



COMMON COUNCIL MEETING

Tuesday, February 18, 2024

Common Council Chambers

6:30 p.m.

6:00 p.m.

Public Hearing for Receiving Comments on Nomination of 52 S. Hamilton as a Local Historic Landmark

I. ROLL CALL

II. REVIEW OF MINUTES:

**Common Council Public Hearing- Amending the City's Zoning Code
Common Council Public Hearing- Amending the Administrative Code Regarding
Prior Written Notice of an Alleged Defect
Common Council Meeting of February 4, 2025**

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

IV. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. FROM DUTCHESS COUNTY TRANSPORTATION COUNCIL**, a presentation regarding speed limit study in the City of Poughkeepsie
- 2. FROM VIRGINIA FAJARDO**, a notice of claim for injuries sustained on February 2, 2025
- 3. FROM MICHAEL SMOOT**, a notice of claim for property damage sustained on January 10, 2025
- 4. FROM SUMMA ERUDITUS INC**, a 30-Day Advance notice of NYS Liquor License Application

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

VI. NEW & UNFINISHED BUSINESS & ANNOUNCEMENTS

VII. REPORTS OF COMMITTEES AND BOARDS: NONE

CONSENT AGENDA:

VIII. MOTIONS AND RESOLUTIONS:

1. **R-25-21**, Resolution Introducing a Local Law and Setting Public Hearing to Add a New Section 15-17.1 “Outdoor Cooking, Food and Beverage Preparation Facilities”
2. **R-25-22**, Resolution Modifying Resolution R-20-39 Regarding Conditions Attached to The Sale of Formerly City Owned Property At 556 Main Street
3. **R-25-23**, Resolution Calling Upon The New York State Legislature to Pass, And the Governor to Sign, S.4659/A.4877 “Rent Emergency Stabilization for Tenants” (“Rest”) Act
4. **R-25-24**, Resolution Calling Upon The New York State Legislature to Pass, And the Governor to Sign, S.1980/A.3690, S.2059/A.3115, S.2782/A.3193 And S.2162/A.2576

IX. ORDINANCES AND LOCAL LAWS:

ACTION AGENDA:

X. MOTIONS AND RESOLUTIONS:

XI. ORDINANCES AND LOCAL LAWS:

XII. MAYOR’S COMMENTS:

XIII. CHAIRMAN’S COMMENTS AND PRESENTATIONS:

XIV. ADJOURNMENT:



The City of Poughkeepsie New York

Common Council Meeting Minutes

Tuesday, February 4, 2025

6:00 PM

Common Council Chambers

I WELCOME:

Welcome to the scheduled Public Hearing of the City of Poughkeepsie Common Council. The date is Tuesday, February 4, 2025 and the time is 6:02pm

This Public Hearing is for the purpose of receiving comments on Amending the City's Zoning Code to Correct Various Definitions.

II ROLL CALL:

9 Present, 0 Absent ()

III PUBLIC PARTICIPATION: Five Minutes Per Person

No Speakers

IV ADJOURNMENT:

Seeing that no speakers signed up, a motion to close the public hearing was made by 7th Ward Council Member Patterson Thompson and seconded by 3rd Ward Council Member Brown at 6:08pm.

Dated: February 5, 2025

I hereby certify that this is a true and correct copy of the Minutes of the Common Council Public Hearing held on Tuesday, February 4, 2025.

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



PUBLIC HEARING MEETING AGENDA

Tuesday, February 4, 2025
6:00 PM
Common Council Chambers

City of Poughkeepsie Common Council Public Hearing;

NOTICE IS HEREBY GIVEN that pursuant to the Charter and Codes of the City of Poughkeepsie, a Common Council Public Hearing will be held on **Tuesday, February 4, 2025 at 6:00 pm** in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY for the purpose of receiving comments on: A Local Law to Amend the City's Zoning Code to Remove the Footnote at Section 19-3.3(2)(C) Of the Zoning Code and to Correct Various Definitions

- I.** Welcome
- II.** Roll Call
- III.** Public Participation
- IV.** Adjournment:

**CITY OF POUGHKEEPSIE, NEW YORK
COMMON COUNCIL
PUBLIC HEARINGS
TUESDAY, FEBRUARY 4, 2025**

NOTICE IS HEREBY GIVEN that pursuant to the Charter and Codes of the City of Poughkeepsie, one Common Council Public Hearing will be held on **Tuesday, February 4, 2025 at 6:00 pm** respectively, in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY for the purpose of receiving comments on:

1. A Local Law to Amend the City's Zoning Code to Remove the Footnote at Section 19-3.3(2)(C) Of the Zoning Code and to Correct Various Definitions

When: Tuesday, February 4, 2025, at 6:00 PM (EST)

Location: Common Council Chambers, 3rd FL, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY 12601

