year of service, employees are eligible for a sick leave incentive based on sick day usage. Payment will be issued with the first paycheck in February of the following year. The payout incentive is as follows:

0-1 days used = \$500

2-4 days used = \$250

4-6 days used = \$100

21. Article XV shall be amended as follows:

Creation of a new Section 1 to read

“Employees are required to provide written notice of leave requests to either the water plant administrator or Human Resources. If an employee chooses to submit the written notice to the water plant administrator, the water plant administrator must promptly relay the same notice to human resources upon receipt. This ensures a timely response to inform the employees of their rights under FMLA.”

Renumber original Section 1 to be Section 2, Section 2 to be Section 3, and Section 3 to be Section 4.

22. Article XVIII Section 1, to be amended to read

“The EMPLOYER will offer employees a plan of hospitalization and major medical benefits through the New York State Health Insurance Program. All members of the bargaining unit who elect health insurance must pay twenty percent (20%) of the applicable premium through payroll deduction. In the event any plan of insurance becomes unavailable for any reason beyond the control of the EMPLOYER the EMPLOYER will meet with the Union to negotiate providing an alternative plan.”

23. Article XVIII Section 2 shall be removed.

Renumber original Section 3 to be Section 2, Section 4 to Section 3, Section 5 to Section 4, Section 6 to Section 5, and Section 7 to Section 6,

24. Article XVIII Section 4, the third sentence of this section shall be amended to read

“In the event an employee elects to refrain from coverage during a year, or elects to rejoin during the year after a qualifying event subject to the enrollment rules of the hospitalization and medical plans, the four thousand (\$4,000) dollar payment shall be pro-rated so as to reflect the portion of the year during which the employee was in employ of the EMPLOYER and refrained from enrollment within the hospital or medical plans.”

25. Article XVIII Section 6, shall now read as follows

“Employees employed by the **EMPLOYER** during the term of this contract, who retire pursuant to the New York State Retirement System during the term of this contract may, upon written notice to the **EMPLOYER**, elect to continue or obtain health insurance to be effective after the date of their retirement. The electing employee shall pay the following contributory amounts for the plan selected:

Years of Service	Retiree Contribution Percentage	JTWT Contribution Percentage
Less than 10 years	100%	0%
10-19 years	65%	35%
20-29 years	50%	50%
30 years	40%	60%
30 or more years with surrender of 165 days	20%	80%

Upon the death of retiree, surviving spouse pays full monthly premium charged to employer.

26. Article XX Section 1, shall be amended to read

The employees of the **EMPLOYER** represented by the **UNION** shall be provided with a seventy-five thousand (\$75,000.00) dollar group term life insurance policy for which all

premiums are to be paid by the **EMPLOYER** during his/her period of employment, which benefit shall survive this Agreement.

27. Article XX Section 2, shall be amended to read:

Employees hired prior to the 2024 ratification of this Agreement shall receive upon retirement as described under the New York State Retirement and Social Security Law, and for the life of the member, the EMPLOYER will provide a death benefit in the amount of six thousand dollars (\$6,000). The benefit of this section shall not apply to employees hired after the 2024 ratification of this Agreement.

28. Article XXIII Section 1 and 2, shall be replaced with the following:

The EMPLOYER will provide funds in the form of educational assistance for those employees seeking to further their education in the area of their job assignment, required for licensing, certification, or personal development by providing a reimbursement subject to the written approval by the Water Plant Administrator and City Administrator. This education assistance includes college credit courses, continuing education courses, seminars, certification tests and professional licenses, tuition, registration fees, and textbooks.

