



The City of Poughkeepsie New York

Common Council Meeting Minutes

Tuesday, October 15, 2024

6:30 PM

Common Council Chambers

**Welcome to the regularly scheduled Meeting of the City of Poughkeepsie
Common Council the date is October 15, 2024, and the time is 7:05pm**

I. ROLL CALL:

9 Present, 0 Absent ()

II. REVIEW OF MINUTES:

A motion to Approve was made by Council Member- 3rd Ward Brown and seconded by Council Member- 7th Ward Patterson Thompson.

CCM & PH Minutes of October 1, 2024 - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 3rd Ward Brown, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

1. Public Hearing on Amending Section 15-10 of City Code on October 1, 2024
2. Public Hearing on Amending Chapter 18 ½ of City Code on October 1, 2024

3. Common Council Meeting Minutes of October 1, 2024

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

IV. **PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:**

V. **PUBLIC PARTICIPATION:**

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

Daniel Atonna
Ken Stickle
Laurie Sandow*

***Submitted written comments [Placed at the end of these minutes]**

VI. **CHAIRMAN'S COMMENTS AND PRESENTATIONS:**

I want to thank everybody that came out today for our public hearings as well as our common council meetings.

I want to thank all those concerned. Just to let everyone know as well, while I speak for myself, I can't speak for the other council, but I do believe we share the same sentiment that preserving our historic areas and the historic preservation of our city is of utmost importance for all of us, and we look forward to making sure that we're working in conglomerate. And with the HDLPC.

One of the things I also want to celebrate and congratulate Captain Wilson, who's now Chief Wilson on his new appointment to the city of Poughkeepsie's Chief Department. Well-deserved. And I just want to also mention too, you know, I was.. that's what I was looking for on paper. But, you know, we have to.. we talk about the history of Poughkeepsie. We talk about "back in the days". One of the things we want to also focus on is neighborhood and being a neighbor.

A neighbor is someone that is commonly in close proximity to each other but considerate of each other.

You know, we're getting a lot of complaints about noise violations and things like that, and that's just coming from not being a good neighbor. And we need to get back to people just being a good neighbor and being considerate. Having a conversation with your neighbor, not saying you have to do everything, but if there's a party or certain events, don't make it every week and there are people that are trying to sleep and work and things like that. So for those that are out there that are listening or watching. Just remember being....one of the things that made Poughkeepsie one of those cities that people used to talk about was our neighborhood and being neighbors and people knew each other.

Official Minutes of the Common Council Meeting of October 15, 2024

I live on South Grand, so I know exactly what you're talking about. But in my section of South Grand, our neighbors, we look out for each other. [If] There's a day where they're not bringing in their garbage cans. One of us [will] do it. When it's snowing out, we'll shovel each other out or snow blow each other's street.

So, you know, we have to get back to that common unity and neighborhood. And I think that's one of the issues that has [been] going on while a lot of people are hearing it and we know our police department, our DPW and our fire departments are all stressed and they're doing the best they can to answer these calls.

But just remind people what being a neighbor is and being in the neighborhood and being that type of person. And like I said, a lot of times it's just conversations, simple conversations and being considerate of your fellow man and woman.

That's it.

VII. MAYOR'S COMMENTS:

Thank you, Chair.

On that note, saying that, I spent some time with the dispatchers. I went on each shift on the morning, in the middle of the night and also in the evening.

And that was one of the things that I had an opportunity to listen to some calls. And some of those calls that came through was because people were not being neighborly and, you know, and not being considerate of each other. And then also to be mindful that when you're calling 911, that you need to let the dispatchers know where you are and what your - the purpose of that call and not arguing on a phone with other people or not giving the information that they need. Our dispatchers do - are multitask[ing] - they do a lot. Between not just taking the 911 call, but they're also dispatching the calls to the police department, the fire department, they are also interacting with the individual agencies. So it's very important to understand that when you call 911 about the information that they actually need so they can make sure that the proper help is given to you.

The other thing, too, is that I was there and I was also with Mr. John Penny, where we sat on one of the shifts and there was a problem with the radios as far as dispatchers able to hear them on the radio and to find out they were over by Smith Street, the area over there. And so everyone had to pick up cell phones to communicate. It was a little scary to witness that, which is one of the reasons of why the issue of the tower has come up. So I just want to make sure I put that in everyone's ear that we were there to witness what happened. I mean, we were told about what happens, but we watched the whole thing go down to the point where individuals had to go in that direction just to make sure that the officers were okay because there was a situation that happened. But you can hear the break up in the radios and they had to, you know, figure out, you know, how they can get the radio. So they all picked up cell phones to communicate back and forth with each other. So, I just want you to just keep that in your ear and keep that in mind.

There were many conversations in regards to the Historical Commission and historical districts. I am not against, you know, preserving our historical homes - I'm much in favor of that. Brought the map out because I wanted people to see that this hangs up in my office so I can see all the districts that are in the city of Poughkeepsie. And tonight it was mainly individuals that came from one. But there were actually seven throughout the City of Poughkeepsie and so we are very mindful about protecting these homes. And just because a particular area, which is a very small area, because