Dated: January 22, 2025

Respectfully submitted,

Jamar M. Cummings
City Chamberlain

**RESOLUTION
(R-25-15)**

**RESOLUTION INTRODUCING A LOCAL LAW TO AMEND THE CITY’S ZONING
CODE TO REMOVE THE FOOTNOTE AT SECTION 19-3.3(2)(C) OF THE ZONING
CODE AND TO CORRECT VARIOUS DEFINITIONS**

**INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBER SHOOK, PATTERSON
THOMPSON, HENRY, MENIST, BROWN, JAMES AND GRANT**

BE IT RESOLVED that an introductory Local Law entitled, “A LOCAL LAW TO
AMEND THE CITY’S ZONING CODE TO REMOVE THE FOOTNOTE AT SECTION 19-
3.3(2)(C) OF THE ZONING CODE AND TO CORRECT VARIOUS DEFINITIONS” 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, February 4, 2025 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 _____ .

(LL 25-XX)

**A LOCAL LAW TO AMEND THE CITY’S ZONING CODE TO REMOVE THE
FOOTNOTE AT SECTION 19-3.3(2)(C) OF THE ZONING CODE AND TO CORRECT
VARIOUS DEFINITIONS**

SPONSOR:

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 19-3.3(2)(c) “Lot Coverage” is amended to delete the footnote that states
“Includes all buildings/structures.”

SECTION 2: Section 19-10.2 is amended to delete the definition of “Accessory Dwelling Unit
(ADU)” and add a definition for “Accessory Apartment” as follows:

~~ACCESSORY DWELLING UNIT (ADU)~~

~~An accessory residential dwelling unit physically connected or attached to a principal single unit
or two-unit dwelling or connected or attached to an existing accessory structure such as a garage
or carriage house. The ADU must be connected by at least one common wall or be structurally
interdependent in some other way with the existing structure.~~

ACCESSORY APARTMENT:

**A small, independent living space on the same lot as a single family dwelling which is
clearly subordinate to that principal use.**

SECTION 3: Section 19-10.2 is amended to delete the definitions for “Apartment” and
“Backbuilding” as follows:

~~APARTMENT~~

~~A dwelling unit located on an upper floor of a shopfront building or a factory building and
having a minimum floor area of 300
square feet.~~

~~BACKBUILDING~~

~~A single-story structure connecting a principal building to an outbuilding.~~

SECTION 4: Section 19-10.2 is amended to correct the definitions for “Commission,” “Day Care Home/Family Day Care Home,” “Restaurant, Standard” and “Sidewalk Café.”

COMMISSION (HDLPC)

The Historic **District and Landmark** Preservation Commission created pursuant to this Chapter.

DAY CARE HOME/FAMILY DAY CARE HOME

~~A day care home is a dwelling in which a permanent resident provides licensed care in a protective setting for up to six children or elderly or disabled adults for less than 24 hours per day. The number counted includes the family’s natural, adopted, or foster children who are under six years of age.~~ **A home-based program that provides regular care for children in compliance with the requirements of New York State Office of Children and Family Service.**

RESTAURANT, STANDARD (erroneously given retail establishment’s definition)

~~An establishment engaged in the sale to the general public of commodities or goods in small quantities to ultimate consumers. Any establishment separately defined in this chapter shall not be considered a retail establishment.~~ **An establishment whose principal business is the sale of food in a ready to consume state, normally ordered from a menu and delivered to a table for consumption on premises.**

SIDEWALK CAFÉ

An **accessory seating area for a** restaurant or café open to the sky, with readily removable tables, chairs or railings, and no overhead coverage other than umbrellas or retractable awnings, compliant with Section 19-15-14 of the Code of Ordinances.

SECTION 5: Section 19-10.2 is amended to move “Development” below “Demolition” to be alphabetically correct.

SECTION 6: This Local Law shall take effect upon filing with the New York 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 _____ :



The City of Poughkeepsie New York

Common Council Meeting Minutes

Tuesday, February 4, 2025

6:15 PM

Common Council Chambers

I WELCOME:

Welcome to the scheduled Public Hearing of the City of Poughkeepsie Common Council. The date is Tuesday, February 4, 2025 and the time is 6:59pm

This Public Hearing is for the purpose of receiving comments on Amending the City of Poughkeepsie Administrative Code Regarding Prior Written Notice of an Alleged Defect.

II ROLL CALL:

9 Present, 0 Absent ()

III PUBLIC PARTICIPATION: Five Minutes Per Person

Five (5) minutes per person for public comment on any agenda and non-agenda item.

Laurie Sandow- S Grand Ave*

***Submitted written comments**

IV ADJOURNMENT:

At 7:07pm, a motion to close the public hearing was made by 3rd Ward Council Member Brown and seconded by 6th Ward Council Member Grant.