- A. Job related training or education will be reimbursed at a rate of one hundred percent (100%). Other personal education and development will receive tuition reimbursement of fifty percent (50%).
- B. Full-time, regular employees who have completed one year of employment are eligible to benefits under this policy.
- C. Application for this benefit must be made, when possible, six (6) months in advance of the course to allow time to consider approval and budgeting as appropriate.
- D. Employees must receive a grade of C or better to be eligible for reimbursement.
- E. The City of Poughkeepsie will reimburse an employee up to a maximum of \$5,250 annually, without any impact to the employee's annual wages. Any reimbursement over \$5,250 will be recorded as taxable income on employees W-2 per Section 127 of the IRS Tax Code. Any reimbursement over the said amount shall be issued through payroll.
- F. The maximum tuition assistance allowed per employee per calendar year shall not exceed \$10,000.
- G. Employees who accept tuition reimbursement for college credit courses commit to regular fulltime service for two years following the completion of the last passed course. If an employee voluntarily terminates their employment with the City of Poughkeepsie or is terminated for cause at any time during their employment, the employee agrees to repay the cost of tuition, associated fees and taxes, if any, for any courses completed within two years of their separation from service. Repayment will not be required if the termination of their employment is due to long-term disability, layoff, death, or involuntary termination for any reason other than cause.
- H. If an employee does not repay any amounts due as indicated above on or before the last day of employment, any such amounts will be deducted from the employee's final paycheck or from any other amounts payable to the employee upon or following termination of employment.

29. Article XXVI, all sections, shall be amended to replace “Personnel Department” with “Human Resources”.

30. Article III, Section 2 sentence beginning on the 7th line, shall be amended to read: “If, and only if, permitted by law, the EMPLOYER further agrees that an “Agency Shop” fee equal to the amount of dues paid by the Union members shall be deducted from those individuals choosing not to become Union members.

4. **R-24-57**, Resolution Approving the Appointment of Jaime Ransome and Ty Johnson to the City of Poughkeepsie Public Arts Commission

**RESOLUTION
(R-24-57)**

INTRODUCED BY CHAIR WILSON, COUNCILMEMBERS SHOOK, PATTERSON THOMPSON, MENIST, DEICHLER, GRANT, HENRY, BROWN AND JAMES:

WHEREAS, in accordance with New York General Municipal Law, the Common Council of the City of Poughkeepsie is authorized to make appointments of City residents to serve on the board of the City of Poughkeepsie Public Arts Commission; and

WHEREAS, the members of the Public Arts Commission serve at the pleasure of the Common Council; and

WHEREAS, it is in the best interest of the City of Poughkeepsie and its citizens that the Public Arts Commission have a full complement of members in order to properly conduct the business required of the Public Arts Commission; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby appoints the following individuals to the City of Poughkeepsie Public Arts Commission, to serve at the pleasure of the Common Council for a term ending July 31, 2027.

**Jaime Ransome
Ty Johnson**

SECONDED BY COUNCILMEMBER HENRY

R-24-57 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

5. **R-24-58**, Resolution Supporting the application of Vassar College for a grant under Title 9 of the Environmental Protection Act of 1993

MOVED TO ACTION AGENDA

6. **R-24-59**, Resolution Confirming Mayoral Appointment of Joseph Donat as City Administrator

MOVED TO ACTION AGENDA

X. ORDINANCES AND LOCAL LAWS:

A motion was made by Councilmember Brown to pass LL-24-08 and was seconded by Councilmember Deichler

1. **LL-24-08**, Local Law Repealing Local Law 21-04 (To Prohibit Evictions Without Good Cause) And Adding a New Division 9 “Prohibition Of Eviction Without Good Cause” To Chapter 12 “Housing”

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

(LL-24-08)

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

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

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

DIVISION 9 PROHIBITION OF EVICTION WITHOUT GOOD CAUSE

12-175: Protections Established.

- A. There is hereby established, pursuant to and in accordance with the provisions of, section 213 of Article 6-A of the Real Property Law of the State of New York, a Prohibition on Eviction without Good Cause.
- B. Pursuant to Section 213-2(a) of Article 6-A of the Real Property Law of the State of New York, the City of Poughkeepsie provides that any unit on or within a housing accommodation shall be exempt from the provisions of this Division 9 if it has a monthly rate above three hundred forty-five percent of fair market rent as published by the United State Department of Housing and Urban Development and as shall be published for the County of Dutchess by the New York State Division of Housing and Community Renewal.
- C. Pursuant to Section 213-2(b) of Article 6-A of the Real Property Law of the State of New York, the City of Poughkeepsie defines “small landlord,” for purposes of this Division 9, to mean a landlord of no more than one unit anywhere in the State of New York.