Official Minutes of the Common Council Meeting of October 15, 2024

there's mixed families in that particular area, that they're actually listed as two family homes, doesn't mean that you're destroying the historical district. I have been traveling to different areas of our country in the last couple of years, a few years. And I've actually stayed in an Airbnb in a historical district, and I never even knew that it was.. that they had multiple units within the house because the outside of it, you can't tell, you know. So, you know, we want to preserve our historical district and we're going to continue to work on doing so. The problem is, is that I'm... for some reason, the historical commission seems to be an issue that comes up continuously. I - and people complain about it. People are in favor of it. And it seems like it's a core group that seems to be dictating about what that commission should look like. So instead, I keep going back and forth based on whoever's agenda is on the Council, off the Council, in administration, not with administration. The staff here has looked into ways of maybe trying to mirror our historical commission to what's the New York State Commission. And that's exactly what they did. So at this point right now, and there were some changes that were made to it because the Historical Preservation Commission is actually within our zoning code. Why it's that way, I'm not sure why, but it was addressed as that and it was out there. You know, the council members, some of them didn't know about it. It could have been done a little differently. If the council wants to remove that and not address it at this point with the zoning, I have no problem with that whatsoever. I got bigger things to deal with than to sit here, fight over a commission's about the details of that. So I have no problem with that being taken from there. But it's still going to be addressed. There's some things that need to be addressed in here. There are people who have made complaints about the operation of the commission on both sides. And it's so sad because it seems like you're sitting here dealing with personalities and you're dealing with, you know, who has the agenda of what - it is the same thing as far as the designation of individual properties. If certain people do not like what's about to happen at a particular property, they go to the commission to have it designated as historical. Any property in the City of Poughkeepsie you can find some kind of historical factor on. You can. So the thing is, what happens also? So the thing is, is that if I own a property and I want to do something with it, and now someone doesn't like it, and now all of a sudden they decided, I'm going to designate your property as an historical, you know, property because I feel we need to do that to stop you from doing whatever you want to do. I should have the ability to be able to fight that if I would like to. And it seems like people don't feel like that's fair. We talked about this when the changes were made before, which I don't understand why that is not in here, but apparently, I guess it was taken out because we did have that conversation in regards to it. So we're trying to look at it. All right. How other municipalities how they've handled their historical commission. It always seems to be a fight every single year in different administrations. And this is the only commission I have a problem with. This is the only one. Most of the other ones. I mean, the little things that happened back and forth. But this one seems to be the firestorm in different conversations. And it's ridiculous. And I don't get it. I don't understand it. So we're trying to find ways so that when we can move forward, protect our historical districts because we have seven beautiful ones. Not just Garfield and which most of the people are gone now, but it's not just their area. There's other areas as well. So no one's trying to go behind the scenes to tear up individual neighborhoods. That's not the case whatsoever. And a lot of things that were said out here today that in a public hearing were not *[inaudible]* so I'm hoping that as we're moving forward, you know, that we can have these dialogues and these conversations in regards that how do we make this work but also don't cause this craziness that goes on on this commission? People had a problem [with] me reappointing LaRocca. I had a conversation with him and told him that if he misses any time and there was circumstances why he missed time, now I have the ability to reappoint or do what I want with this commission when it comes to reappointing people. I had a conversation with him. And if he - if an absence is starting to become a problem, then that's when I will make - take action. I had this conversation. I don't understand what the problem is.

So has he missed any time since then? No, maybe once. But the whole point is, is he's willing to make that commitment. Just like I reappointed Brian Hooper to the Historical Commission because

Official Minutes of the Common Council Meeting of October 15, 2024

this time ran out. But I asked him also, would you like to continue to serve on that commission? And there was another particular person that was already expired long time ago. And I asked, do they want to continue to serve? Because it looked like that group was working together. That's why I made a decision that I did. And so I'm just tired of that I'm constantly, you know, being criticized because of decisions that I make when it seems like the commission is working to a certain point. There are some personalities there that they're going back and forth with and one. But the thing is... is they need to go back to why they're there.

But there's a lot of outside individuals that are also interfering of what's happening with that commission. So, hopefully, we can get to the point where the commission can operate with all the personal agendas and political agendas that are tied to it. And this is stuff that I've been going through as a mayor now, I understand, what some other people are going through. But either way, I'm going to pass on that again. There are going to be some changes that are going to be made. So it is up to the council if they're willing to accept it or not. But there are some things that we need to make some adjustments to. Just like before where the previous council members, when they decided they thought that they needed to make adjustments. So, as administration, I feel that there are some adjustments that need to be made. And, so, I give it to the council and it's up to you what you do with it. But I can say I at least tried. That's all I can do.

So now I'm going to move on as far as what's happened in our Main Street corridor. I appreciate and thank our police department and our DPW staff that has been helping with the cleanups on Main Street. I thank the organizations and I thank the agencies that have been working with us to provide services and provide help to individuals. We don't just move along. We also, you know, try to provide services for them as well because they need help. We can't just move on to one place in another without offering to help. Eventually they're going to get tired of us following them around. And then eventually they're going to either leave or they're going to try to get the help that they need to get. We've witnessed it already in our neighborhoods.

Everybody complains about it. But in the North Side neighborhoods, we've been dealing with it for a very long time. And as a council member, that was the reason why I went in in 2018 because of it.

So what's happening on Main Street has been happening in some of our neighborhoods that not one person has came here and start complaining about that they didn't live in that neighborhood. But all of a sudden now people are starting to see them scattering through the city. And now I'm getting the phone calls like, how dare you do that? That's what I'm getting right now. Now, the certain people are seeing individuals in their backyards and on their streets. Now, I'm being criticized [as to] why I'm moving people around. Main Street corridor is our main corridor for economic growth. When people are deciding not to open a business or decide not to... but decide to close a business, we got a problem because right now the budget got laid on your desk. We have some high costs with pension, with everything else that we can't control. If I do not build that - we - do not build that tax base, guess what? We're going to have more people who are paying high taxes in this city. We need to find ways so that way we bring and encourage people to come here, to open up businesses, to develop and to build.

And I have to do what I have to do to make sure that it is favorable for them to do that. So, yes, I am going to move people off of Main Street. That's what I'm going to do, because right now that's where people are going to come to open up a business and to develop at this point. And it will continue to deal with them wherever they go. But I just ask that everyone come together to assist as well instead of complaining about why they are on my street. Well, like, okay, they happen to be on your street, so let's work on dealing with that individual. But that's not the kind of phone calls I get or emails that I get. It's all about attack because now they're in certain people's neighborhoods and now they're upset. So, okay, let's work together to address that because right now that wasn't happening in certain neighborhoods. And I don't like the mentality of "if it's not in my backyard, [then] I don't care about it". Soon as that might come in my backyard, that's when I scream about it. This is our city. The entire city is our city, and we should be addressing it together.

So I'm going to get off of that now. Hamilton Street. Yes, we are looking into having that repaved where the administration has been having conversations with Central Hudson. That debt, remember, that roll was repaid at one point and then all of a sudden now all this, you know, construction that was going on, it looks horrible. If you go through there is a possibility that you might break something on your car. So we have been addressing that because there's no sense of us put money into repaving our roads. And then things happen. And then, you know, other people coming in, they're doing development work. And now we're back to square one again. So strategically, we're trying to do better with that, with our repaving and in coordinating with other efforts to ensure that we're not wasting money, you know, because even without that line replacement projects, we're looking at that as well. So we're not repaving. And then all of a sudden now we turn around. Within months later, we're digging up the road to start doing those kind of projects. So we are looking at that. So we'll be discussing it more with council members regarding that as well.