Dated: February 5, 2025

I hereby certify that this is a true and correct copy of the Minutes of the Common Council Public Hearing held on Tuesday, February 4, 2025.

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



PUBLIC HEARING MEETING AGENDA

Tuesday, February 4, 2025
6:15 PM
Common Council Chambers

City of Poughkeepsie Common Council Public Hearing;

NOTICE IS HEREBY GIVEN that pursuant to the Charter and Codes of the City of Poughkeepsie, one Common Council Public Hearing will be held on **Tuesday, February 4, 2025 at 6:15 pm** in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY for the purpose of receiving comments on: A Local Law to Amend the City's Administrative Code, Sections 15.02 and 15.03 Regarding the Requirement of Prior Written Notice of an Alleged Defect

- I.** Welcome
- II.** Roll Call
- III.** Public Participation
- IV.** Adjournment:

**CITY OF POUGHKEEPSIE, NEW YORK
COMMON COUNCIL
PUBLIC HEARINGS
TUESDAY, FEBRUARY 4, 2025**

NOTICE IS HEREBY GIVEN that pursuant to the Charter and Codes of the City of Poughkeepsie, one Common Council Public Hearing will be held on **Tuesday, February 4, 2025 at 6:00 pm** respectively, in the Common Council Chambers, 3rd Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY for the purpose of receiving comments on:

1. A Local Law to Amend the City's Zoning Code to Remove the Footnote at Section 19-3.3(2)(C) Of the Zoning Code and to Correct Various Definitions

When: Tuesday, February 4, 2025, at 6:00 PM (EST)

Location: Common Council Chambers, 3rd FL, City Hall, 62 Civic Center Plaza, Poughkeepsie, NY 12601

Dated: January 22, 2025

Respectfully submitted,

Jamar M. Cummings
City Chamberlain

**RESOLUTION
(R-25-14)**

**RESOLUTION INTRODUCING A LOCAL LAW TO AMEND THE CITY'S
ADMINISTRATIVE CODE, SECTIONS 15.02 AND 15.03 REGARDING THE
REQUIREMENT OF PRIOR WRITTEN NOTICE OF AN ALLEGED DEFECT**

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

BE IT RESOLVED that an introductory Local Law entitled, “ A LOCAL LAW TO AMEND
THE CITY'S ADMINISTRATIVE CODE, SECTIONS 15.02 AND 15.03 REGARDING THE
REQUIREMENT OF PRIOR WRITTEN NOTICE OF AN ALLEGED DEFECT” 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, February 4, 2025 at 6:15
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 _____ .

(LL 25-XX)

**A LOCAL LAW TO AMEND THE CITY'S ADMINISTRATIVE CODE,
SECTIONS 15.02 AND 15.03 REGARDING THE REQUIREMENT OF PRIOR
WRITTEN NOTICE OF AN ALLEGED DEFECT**

SPONSOR:

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: Administrative Code Section 15.02 is amended as follows:

Section 15.02. Action against city due to defective condition of streets, sidewalks; notice required.

~~No action shall be brought against the city because of injuries resulting from defective or slippery streets or sidewalks, or because of any obstruction upon any street or sidewalk, unless the party so injured, or someone in his or her behalf shall first within five days after the date of said injury, said date inclusive, file with the commissioner of public works of said city a notice of such injury specifying in a general way the kind of injury, together with the exact date thereof, and designating the street and the precise location of the defect, obstruction or other cause which produced the injury, and all actions on such claims shall be commenced within thirty days after the rejection thereof by the common council.~~

No civil action may be maintained against the city for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous, or obstructed unless, before the occurrence resulting in such damages or injury, (a) notice of the defective, unsafe, dangerous or obstructed condition was delivered to the Commissioner of Public Works at 26 Howard Street, Poughkeepsie, New York 12601 in the form of a written physical hard copy and (b) the city failed or neglected to repair or remove the defect, danger or obstruction within a reasonable time after being given such notice. No action may be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, crosswalk, or street unless notice thereof relating to the particular place was delivered to the Commissioner of Public Works at 26 Howard Street, Poughkeepsie, New

York 12601 in the form of a written physical hard copy and (b) the city failed or neglected to cause such snow or ice to be removed or to otherwise reasonably make safe the place within a reasonable time after receiving the notice. Notice of a defect submitted via email, the city's website, any service, website, or application the city uses to allow the public to submit reports or service requests to the city, comments on social media page maintained by the city, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this section.

SECTION 2: Administrative Code Section 15.03 is deleted:

Section 15.03. ~~Liability of city for defective streets, sidewalks, etc.; notice required.~~

~~The city shall not be liable for the damage or injury sustained by any person in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk in said city being out of repair, unsafe, dangerous, or obstructed by snow, ice or otherwise, in any way or manner, unless written notice of the defective, unsafe, dangerous or obstructed condition of said street, highway, bridge, culvert, sidewalk or crosswalk shall have been given to the commissioner of public works of said city at least twenty-four hours previous to such damage or injury.~~ **RESERVED**

SECTION 3: This Local Law shall take effect immediately upon its adoption by the Common Council.