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

SECONDED BY COUNCILMEMBER DEICHLER

LL-24-08 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

A motion was made by Councilmember Brown to pass LL-24-09 and was seconded by Councilmember Henry

2. **LL-24-09**, Local Law Amending Section 14.35 of The Administrative Code Of The City Of Poughkeepsie Entitled “Taxes – Partial Exemption Granted; Conditions” – Senior Tax Exemption

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

(LL-24-09)

INTRODUCED BY COUNCILMEMBER MENIST:

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

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

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

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

- (a) The owner or all of the owners must file an application annually in the assessor's office on or before the appropriate taxable status date or such other time as may be hereafter fixed by law. At least sixty (60) days prior to the appropriate taxable status date, the assessing authority shall mail to each person who was granted an exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to be granted. Failure to mail any such application form and notice or the failure of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.
- (b) In the event the owner, or all of the owners, of property which has received an exemption pursuant to this section on the preceding assessment roll fail to file the application required pursuant to this section on or before the taxable status date, such owner or

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owners may file the application, executed as if such application had been filed on or before the taxable status date, with the Assessor on or before the date for the hearing of complaints. The Assessor shall approve or deny such application as if it had been filed on or before the taxable status date.

- (c) The income of the owner or the combined income of the owners of the property must not exceed ~~twenty nine thousand dollars (\$29,000)~~forty thousand dollars (\$40,000.00) for the income tax year immediately preceding the date of making application for exemption. Where the title is vested in either the husband or wife, their combined income must not exceed the sum of forty thousand dollars (\$40,000.00)~~twenty nine thousand dollars (\$29,000.-)~~.
- (d) Title to the property must be vested in the owner or, if more than one (1), in all the owners for at least twenty-four (24) consecutive months prior to the date of making application for exemption.
- (e) The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners, and constitute the legal residence of the owners.

- (f) The amount of the partial exemption pursuant to RPTL §467 shall be computed as follows:

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

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

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

SECONDED BY COUNCILMEMBER PATTERSON THOMPSON

LL-24-09 - VOICE VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

- 1. R-24-58,** Resolution Supporting the application of Vassar College for a grant under Title 9 of the Environmental Protection Act of 1993

RESOLUTION

(R-24-58)

SPONSORED BY CHAIR WILSON, COUNCILMEMBERS SHOOK, PATTERSON THOMPSON, DEICHLER, GRANT, HENRY, BROWN AND JAMES:

WHEREAS, Vassar College is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under Title 9 of the Environmental Protection Act of 1993 for a park project to be located at the Vassar Preserve, consisting of 500 acres on the southern end of Vassar’s campus, a site partially located within the territorial jurisdiction of the City of Poughkeepsie Common Council; and

WHEREAS, the project is known as the “Gateway Pavilion on the Preserve at Vassar” and is described as set forth on Exhibit A, attached hereto and made a part hereof; and

WHEREAS, as a requirement under the rules of this program, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located"; and

NOW, THEREFORE, be it resolved that the Common Council of the City of Poughkeepsie hereby does approve and endorse the application of Vassar College for a grant under Title 9 of the

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Environmental Protection Act of 1993 for a park project known as the “Gateway Pavilion on the Preserve at Vassar” and located within this community.

SECONDED BY COUNCILMEMBER HENRY

R-24-58 – ROLL CALL VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☒	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☒	☐	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

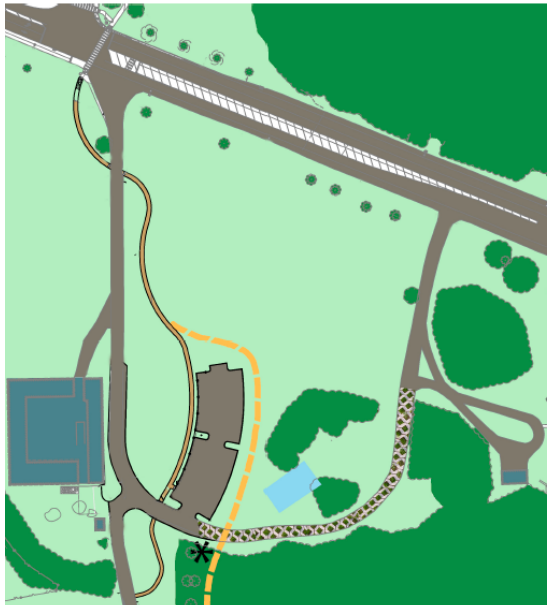
The Gateway Pavilion on the Preserve at Vassar
submitted by Vassar College, June 11, 2024