That's pretty much it. Like I said, you do have the budget in front of you. It was placed on your desk today. Unfortunately, we do have to break the tax cap unless you can go through the budget and find other ways of bringing and reducing that. And the staff is ready to work with the council because we have a deadline of October 15th. And I have to say, our finance department, our administration, our department heads, everyone has been working hard on this budget. I have to say that. By the 15th we had to come to a point and we'll be willing to continue to work with the council to see whether we can make some more adjustments until we get to that finish line. But we are no longer... we no longer have ARPA funds and there are some other things that are in here that are way beyond our control, unfortunately. And they would....we have our Commissioner of Finance, Dr. Martinez, that will present this to the council at the public hearing. So he'll go more in depth with that. There is a budget message there. There's also the budget there. And it is also going online for individuals to review. So at that point, after that, we'll have more discussions in regards to it. But I want to thank everyone who was involved in pulling this together and making sure that it hits your desk on the deadline.

So, that's it for now.

VIII. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS:

IX. REPORTS OF COMMITTEES AND BOARDS:

X. CONSENT AGENDA: MOTIONS AND RESOLUTIONS:

A motion to Approve was made by Council Member- 3rd Ward Brown and seconded by Council Member- 1st Ward Henry.

CCM CONSENT AGENDA - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 3rd Ward Brown, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	
Result:	PASSED

1. **R-24-72**, Resolution Introducing the 2025 Budget for the City of Poughkeepsie and Setting Public Hearing

**RESOLUTION
(R-24-72)**

INTRODUCED BY COUNCILMEMBER WILSON, SHOOK, PATTERSON-THOMPSON, HENRY, MENIST, BROWN, JAMES, GRANT AND DEICHLER

WHEREAS, the Common Council has received the Mayor's proposed 2025 budget for the City of Poughkeepsie and the budget message from the Mayor; and

WHEREAS, the City of Poughkeepsie Administrative Code section 14.04 requires that upon such receipt, the Common Council shall set a public hearing thereon, giving the public notice of at least ten (10) days in the official newspaper; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of setting such public hearing; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie shall hold a public hearing to receive comment from the public concerning the proposed 2025 budget on **Tuesday, November 4, 2024 at 5:30 pm** in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York and the Chamberlain is hereby directed to publish proper notice of the above hearing.

SECONDED BY COUNCILMEMBER HENRY.

-
2. **R-24-73**, Resolution Introducing a Local Law to Override the Tax Levy Limit Established in General Municipal Law

**RESOLUTION
(R-24-73)**

**RESOLUTION INTRODUCING A LOCAL LAW TO OVERRIDE THE TAX
LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c**

**INTRODUCED BY COUNCILMEMBER WILSON, SHOOK, PATTERSON-
THOMPSON, HENRY, MENIST, BROWN, JAMES, GRANT AND DEICHLER:**

BE IT RESOLVED that an introductory Local Law entitled, “**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW § 3-c**” be and hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

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

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law to receive comment from the public on Tuesday, November 19, 2024 at 6:00 pm in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York;

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

SECONDED BY COUNCILMEMBER HENRY

LOCAL LAW NO. ____ OF 2024

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN
GENERAL MUNICIPAL LAW § 3-c**

INTRODUCED BY COUNCILMEMBER _____

BE IT ENACTED, by the Common Council of the City of Poughkeepsie of the County of Dutchess as follows:

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the City of Poughkeepsie, County of Dutchess pursuant to General Municipal Law § 3-c, and to allow the City of Poughkeepsie, County of Dutchess to adopt a budget for the 2025 fiscal year that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

Section 2. AUTHORITY

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the City Council to override the tax levy limit by the adoption of a local law approved by the Common Council.

Section 3. TAX LEVY LIMIT OVERRIDE

The City of Poughkeepsie Common Council is hereby authorized to override the Tax Levy Limit established pursuant to N.Y. General Municipal Law §3-c, for Fiscal Year 2025, and to adopt a budget for Fiscal Year 2025 that requires a real property tax levy in excess of the amount otherwise prescribed in N.Y. General Municipal Law §3-c.

Section 4. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

**SECONDED BY
COUNCILMEMBER** _____.

3. **R-24-74**, Resolution Introducing a Local Law to Amend Chapter 14, Article VII “Off-Road Vehicles,” to Regulate the Fueling of Off-Road Vehicles Within the City

**RESOLUTION
(R-24-74)**

**RESOLUTION INTRODUCING A LOCAL LAW TO AMEND CHAPTER 14,
ARTICLE VII “OFF-ROAD VEHICLES,” TO REGULATE THE FUELING OF
OFF-ROAD VEHICLES WITHIN THE CITY**

**INTRODUCED BY COUNCILMEMBER WILSON, SHOOK, PATTERSON-
THOMPSON, HENRY, MENIST, BROWN, JAMES, GRANT AND DEICHLER:**

BE IT RESOLVED that an introductory Local Law entitled, “**A LOCAL LAW TO AMEND CHAPTER 14, ARTICLE VII “OFF-ROAD VEHICLES,” TO REGULATE THE FUELING OF OFF-ROAD VEHICLES WITHIN THE CITY**” be and hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

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

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law to receive comment from the public on **Tuesday, November 4, 2024 at 5:30 pm** in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York;

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

SECONDED BY COUNCILMEMBER HENRY

LOCAL LAW NO. ____ OF 2024

A LOCAL LAW TO AMEND CHAPTER 14, ARTICLE VII “OFF-ROAD VEHICLES,” TO REGULATE THE FUELING OF OFF-ROAD VEHICLES WITHIN THE CITY

INTRODUCED BY COUNCILMEMBER _____

BE IT ENACTED, by the Common Council of the City of Poughkeepsie of the County of Dutchess as follows:

Section 1. Section 14-73 “Definitions” is amended to add the following:

RETAIL GAS STATION: A filling station where gasoline or diesel fuel is stored, primarily for sale by delivery directly into the ordinary fuel tank connected with the engine of a motor vehicle to be consumed in the operation of such motor vehicle.