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 _____ :

Laurie Sandow public comments, February 4, 2025

Common Council public hearing, Requirement of Prior Written Notice of an Alleged Defect

Tonight's public hearing regarding a proposed Local Law to require prior written notice is an insult to any resident or traveller through the City of Poughkeepsie ["A Local Law to Amend the City's Administrative Code, Sections 15.02 and 15.03 Regarding the Requirement of Prior Written Notice of an Alleged Defect"].

Here we have a City that regularly fails to maintain, repair and provide safe streets, highways, sidewalks and more. A City that refuses to issue violations to preferred developers and even goes so far as purchase back properties from investors and developers that have willfully sought to demolish their properties and buildings by neglect, yet this City and this Council wants to shift the burden of prior defect reporting to the ordinary citizen, resident, or visitor—which notice can only be made in person and in hard copy.

Because why would this City ever want to create a trackable 3-1-1 reporting system—a 3-1-1 reporting system that I have repeatedly requested at both City and County meetings—that would also provide transparency and accountability, as well as employment and customer service and a sense that the City wants to be a good and responsible steward of its domain.

Adding insult to injury, the City—and apparently every Councilmember who has signed on as sponsor—seeks to free and protect themselves further by using the most vague language of the city repairing or removing the defect, danger or obstruction “**within a reasonable time:** after being given such notice—which “reasonable time” is completely unstated.

May I suggest that what the Council should instead be doing is to obligate Chris Gent to survey the entire City to create an interactive map of all existing defects and a timeline of repair for known defects. And that rather than a person having to personally deliver their prior notice to the Commissioner in person, the Commissioner of Public Works be compelled to pick up each of these hard copy complaints in person within 15 minutes of being authored, and to go to inspect the damage and provide a written estimate for timing and quality of repair, which reasonable timing will not surpass 24 hours after being notified.

The resolution goes on to say (see fuller extract further below): “Notice of a defect submitted via email, the city’s website, any service, website, or application the city uses to allow the public to submit reports or service requests to the city, comments on social media page maintained by the city, or any other electronic means **does not satisfy the process and procedure for submitting written notices of defect required by this section.**”

So even if you walked out of your house and your car was at the bottom of a brand new sinkhole, if you didn't stop everything that you were doing and race over to Howard Street with a hard copy of the defect, your suit would still be denied for failure to serve prior notice. And if, in the meantime, while a friend or a ride-share service was taking you to Howard Street, some four-year-old fell in that same sinkhole, neither one of you would be qualified to sue this city.

I'm not into frivolous lawsuits, but I *am* into responsible city government. And this resolution does not bear the faintest resemblance to responsible government.

Per proposed LL-25-XX:

“A Local Law to Amend the City’s Administrative Code, Sections 15.02 and 15.03 Regarding the Requirement of Prior Written Notice of an Alleged Defect”

“SECTION 1: Administrative Code Section 15.02 is amended as follows:

“Section 15.02. Action against city due to defective condition of streets, sidewalks; notice required.

“No civil action may be maintained against the city for damages or injuries to person or property sustained in consequence of any street, highway, bridge, culvert, sidewalk or crosswalk being defective, out of repair, unsafe, dangerous, or obstructed unless, before the occurrence resulting in such damages or injury, (a) notice of the defective, unsafe, dangerous or obstructed condition was delivered to the Commissioner of Public Works at 26 Howard Street, Poughkeepsie, New York 12601 in the form of a written physical hard copy and (b) the city failed or neglected to repair or remove the defect, danger or obstruction within a reasonable time after being given such notice. No action may be maintained for damages or injuries to person or property sustained solely in consequence of the existence of snow or ice upon any sidewalk, crosswalk, or street unless notice thereof relating to the

particular place was delivered to the Commissioner of Public Works at 26 Howard Street, Poughkeepsie, New York 12601 in the form of a written physical hard copy and (b) the city failed or neglected to cause such snow or ice to be removed or to otherwise reasonably make safe the place within a reasonable time after receiving the notice. Notice of a defect submitted via email, the city's website, any service, website, or application the city uses to allow the public to submit reports or service requests to the city, comments on social media page maintained by the city, or any other electronic means does not satisfy the process and procedure for submitting written notices of defect required by this section.

“SECTION 2: Administrative Code Section 15.03 is deleted:

“Section 15.03. RESERVED

“SECTION 3: This Local Law shall take effect immediately upon its adoption by the Common Council.”

PLEASE PRINT OR TYPE FORM CLEARLY

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

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: 02/04/25

NAME AND ADDRESS OF EACH CLAIMANT:

Virginia Fajardo
813 Hudson Harbour Dr.