The Vassar Preserve consists of approximately 500 acres at the southern end of Vassar's campus. Bordered by Hooker Ave/Rte 376 to the north and Spackenkill Ave. to the south, the Preserve consists of mixed undeveloped habitats and is home to an ecological field station; over 7 miles of public hiking trails; and athletic fields. It is also home to the College's outreach initiative, the Environmental Cooperative, and the Poughkeepsie Farm Project, an independent non-profit dedicated to community-supported agriculture and related activities. Both organizations are centered around community outreach and engagement.

In 2021 Vassar College began a phased approach to redesigning the entrance to the Preserve to create a welcoming gateway for our neighbors in Poughkeepsie. Since then, Vassar has installed a new permeable parking lot, and a pedestrian pathway, and planted over 200 trees to improve water quality, reduce runoff, and enhance the quality of wildlife habitat. This summer NYSDOT is installing a roundabout at the entrance, which will slow and improve traffic circulation and create a safe pedestrian crossing.

We plan to apply for funding from the New York State Office of Parks, Recreation & Historic Preservation's Environmental Protection Fund Grant Program for Parks, Preservation and Heritage (EPF), via this year's Consolidated Funding Application cycle, to build a pavilion and create new signage at this entrance. We envision siting the proposed pavilion alongside a shaded picnic grove that can act as a hub for visitors to the Preserve. The pavilion will also act as a community gathering space, outdoor classroom, and distribution site for the Poughkeepsie Farm Project. Improving wayfinding on the site is a priority. We plan to add a kiosk adjacent to the new permeable parking lot with a trail map, background information, and general site rules. We would like to update the 15 signs at the trailheads, install a new main sign, and install directional signs to key landmarks.

PROPOSED SITE PLAN



- ROAD- PARKING
- TREES/SHRUBS
- GRASS- PLANTINGS
- PEDESTRIAN PATH
- EXISTING BUILDING
- PROPOSED PERVIOUS PAVING
- PROPOSED LOCATION OF PAVILION
- NEW PROPOSED PEDESTRIAN ENTRANCE TO HIKING TRAILS
- NEW PATHWAY

Re: Design architects

Proposed site plan. Hooker Ave runs along the top of the image. Site of the pavilion is the light blue box, bottom, center of the image.

RESOLUTION

(R-24-59)

INTRODUCED BY CHAIR WILSON, COUNCILMEMBERS SHOOK, PATTERSON THOMPSON, MENIST, DEICHLER, GRANT, HENRY, BROWN AND JAMES:

WHEREAS, the office of the City Administrator is appointed by the Mayor pursuant to City Charter §3.02(a); and

WHEREAS, the appointment of the City Administrator is subject to confirmation by a majority of the Common Council in certain circumstances; and

WHEREAS, the Mayor has determined that Joseph Donat possesses a demonstrably equivalent combination of education and experience as set forth in City Charter §3.02(a) and has decided to appoint him to the office of City Administrator; and

WHEREAS, the Mayor has submitted this appointment to the Common Council in accordance with City Charter §3.02(a).

NOW, THEREFORE, BE IT RESOLVED that the Common Council hereby confirms the Mayor's appointment of Joseph Donat to the office of City Administrator.

SECONDED BY COUNCILMEMBER HENRY

R-24-59 – ROLL CALL VOTE						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Henry	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Brown	Voter	☒	☐	☐	☐
	Councilmember James	Voter	☒	☐	☐	☐
	Councilmember Grant	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Majority Leader Patterson Thompson	Voter	☐	☒	☐	☐
	Vice Chair Shook	Voter	☒	☐	☐	☐
	Chairman Wilson	Voter	☒	☐	☐	☐

There was a motion to adjourn the meeting at 8:10 pm made by Councilmember Brown and seconded by Majority Leader Patterson Thompson

Dated: August 6, 2024

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, July 9, 2024.

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