Section 2. Section 14-74 is amended to add a new subsection (c) as follows:

c. Regulations regarding the fueling of off-road vehicles

1. It shall be prohibited for an individual to fill an Off-Road Vehicle with gasoline at a retail gas station unless such Off-Road Vehicle is being towed or trailed by another vehicle.
2. Every retail gas station shall post a sign in a clear and conspicuous manner within sixty (60) days of the adoption of this local law indicating to customers that any Off-Road Vehicle (a/k/a “ATV”) must be on a tow or trailer when being filled with gas.

Section 3. Section 14 -75 “Penalties for Offense; impoundment and

redemption” is amended as follows:

1. Any person who ~~operates an off-road vehicle in violation of~~violates Section **14-74** of this chapter shall be guilty of an offense punishable by a fine not to exceed \$250.

(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 Section **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 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 Section **14-74** of this chapter may redeem such off-road vehicle upon satisfactory proof of ownership and payment of a redemption fee of \$1,000. 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. After 60 days, any and all unclaimed off-road vehicles impounded as a result of a violation of this article shall be destroyed in accordance with ~~all applicable laws~~Vehicle and Traffic Law Section 1224.

Section 4. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

SECONDED BY
COUNCILMEMBER _____.

4. **R-24-75**, Resolution Setting First Common Council Meeting in November for November 4, 2024

RESOLUTION

(R-24-75)

RESOLUTION SETTING FIRST MEETING IN NOVEMBER FOR NOVEMBER 4, 2024

INTRODUCED BY COUNCILMEMEBER WILSON, SHOOK, PATTERSON-THOMPSON, HENRY, MENIST, BROWN, JAMES, GRANT AND DEICHLER:

NOW, THEREFORE, BE IT RESOLVED, that due to the conflict with Election Day, the Common Council hereby changes the date for the first meeting in November to be November 4, 2024.

SECONDED BY COUNCILMEMBER HENRY

- 5. R-24-76**, Resolution Approving Admiral Halsey II Collective Benefit Agreement

RESOLUTION

(R-24-76)

WHEREAS, ADMIRAL HALSEY II HOUSING DEVELOPMENT FUND COMPANY, INC., and ADMIRAL HALSEY II, L.P. (collectively hereinafter referred to as the “Owner”) have offered the City a proposed Community Benefit Agreement, attached hereto; and

WHEREAS, pursuant to the Community Benefit Agreement (“CBA”), the Owner has offered to make Benefit payments to the City notwithstanding that the City’s Assessor has determined that the project will be fully tax exempt pursuant to RPTL §422 and PHFL §577; and

WHEREAS, during discussions with the Owner, the City raised certain concerns regarding various issues at Admiral Halsey I and made it clear that agreement to the CBA would require a commitment on the part of the Owner and or its affiliates to work to address the issues at Admiral Halsey I; and

WHEREAS, ADMIRAL HALSEY L.P., as the owner of Admiral Halsey I, has offered remedial action as set forth in the attached draft letter addressed to the City’s Corporation Counsel.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to execute the Community Benefit Agreement enclosed herewith upon receipt of the letter from Admiral Halsey I L.P. outlining remedial actions to be taken at existing Admiral Halsey site.

COMMUNITY BENEFIT AGREEMENT

THIS COMMUNITY BENEFIT AGREEMENT (this “Benefit Agreement” or “Agreement”), dated _____, 2024 (the “Effective Date”), by and among the **CITY OF POUGHKEEPSIE**, a New York municipal corporation, having its principal office located at 62 Civic Center Plaza, P.O. Box 300, Poughkeepsie, New York 12602 (the “City”), **ADMIRAL HALSEY II HOUSING DEVELOPMENT FUND COMPANY, INC.**, a New York not-for-profit corporation organized under Article XI of the New York Private Housing Finance Law, having an address at c/o Hudson River Housing, Inc., 313 Mill Street, Poughkeepsie, NY 12601 (the “HDFC”), as legal fee owner on behalf of **ADMIRAL HALSEY II, L.P.**, a New York limited partnership, having addresses at 730 Third Avenue, 4th Floor, New York, New York 10017 and 909 3rd Avenue, 21st Floor, New York, New York 10022 (the “Company” and together with the HDFC, the “Owner”). The Owner and City are sometimes referred to individually herein as a “Party” and, collectively, as the “Parties”.

WITNESSETH:

WHEREAS, the HDFC is or will be the legal fee owner, as nominee of the Company, of a certain -acre portion of that certain real property in the City of Poughkeepsie, County of Dutchess located at 135 Main Street, identified on the City of Poughkeepsie assessment roll as a portion of SBL No. 6062-76-911183, and as further depicted on the site plan attached hereto as **Exhibit A** (the “Property”); and

WHEREAS, the HDFC is a corporation established pursuant to Section 402 of the New York Not-For-Profit Corporation Law and Article XI of the New York Private Housing Finance Law (“PHFL”); and

WHEREAS, Real Property Tax Law (“RPTL”) § 422 provides an exemption from all Local and Municipal Taxes (as hereinafter defined) for real property (i) that is owned by a housing development fund company, (ii) that is used exclusively to provide housing for handicapped or aged persons of low income, (iii) where any income to the housing development fund company is used exclusively for the purposes of the housing development fund company, and (iv) that is financed with a federally-aided mortgage; and

WHEREAS, the HDFC is a “housing development fund company” as the term is defined in Section 572 of the PHFL; and

WHEREAS, the HDFC has been formed for the purpose of providing residential rental accommodations for seniors and frail elderly individuals having household incomes less than or equal to fifty percent (50%) of area median income for Dutchess County, adjusted for family size (“AMI”); and

WHEREAS, the Owner will provide residential rental accommodations for persons of low income as generally defined in federal or state low income housing programs and as specifically defined herein; and

WHEREAS, the Owner will own, construct, maintain and operate an approximately 61,000 square foot residential apartment building consisting of seventy-two (72) units that will be affordable to senior and frail elderly individuals or households with incomes ranging from forty percent (40%) to fifty percent (50%) of AMI (the “Project”); and