TELEPHONE NUMBER: 845-420-0885

PO'K CITY CHAMBERLAIN
2025 FEB 10 PM 12:42

NAME AND ADDRESS OF ATTORNEY (IF ANY):

Mainetti & Mainetti
130 N. Front St. #300
Kingston, NY 12401

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

On 02/02/25 at 7pm the light on Academy and Main St wasn't working properly. Which caused a motor vehicle accident

ITEMS DAMAGED OR INJURIES SUSTAINED:

Virginia Fajardo sustained injuries
Virginia Fajardo's car was also a total loss

[Signature]
Signature of Claimant

Signature of Claimant

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

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

[Signature]
Signature of Claimant

Signature of Claimant

State of NY County of Dutchess

Sworn to before me this

10th day of February 2025

[Signature]
Notary Public

CAROL NICHOLSON
NOTARY PUBLIC, State of New York
No. 04NI6182576

Qualified in Dutchess County
Commission Expires 2/25/28

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

PLEASE PRINT OR TYPE FORM CLEARLY

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

NOTICE OF CLAIM
AGAINST
THE CITY OF POUGHKEEPSIE, NEW YORK

TODAY'S DATE: JANUARY 15, 2025

NAME AND ADDRESS OF EACH CLAIMANT:

MICHAEL SMOOT
35 DUBOIS AVENUE
POUGHKEEPSIE, NY 12601

TELEPHONE NUMBER: 845-702-7516

NAME AND ADDRESS OF ATTORNEY (IF ANY):

POK CITY CHAMBERLAIN
2025 FEB 05 PM01:22

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

ON JAN 10, 2025, A SEWAGE BACKUP FLOODED MY BASEMENT WITH RAW SEWAGE. WALL TO WALL CARPET RUINED, MATTRESS, DOORS TO UTILITY CLOSET, DOOR TO UTILITY ROOM - POSSIBLE MOLD WHICH ENTAILS CUTTING OUT WALLS ETC. 4PM ON AT 35 DUBOIS AVENUE - CITY WATER/SEWER CAME TO FIX PROBLEM ITEMS DAMAGED OR INJURIES SUSTAINED:

~~ACROSS~~ THE STREET FROM MY HOUSE. I HAVE VIDEO EVIDENCE OF EVERY THING. CLAIM \$10,000.00

Michael Smoot
Signature of Claimant

Signature of Claimant

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

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

Michael Smoot
Signature of Claimant

Signature of Claimant

Sworn to before me this

15th day of January, 2025

[Signature]
Notary Public.

MARK T GUARNACCIA
Notary Public - State of New York
NO. 01GU6445444
Qualified in Dutchess County
My Commission Expires Dec 19, 2026

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

3835 CLEANUP

J.J. Pyles Wallcovering, Inc.

Office 301-801-4129 Fax 240-241-5183

46 Sugar Maple Avenue
Newfoundland, NJ 07435

jeffpyles@me.com



The following is being proposed to care for a water loss that had sewage entering the home of Mike Smoot located at 35 Dubois Avenue Poughkeepsie NY 12601.

Sewage water entered the home of Mike Smoot on Friday January 10, 2025. I came out on Thursday January 16, 2025. At this time the sewer water had been vacuumed up, however the staining on the walls and doors was still present, as well as swelling of the doors in the flooded area.

One of the problems with sewage is the propagation of bacteria. We are surrounded by predominately healthy bacteria and bacteria is necessary for life, however many diseases come from category 3 contaminated sewage water. This is a very dangerous situation and the affected surfaces have to be professionally cleaned if they are non porous or removed if they are porous. Saturated wall-to-wall carpeting usually cannot be adequately cleaned and disinfected. Carpet padding due to its construction cannot be cleaned. These items need to be removed. They need to be wrapped in plastic, and disposed of properly. If the homeowner decides to keep these items, they would need to hire a licensed carpet cleaning company to steam clean and disinfect them.

Drywall that has been saturated with sewage cannot be cleaned and has to be removed. There is approximately 70 linear feet of drywall and baseboard trim that was saturated with sewage water. This would need to be removed and discarded. How is that to be done?

Containment (consisting of heavy 6 mil plastic) would be set up that would close off a portion of the basement being worked on. A negative air machine (Air Filtration Device) would be put in to keep the area being worked on in a vacuum type environment. This is so any bacteria that becomes air borne while removing the trim and drywall sections would be kept within the contained area and not exposed to the rest of the home or other parts of the basement that wasn't affected by the sewage. Included in this setup would be a decontamination area for donning & doffing of suits and cleaning of bags and equipment before exiting to the general space or outside space. This is a walkout basement, so this also could be used as a decon area.

The exhaust of the AFD would be vented outside the basement via a the sliding glass doors, thus creating a negative air environment.