WHEREAS, thirty-six (36) units in the Project will be dedicated to frail elderly individuals, with supportive services and rental subsidies provided through a grant from New York State’s Empire State Supportive Housing Initiative (“ESSHI”) program; and

WHEREAS, the Owner’s use of the Project constitutes a “housing project” as that term is defined in the PHFL; and

WHEREAS, pursuant to the certificate of incorporation of the HDFC, any income to the HDFC shall be used exclusively for the corporate purposes of the HDFC; and

WHEREAS, the Project will be financed through the issuance by the State of New York Housing Financing Agency of tax-exempt bonds; and

WHEREAS, the Project is eligible to be exempt from all Local and Municipal Taxes (as hereinafter defined) pursuant to RPTL § 422; and

WHEREAS, pursuant to Section 577 of the PHFL, the local legislative body of a municipality may exempt the real property of a housing project of a housing development fund company from Local and Municipal Taxes, including school taxes, other than assessments for local improvements, to the extent of all or a part of the value of the property included in the completed project; and

WHEREAS, the City has determined that the construction of the Project and the creation and preservation of affordable housing is beneficial to and in the best interests of the public; and

WHEREAS, notwithstanding the Project’s eligibility under RPTL § 422, the Owner has requested from the City and the City desires to grant certain abatements of Local and Municipal Taxes; and

WHEREAS, notwithstanding the Project’s eligibility under RPTL § 422, the City has requested from the Owner and the Owner desires to make Benefit Payments to the City in the amounts set forth in Schedule A, attached hereto and made a part hereof; and

WHEREAS, the City Council of the City of Poughkeepsie approved a resolution

Official Minutes of the Common Council Meeting of October 15, 2024

on _____, 2024 concerning the Project and the authorization of this Agreement,

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is agreed between and among the Parties as follows:

1. The Recitals are incorporated herein as if fully set forth below and are made a material part of the Agreement.

2. Definitions: For the purposes of the Agreement, the following defined terms shall have the meanings set forth opposite each defined term:

- a. "Construction Period" shall mean the period of time commencing as of the date of the closing of the construction financing for the Project and ending as of the Placed in Service Date;
- b. "Exemption Commencement Date" shall mean the first applicable Taxable Status Date following the Placed in Service Date;
- c. "Expiration Date" shall mean the earlier of (i) the day immediately preceding the thirtieth (30th) anniversary of the Exemption Commencement Date, or (ii) the date which the HDFC's ownership interest is terminated, unless otherwise extended by the Parties;
- d. "Fiscal Year" shall mean (i) for the first Fiscal Year, the period of time commencing as of the Placed in Service Date and expiring thereafter on December 31 of such calendar year, and (ii) for each following Fiscal Year, each successive twelve (12) month period commencing on January 1 and ending on December 31;
- e. "Local and Municipal Taxes" shall mean any and all real estate taxes levied by Dutchess County, the City of Poughkeepsie, the Poughkeepsie City School District or any other taxing jurisdiction and any other special ad valorem levies or assessments to the extent provided in RPTL § 490;
- f. "Placed in Service" shall mean the later of (i) the date a Certificate of Occupancy is issued for all units in the Project, or (ii) the closing of the permanent mortgage financing for the Project;
- g. "Placed in Service Date" shall mean the date the Project is Placed in Service;
- h. "Benefit Payment" shall mean the annual payment to be paid to the City by the Owner in the amounts set forth in Schedule A, attached hereto and made a part hereof;
- i. "Taxable Status Date" shall mean March 1st of each Fiscal Year.

3. Benefit Payment.

- a. Pursuant to RPTL § 422 and PHFL § 577, the City hereby acknowledges that the Assessor has reviewed the Project and determined that, at the Exemption Commencement Date as defined herein, the Project will be exempt from all Local and Municipal Taxes, other than assessments for local improvements, one hundred percent (100%) of the value of the Property and the Project, including both land and improvements (the “Exemption”).

(i) The Parties acknowledge and agree that, notwithstanding anything in this Agreement to the contrary, during the Construction Period, the Owner shall make annual payments of Local and Municipal Taxes based on (1) the assessed land value of the Property as set forth on the assessment roll of the City for the applicable tax year, multiplied by (2) the applicable tax rate for such tax year levied by the applicable taxing jurisdictions for Local and Municipal Taxes, which such payments shall be paid to the applicable taxing jurisdictions at the time required under law for the payment of Local and Municipal Taxes.

(ii) During the period commencing as of the Exemption Commencement Date and terminating on the Expiration Date (the “Term”), the Owner shall make annual Benefit Payments in the amounts set forth on Schedule A, which Benefit Payments shall cover all Local and Municipal Taxes owed in connection with the Property and the Project.

b. The Owner shall make the Benefit Payment to the City on or before January 30th of each Fiscal Year (the “Payment Date”) in the amounts set forth on Schedule A for such Fiscal Year, commencing on the first Payment Date occurring after the Exemption Commencement Date. In the event any Local and Municipal Taxes are paid by the Owner in any Fiscal Year, such taxes shall be credited against the Benefit Payment to be paid by the Owner for such Fiscal Year. Benefit Payments shall be made directly to the Commissioner of Finance of the City.

4. Termination. Notwithstanding anything to the contrary in this Agreement, the Exemption provided by this Agreement will continue for the Term hereof provided that (i) the Project continues to be used or is made available for use, or is being repaired to be made available for use, as housing facilities for seniors and frail elderly individuals having household incomes less than or equal to fifty percent (50%) of AMI, and (ii) any of the following (a) the Owner operates the Project in conformance with Article XI of the PHFL, or (b) in the event an action is brought to foreclose a mortgage upon the Project, and the legal and beneficial interest in the Project shall be acquired at the foreclosure sale or from the mortgagee, or by a conveyance in lieu of such sale, by a housing development fund corporation organized pursuant to Article XI of the PHFL, or by the Federal government or an instrumentality thereof, or by a corporation which is, or by agreement has become subject to the supervision of the superintendent of financial

services, such successor in interest continues to operate the Project in conformance with Article XI of the PHFL. Owner acknowledges that it will need to annually certify to the Assessor that there are no changes in the Project.

5. Late Payments. The failure to make the required Benefit Payments will be treated as failure to make payment of taxes and will be governed by the same provisions of law as apply to the failure to make payment of taxes, including but not limited to enforcement and collection of taxes and assessment of interest and penalties to the extent permitted by law. In the event the City commences a proceeding to enforce the provisions of this Agreement, then, in addition to the remedies to which the City shall be entitled, it shall have the right to an award of reasonable attorney fees. Notwithstanding the above, the City may terminate this Agreement, and the tax exemption shall thereupon terminate, pursuant to Section 6 hereof.

6. Default. This Agreement and the Exemption granted hereunder shall terminate in an event of default as follows: (a) failure of the Owner to pay in full any Benefit Payment due under this Agreement within thirty (30) days of mailing of written notice by the City stating that said Benefit Payment is past due; or (b) failure of the Owner to comply with or perform any material provision of this Agreement if such failure continues in whole or in part for more than thirty (30) days after mailing of written notice by the City of such failure to comply or perform. In the event of a default hereunder, in addition to the termination of this Agreement and the Exemption, the City may exercise any and all rights or remedies permitted by law. Notwithstanding any provision hereof to the contrary, any mortgagee(s) of record with respect to the Project (the "Lender") and of which the City was duly made aware through written notice, shall have an additional period of thirty (30) days after the cure periods of the Owner set forth in this Section 6 to cure any monetary defaults and an additional period of up to one hundred twenty (120) days to cure non-monetary defaults provided that the Lender shall diligently pursue such cure.

7. Notices: All notices and other communications hereunder shall be in writing and shall be sufficiently given when delivered to the applicable address stated above (or such other address as the Party to whom notice is given shall have specified to the Party giving notice) by registered or certified mail, return receipt requested or by such other means as shall provide the sender with documentary evidence of such delivery. Copies of notices to the Owner shall be provided to the Lender for the Project at such address as may be designated in writing by the Owner.

8. Binding on Successors. This Agreement shall inure to the benefit of and shall be binding upon the City, the Owner and their respective successors and assigns, including the successors in interest of the HDfC and the Company.

9. Severability. If any provision of this Agreement or its application is held invalid or unenforceable to any extent, the remainder of this Agreement and the application of that provision to other persons or circumstances shall be enforced to the greatest extent permitted by law.

10. Counterparts. This Agreement may be executed in any number of counterparts with

the same effect as if all the signing Parties had signed the same document. All counterparts shall be construed together and shall constitute the same instrument.

11. Representations and Warranties. Each of the Parties individually represents and warrants that the execution, delivery and performance of this Agreement, (i) has been duly authorized and does not require any other consent or approval, (ii) does not violate any article, by-law or organizational document or any law, rule, regulation, order, writ, judgment or decree by which it is bound, and (iii) will not result in or constitute a default under any indenture, credit agreement, or any other agreement or instrument to which any of them is a Party. Each Party represents that this Agreement shall constitute the legal, valid and binding agreement of the Parties enforceable in accordance with its terms.

12. Entire Agreement. This Agreement constitutes the entire agreement of the Parties relating to payments in lieu of taxes with respect to the Project and supersedes all prior contracts, or agreements, whether oral or written, with respect thereto.

13. Governing Law. This Agreement will be construed and enforced in accordance with the laws of the State of New York, without giving effect to any conflict of laws or choice of law rules to the contrary.

[Signature and Acknowledgment Pages Follow]

IN WITNESS WHEREOF, the City, the HDFC and the Company have caused this Agreement to be executed in their respective names by their duly authorized representatives and their respective seals to be hereunder affixed, all as of the date above-written.

CITY OF POUGHKEEPSIE

By: _____
Name: Yvonne Flowers
Title: Mayor

ADMIRAL HALSEY II HOUSING DEVELOPMENT FUND COMPANY, INC.

By: Hudson River Housing, Inc.,
its sole member

By: _____

Official Minutes of the Common Council Meeting of October 15, 2024

Name: Christa Hines
Title: Chief Executive Officer

ADMIRAL HALSEY II, L.P.

By: Admiral Halsey II Developers, LLC,
its General Partner

By: Hudson River Housing, Inc.
its Managing Member

By: _____
Name: Christa Hines
Title: Chief Executive Officer

[Acknowledgement Page Follow]

ACKNOWLEDGEMENTS

STATE OF NEW YORK)
)
COUNTY OF DUTCHESS)

On the ___ day of _____ in the year of 2024, before me personally appeared **YVONNE FLOWERS**, personally known to me or proved to me on the basis of satisfactory evidence to be the Individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in her/his capacity, and that by her/his signature on this instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

Official Minutes of the Common Council Meeting of October 15, 2024

Notary Public

STATE OF NEW YORK)
)
COUNTY OF DUTCHESS)

On the __ day of _____ in the year of 2024, before me personally appeared **CHRISTA HINES**, personally known to me or proved to me on the basis of satisfactory evidence to be the Individual whose name is subscribed to the within instrument and acknowledged to me that s/he executed the same in her/his capacity, and that by her/his signature on this instrument, the individual, or person upon behalf of which the individual acted, executed the instrument.

Notary Public

Schedule A

Fiscal Year	Payment Amount
Year 1	\$ 34,228.60
Year 2	\$ 34,913.17
Year 3	\$ 35,611.44
Year 4	\$ 36,323.66
Year 5	\$ 37,050.14
Year 6	\$ 37,791.14
Year 7	\$ 38,546.96
Year 8	\$ 39,317.90
Year 9	\$ 40,104.26
Year 10	\$ 40,906.35
Year 11	\$ 41,724.47
Year 12	\$ 42,558.96
Year 13	\$ 43,410.14
Year 14	\$ 44,278.34
Year 15	\$ 45,163.91
Year 16	\$ 46,067.19
Year 17	\$ 46,988.53
Year 18	\$ 47,928.30
Year 19	\$ 48,886.87
Year 20	\$ 49,864.61
Year 21	\$ 50,861.90