The following will be cared for in the basement - removing the sheetrock of approximately 70 linear feet by 6 and 1/2 inches high up the wall. This would allow for 6 inch strips of drywall to be installed 1/2" off the ground by a contractor. Please see pictures that denote the sewage contaminated areas.

For concrete or block walls underneath the sheetrock there will be HEPA (High efficiency particulate absorbing/arrestance) sanding and the use of wire brushes and HEPA vacuums. Any insulation that has been sewage contaminated will also be removed.

After sheetrock/drywall is removed and bagged to be thrown out, we will HEPA sand or HEPA wire brush any wall studs that have been affected.

Next, we clean all surfaces within the containment, including the plastic of the containment itself using a HEPA vacuum and low moisture wipe down, followed by a dry wipe. The disinfectant botanical Decon 30 will be used in the wipe down procedure.

Details on Benefect can be found here:

<https://benefect.com/us/products/decon-30/>

There is existing carpeting and padding. This should be removed. There is a process to this that involves hepa vacuuming the carpet prior to cutting it into strips and then bagging the strips prior to removal. Any carpet tack strips will need to be removed and bagged as well.

Finally there will be a HEPA vacuuming and removal of the plastic enclosures. Once plastic has been cleaned it will be bagged and I will take it away from the home.

The cost for the remediation comes to **\$3,835.00**. Estimating 28-32 hours of labor, by 2 or 3 remediators.

Full payment upon completion of removal of all affected drywall and trim pieces as well as carpeting and padding. Additionally the swollen and damaged doors will be removed and discarded.

Thank you very much for considering me.

Sincerely yours,

Jeffrey J. Pyles

JJPyles Wallcovering Inc.



Rugs will be wall



STORE 1207 Wappingers Falls
 1570 Route 9
 Wappingers Falls, NY 12590
 845-298-9200

Estimate summary

This pricing is an estimate only and does not include any sales tax. The final price is based on the results of a professional measure of your space and final materials selected. The final price will include applicable sales tax. Additional charges may also apply, including lead and asbestos testing for older homes built before 1978, furniture moving, unforeseeable conditions found when the existing flooring is removed (e.g. damage or deterioration), etc.

Estimated Total: \$2,054 - 2,567

Room	Name	SKU	Price	Type
Basement 1	Tailored Trends I Refined Brown 34 oz. Polyester Textured Installed Carpet	1010-709-751	\$23.31/ SY	Carpet
	Additional material Traffic Master 6# 7/16" Carpet Pad		\$7.58/ SY	

*Labor included: Basic installation and basic furniture moving.

Materials:	\$1,450 - 1,488
Labor*:	\$0 - 188
Estimate Subtotal	\$1,450 - 1,676

Room	Name	SKU	Price	Type
Staircases 1	Tailored Trends I Refined Brown 34 oz. Polyester Textured Installed Carpet	1010-709-751	\$23.31/ SY	Carpet
	Additional material Traffic Master 6# 7/16" Carpet Pad		\$7.58/ SY	

*Labor included: Basic installation and basic furniture moving.

Materials:	\$453 - 491
Labor*:	\$0 - 59
Estimate Subtotal	\$453 - 550

Room	Name	SKU	Price	Type
Closet 1	Tailored Trends I Refined Brown			
	34 oz. Polyester Textured	1010-709-751	\$23.31/ SY	Carpet
	Installed Carpet			
	Additional material	Traffic Master 6# 7/16" Carpet Pad	\$7.58/ SY	

*Labor included: Basic installation and basic furniture moving.

Materials:	\$151 - 302
Labor*:	\$0 - 39
Estimate Subtotal	\$151 - 341



RIDGID 16 GAL CART WET/DRY VAC
\$159.00
2000 000 000 000
1 200 000 000 000

Service Provided by
Met
MERCHANDISE
EXECUTION
TEAM

Service Responsibilities include:
• Program Support
• Set Integrity
• POP Placement
• Display Maintenance
• Price Label Maintenance
• ATX Monitoring

25
14.00

RIDGID HD1800
255-185 (US)
1001-200-971 (CAN)

16 GALLON WET/DRY VAC WITH CART
NXT

SWAP LOCK. CLEAN.
REEMPLAZAR VERROUILLER NETTOYER | INTERCAMBIE FLIE, LIMPE

16 GALLON WET/DRY VAC WITH CART
NXT

255-185 (US)
1001-200-971 (CAN)

16 GALLON WET/DRY VAC WITH CART
NXT

6.5 PEAK HP
2 1/2" (63.5mm) TUBE



RIDGID

16 Gallon Wet/Dry Vac with Detachable Blower

NXT

SWAP LOCK. CLEAN.
REEMPLAZAR VERROUILLER NETTOYER | INTERCAMBIE FLIE, LIMPE

16 GALLON WET/DRY VAC WITH CART
NXT

255-185 (US)
1001-200-971 (CAN)