Official Minutes of the Common Council Meeting of October 15, 2024

Year 22	\$ 51,879.14
Year 23	\$ 52,916.72
Year 24	\$ 53,975.05
Year 25	\$ 55,054.56
Year 26	\$ 56,155.65
Year 27	\$ 57,278.76
Year 28	\$ 58,424.33
Year 29	\$ 59,592.82
Year 30	\$ 60,784.68
Year 31	\$ 62,000.37
Year 32	\$ 63,240.38
Year 33	\$ 64,505.19
Year 34	\$ 65,795.29
Year 35	\$ 67,111.20

ADMIRAL HALSEY, L.P.
909 3rd Avenue, 21st Floor
New York, New York 10022

[_____, 2024]

Via Electronic Mail

City of Poughkeepsie
Corporation Counsel
62 Civic Center Plaza
P.O. Box 300
Poughkeepsie, New York 12602
Attn: Rebecca A. Valk, Esq.
Email: RValk@cityofpoughkeepsie.com

Re: Admiral Halsey I

Dear Ms. Valk:

This letter follows our September 5, 2024 meeting with representatives of the City of Poughkeepsie (the “City”), including Mayor Yvonne Flowers and certain members of the City Council, regarding the operation of the Admiral William F. Halsey Senior Apartments, located at 135 Main Street, Poughkeepsie, New York (C/O Poughkeepsie, SBL No. 6062-76-911183) (“Admiral Halsey I”). At said meeting, we discussed with the City certain operational issues at Admiral Halsey I, including the maintenance of the elevators, pest control and grounds, as well as the City’s desire for additional security. Additionally, we informed the City that the Admiral Halsey II project (“Admiral Halsey II”), to be constructed adjacent to and to the immediate north of Admiral Halsey I, would provide additional security services to Admiral Halsey I once Admiral Halsey II is constructed and operational. Accordingly, to fully address the requests of the City in connection with the operations of Admiral Halsey I, we commit the following:

1. Upon completion of construction and commencement of operations at Admiral Halsey II, security staffing will be provided at Admiral Halsey I with in-person personnel making regular rounds and monitoring cameras;
1. Upon completion of construction and commencement of operations at Admiral Halsey II, in-person supportive services will be available to tenants of Admiral Halsey I on site at Admiral Halsey II; and
1. Continued attention to elevator and grounds maintenance, pest control mitigation, and tenant education efforts in connection with pest control.

Official Minutes of the Common Council Meeting of October 15, 2024

While it is our intent to provide the aforementioned security and supportive services, our ability to do so is limited and subject to Admiral Halsey I and Admiral Halsey II both being managed by the same property manager. Admiral Halsey II contemplates utilizing the same property manager as Admiral Halsey I, which is expected to continue for the foreseeable future. However, in the event that management of Admiral Halsey II changes, continuation of the security and supportive services will be entirely dependent on the new property manager of Admiral Halsey II agreeing to provide these services. We agree to provide notice to the City of any change in property manager to Admiral Halsey I or Admiral Halsey II.

If the City has additional concerns regarding operational issues at Admiral Halsey I, we agree to participate in a meeting (either in person or through a virtual platform such as Zoom) to discuss the City's concerns.

Very Truly Yours,

ADMIRAL HALSEY, L.P.

By: Paths Management Services

LLC

Its agent

By:

Name: Ken Spillberg

Title: Authorized Signer

6. **R-24-77**, Resolution Accepting Funding for Garden Street/Fall Kill Creek Bridge Replacement

RESOLUTION

(R-24-77)

Authorizing the implementation and funding of 100% of the costs of a transportation project, which may be eligible for federal-aid and/or state-aid, or reimbursement from Bridge NY funds.

WHEREAS, a project known as the **Garden Street/Fall Kill Creek Bridge Replacement, City of Poughkeepsie, Dutchess County** PIN 8761.96 (the

"Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 95% Federal funds and 5 % non-federal funds; and

WHEREAS, the City of Poughkeepsie will design, let, and construct the Project; and

WHEREAS, The City of Poughkeepsie desires to advance the Project by making a commitment of 100% of the costs of the construction and construction inspection work for the Project or portions thereof.

NOW, THEREFORE, The Common Council of the City of Poughkeepsie, duly convened does hereby

RESOLVE, that the Common Council of the City of Poughkeepsie hereby approves the Project; and it is hereby further

RESOLVED, that the Common Council of the City of Poughkeepsie hereby authorizes The City of Poughkeepsie to pay 100% of the cost of construction and construction inspection work for the Project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the sum of **\$941,194** is hereby appropriated from GL CODE: 30-08-5110 7461, Project: 19BRG.01 and made available to cover the cost of participation in the above phases of the Project; and it is further

RESOLVED, that the Common Council of the City of Poughkeepsie hereby agrees that the City of Poughkeepsie shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the City of Poughkeepsie and it is further

RESOLVED, that in the event the Project costs not covered by federal aid, state aid, or NY Bridge funding exceed the amount appropriated above, the Common Council of the City of Poughkeepsie shall convene as soon as possible to appropriate said excess amount immediately upon the notification by either the City Engineer and/or the City Administrator of the City of Poughkeepsie thereof; and it is further

RESOLVED, that City of Poughkeepsie hereby agrees that construction of the Project shall begin no later than twenty- four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further

RESOLVED, that the

City

Official Minutes of the Common Council Meeting of October 15, 2024

Administrator of the City of Poughkeepsie be and is hereby authorized to execute on behalf of the City of Poughkeepsie all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the City of Poughkeepsie's funding of Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that The City of Poughkeepsie will be responsible for all maintenance of the Project; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

[illegible]

I, Jamar Cummings, Chamberlain (Clerk) of The City of Poughkeepsie, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said the Common Council of the City of Poughkeepsie at a meeting duly called and held at City Hall, 62 Civic Center Plaza, Poughkeepsie, NY on October 15, 2024 by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of The City of
Poughkeepsie, New York, this day of October, 2024

Cummings

Jamar
Chamberlain
(Clerk)
The City of

Poughkeepsie

XI. CONSENT AGENDA: ORDINANCES AND LOCAL LAWS:

1. **LL-24-10**, Local Law Amending Chapter 18 ½ of the City Code to Clarify the Procedure for Determining if an Action is a “Minor Action.”

(LL 24-10)

A LOCAL LAW AMENDING CHAPTER 18 ½ OF THE CITY CODE TO CLARIFY THE PROCEDURE FOR DETERMINING IF AN ACTION IS A “MINOR ACTION.”

SPONSORED BY COUNCILMEMBER PATTERSON THOMPSON, BROWN, JAMES AND GRANT :

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

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

Section 1: Section 18 ½ -7(a) of the City Code is amended to read as follows:

(a) Whenever a proposed action, **other than a minor action as defined herein**, is located in the Waterfront Revitalization Area, each City agency shall, prior to approving, funding or undertaking the action, make a consistency determination. To move forward with such proposed action, that determination should find that the proposed action is consistent with the LWRP policy standards summarized in Subsection (i) below. No action in the Waterfront Revitalization Area shall be approved, funded or undertaken without such a determination.

SECTION 2: Section 18 ½ -9 is amended as follows:

Section 18 ½ -9 **INTERPRETATION AND** Enforcement

The City Zoning Administrator shall be responsible for the **interpretation and enforcement of this chapter including the determination of whether an action qualifies as a “minor action” exempt from review under this Chapter**. No work or activity on a project in the Local Waterfront Area which is subject to review under this chapter shall be commenced or undertaken until the Zoning Administrator has been presented with a written determination from an agency that the action is consistent with

Official Minutes of the Common Council Meeting of October 15, 2024

the City's LWRP policies. In the event that an activity is not being performed in accordance with this chapter or any conditions imposed thereunder, the Zoning Administrator shall issue a stop-work order and all work shall immediately cease. No further work or activity shall be undertaken on the project so long as a stop-work order is in effect.

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

BE IT FURTHER RESOLVED, that copies of the aforesaid proposed Local Law be laid upon the desk of each council member; and

BE IT FURTHER RESOLVED, that the Common Council shall hold a public hearing on said proposed Local Law and that the City Clerk shall 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 GRANT.

A motion to Approve was made by Council Member- 3rd Ward Brown and seconded by Council Member- 6th Ward Grant.

LL-24-10 - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menis Council Member- 3rd Ward Brown, Council Member- 5th Ward Jame Council Member- 6th Ward Grant, Council Member- 8th Ward Deichl Council Member- 7th Ward Patterson Thompson, Council Member- 4 Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

2. LL-24-11, Local Law Amending Section 15-10 "Signs, Stickers, Posters, Letters, Figures, Advertising Devices Upon Sidewalks; Posting Prohibited" to Add Regulations Regarding "A Frame" Signs

A motion to table the vote for LL-24-11 was made by Councilmember - 2nd Ward Menist and seconded by Council Member- 6th Ward Grant.

MOTION TO TABLE LL-24-11	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 3rd Ward Brown, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

XII. ACTION AGENDA: MOTIONS AND RESOLUTIONS:

XIII. ACTION AGENDA: ORDINANCES AND LOCAL LAWS:

XIV. ADJOURNMENT:

A motion to Adjourn was made by Council Member- 7th Ward Patterson Thompson and seconded by Council Member- 3rd Ward Brown.

CCM Minutes of October 15, 2024 - VOICE VOTE	
Yes/Aye:	Council Member- 1st Ward Henry, Councilmember - 2nd Ward Menist, Council Member- 3rd Ward Brown, Council Member- 5th Ward James, Council Member- 6th Ward Grant, Council Member- 8th Ward Deichler, Council Member- 7th Ward Patterson Thompson, Council Member- 4th Ward Shook, Council Member At-Large Wilson
No/Nay:	None
Abstain:	None
Absent:	
Result:	Passed

Dated: October 21, 2024

I hereby certify that this is a true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, October 15, 2024

Respectfully submitted,
Donna M. DeLuca
Deputy City Chamberlain

Laurie Sandow comments, Common Council meeting, October 15, 2024

On tonight's Council agenda, we find eight different "Consent Agenda" items, and zero "Action Agenda" items. Yup, once again in the City of backroom deals, we have Councilmembers who, behind the closed doors of their private caucus, have agreed to approve certain items without ever consulting their constituents or publicly revealing their own knowledge and positions.

Democracy depends on informed citizens. But in the City of Poughkeepsie, darkness and backroom deals—and not the sunlight of democracy—are the rule of the day and reign supreme.

At the last Council meeting, Da'Ron Wilson revealed some of the recent sorrows he's experienced, for which I have great sympathy. As one grows older, these sorrows come to visit all of us more frequently and are recognized as part of the shared human experience. Curiously, though, Wilson did not use the opportunity to apologize for his own violations of decorum, instead renewing his attacks on those he described as (quote): "hyper-focused individuals that try to come and destroy us."

Out to destroy? What a bizarre and self-absorbed perspective. What is more destructive and anti-democratic than the abuse of power and limitations this Council imposes on the public? What has been more destructive to public knowledge and this City's overall body politic than the absence of public comment periods at all City board and commission meetings? What and who is more judgmental? misrepresenting and demonizing freedom of speech and demand for accountability as if they are judgment? It's not the public. It's the Council that, meeting after meeting, shows their judgment and contempt for the public, living and dying by the mobster code of omertà.

Are my public comments focused on transparency, accountability, and due diligence? You bet they are. These are qualities that are sorely absent from both City Administration and Council. The phrase “Speaking Truth to Power” is a non-violent political tactic originated in a pamphlet written by the civil rights activist Bayard Rustin—I hope you know who he was. We have electeds who relish their personal power while rejecting the truth and truth-tellers. They use their seats for personal privilege, gain and cronyism, carrying out their private vendettas while pretending that they’re observing decorum and implementing best practices. So if a single Councilmember believes that transparency, accountability and due diligence will result in their destruction, no worries: they—and no one else—will be the agents of their own destruction.

As I run out of time, I make note that there are Councilmembers collecting money and using Ward funds to benefit the projects of their personal friends, families and allies. We also have Yvonne Flowers using City money to plant trees in front of the CommunityMatters2 building—the organization that replaced the Family Partnership as the Flowers Family fiscal sponsor, is the sponsor of the Mayor’s Ball, and where both Yvonne Flowers and Da’Ron Wilson sit as board members. These and others are ethics violations infesting the City of Poughkeepsie, which need to be addressed but can’t be fit into just a three minute comment period.