16 GALLON WET/DRY VAC WITH CART
NXT

6.5 PEAK HP
2 1/2" (63.5mm) TUBE

16 GALLON WET/DRY VAC WITH CART
NXT

255-185 (US)
1001-200-971 (CAN)

16 GALLON WET/DRY VAC WITH CART
NXT

255-185 (US)
1001-200-971 (CAN)

**Prepared For**

Michael Smoot
 35 Dubois Avenue
 Poughkeepsie, New York 12601
 (845) 702-7516

PpDECO

PO Box 90589
 Poughkeepsie , Ny 12601
 Phone: (845) 430-2403
 Email: pcolacicco02@gmail.com

Estimate # 911059

Date 02/05/2025

Description**Total**

Labor & Material	\$2,750.00
------------------	------------

SheetRock will be installed in all the open spaces affected.
 The next steps involve taping, applying compound with 2-3 coats, sanding, and painting. Please note that you will be responsible for providing the paint colors, as per our agreement

We will purchase the WHITE Paint
 you just need to let me know what type of finish you would like.
 flat, matte, eggshell, satin, semi-gloss, or glossy

Baseboard moldings on walls affected NEW*
 Painted to follow color scheme on particular wall.

Install New door entering into the laundry room,
 (You can let me know what type of doorknob you want for the door) NEW*
 to enhance both functionality and aesthetics.

Install existing Bi- Fold Door < Black>

Installation of the new Bi-Fold Door in the Laundry room, which is now in white. NEW*

Unforeseen conditions could cause a change order scope of work or materials to be made to the above-mentioned estimate both parties will sign off on for approval.

Labor & Material	\$0.00
Flooring TBD	
Life Pro waterproof flooring	
Carpet	

Subtotal	\$2,750.00
NY (Dutchess County)	\$223.44
Total	\$2,973.44
Deposit Due	\$1,486.72

Notes:

You're put on the production schedule after the required deposit is paid.
We only accept: Cash• Certified Bank Check
Credit Card = \$20 processing fee through square

Thank you for your business



OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: 1/29/2025 1a. Delivered by: Overnight Mail, Tracking Number and Pro

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

☒ New Application ☐ Removal ☐ Class Change

For premises in the City of New York:

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Temporary Retail Permit ☐ Removal
☐ Class Change ☐ Method of Operation ☐ Corporate Change ☐ Renewal ☐ Alteration

For **New** and Temporary Retail Permit applicants, answer each question below using all information known to date

For **Renewal** applicants, answer all questions

For **Alteration** applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For **Corporate Change** applicants, attach a list of the current and proposed corporate principals

For **Removal** applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For **Class Change** applicants, attach a statement detailing your current license type and your proposed license type

For **Method of Operation Change** applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: City Of Poughkeepsie

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): _____ Expiration Date (if applicable): _____

5. Applicant or Licensee Name: Summa Eruditus Inc

6. Trade Name (if any): _____

7. Street Address of Establishment: 11 Garden Street

8. City, Town or Village: Poughkeepsie, NY Zip Code: 12601

9. Business Telephone Number of applicant/ Licensee: 917-242-1546

10. Business E-mail of Applicant/Licensee: llewellnenterprise@gmail.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: Club (members only not-for-profit)

☐ Seasonal Establishment ☒ Juke Box ☒ Disc Jockey ☒ Recorded Music ☒ Karaoke

14. Method of Operation: ☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): non amplified acoustic

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): _____

15. Licensed Outdoor Area: ☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
 (check all that apply) ☐ Sidewalk Cafe ☐ Other (specify): _____

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: **Ground Floor**
17. List the room number(s) the establishment is located in within the building, if appropriate: **n/a**
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
- | | |
|-------|---------------|
| _____ | _____ |
| Name | Serial Number |
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: **11 Garden LLC**
23. Building Owner's Street Address: **11 Garden Street**
24. City, Town or Village: **Poughkeepsie** State: **NY** Zip Code: **12601**
25. Business Telephone Number of Building Owner: **845-648-3633**

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: **Arelija Taveras/NY Business Licensing**
27. Representative/Attorney's Street Address: **38-10 99th Street**
28. City, Town or Village: **Corona** State: **NY** Zip Code: **11368**
29. Business Telephone Number of Representative/Attorney: **518-763-5400**
30. Business E-mail Address of Representative/Attorney: **Arelija@NYBusinessLicensing.com**

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: **Arelija Taveras** Title: **Representative**

Principal Signature: _____

**RESOLUTION
(R-25-21)**

**RESOLUTION INTRODUCING A LOCAL LAW TO ADD A NEW SECTION 15-17.1
“OUTDOOR COOKING, FOOD AND BEVERAGE PREPARATION FACILITIES”**

**INTRODUCED BY COUNCILMEMBER SHOOK, PATTERSON THOMPSON, BROWN
AND JAMES :**

BE IT RESOLVED that a revised introductory Local Law entitled, “A LOCAL LAW
TO ADD A NEW SECTION 15-17.1 “OUTDOOR COOKING, FOOD AND BEVERAGE
PREPARATION FACILITIES” 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, April 1, 2025 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 _____ .

(LL 25-XX)

**A LOCAL LAW TO ADD A NEW SECTION 15-17.1 “OUTDOOR COOKING, FOOD
AND BEVERAGE PREPARATION FACILITIES”**

SPONSOR:

WHEREAS, the City of Poughkeepsie seeks to regulate the use of public sidewalks for outdoor cooking in a manner that ensures public safety, maintains accessibility, and supports local businesses;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Poughkeepsie as follows:

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

SECTION 1: A new section 15-17.1 is added to the City Code to read as follows:

Section 15-17.1 Outdoor Cooking, Food and Beverage Preparation Facilities.

- (a) **Outdoor cooking, food and beverage preparation, and related activities on a street, sidewalk, or other public area shall be permitted only in accordance with a permit issued by the City of Poughkeepsie. The City shall establish rules and regulations for the permitting process, including but not limited to:**
- i. Establishing an annual permit application and renewal process for restaurants seeking to conduct outdoor cooking in designated areas of public property;**
 - ii. Requiring compliance with all applicable building codes, fire safety regulations, and health department standards;**
 - iii. Ensuring that outdoor cooking does not impede access to sidewalks, streets, or other public facilities;**
 - iv. Imposing reasonable annual fees for the use of public space for outdoor cooking; and**
 - v. Designating specific areas where outdoor cooking may be conducted and any restrictions necessary to protect public health and safety.**
- (b) **Exceptions shall include:**
- i. cooking in approved areas within public parks for personal consumption;**
 - ii. cooking during events approved by the City;**
- (c) **Penalties for offenses. An offense against the provisions of this section shall be punishable by a fine of not less than \$250 or more than \$1000.**

(d) Enforcement shall be by appearance ticket returnable in Poughkeepsie City Court. Said ticket may be issued by the Building Inspector, Code Enforcement Officer, Fire Inspector, Sanitation Inspector, or any officer of the City of Poughkeepsie Police Department in his or her own discretion or based upon a signed complaint.

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 _____ :

RESOLUTION

(R-25-22)

MODIFYING RESOLUTION R-20-39 REGARDING CONDITIONS ATTACHED TO THE SALE OF FORMERLY CITY OWNED PROPERTY AT 556 MAIN STREET

SPONSORED BY: COUNCILMEMBER GRANT AND BROWN

WHEREAS, by Resolution R-20-39, the City of Poughkeepsie authorized the sale of 556 Main Street (Tax Map No.: 6161-24-392943) to 558 Main Street LLC upon the condition that the property be developed as a three-story mixed-use building as set forth in the deed recorded with the Dutchess County Clerk at Document #02 2020 2474; and

WHEREAS, the current owner, 556 Main LLC (having taken title from 558 Main Street LLC) has requested a modification of the conditions set forth within resolution R-20-39, and the deed, to allow 556 Main Street to be used as a parking lot accessory to the existing structure at 558 Main Street; and

WHEREAS, conditions A and E of Resolution R-20-39 have been satisfied and conditions C, D and F will remain unchanged.

NOW, THEREFORE, the Common Council hereby amends resolution R-20-39 as follows:

1. Modify condition B which previously read “Purchaser shall obtain a building permit for the construction of a three-story mixed-use building within six (6) months of the closing of title” to now read “**Purchaser shall obtain a building permit to allow the Property at 556 Main Street to be used as a parking lot accessory to 558 Main Street within six months of the date of this resolution;**” and
2. Delete from condition G the phrase “Prior to Closing;”

NOW, THEREFORE, BE IT FURTHER RESOLVED that the current owner has agreed to tree plantings and installation of an electronic gate to the parking lot and that such terms are a condition of this resolution;

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor is authorized to sign any and all documents to reflect this amendment to the deed with the Dutchess County Clerk.

SECONDED BY: _____



Dutchess County Clerk Recording Page

Record & Return To:

Date Recorded: 7/2/2020
Time Recorded: 12:07 PM

RIZZO & KELLEY
272 MILL ST

POUGHKEEPSIE, NY 12601

Document #: 02 2020 2474

Received From: . REGENCY ABSTRACT

Grantor: POUGHKEEPSIE CITY
Grantee: 558 MAIN STREET LLC

Recorded In: Deed
Instrument Type:

Tax District: City of Poughkeepsie

Examined and Charged As Follows :

Recording Charge: \$320.00
Transfer Tax Amount: \$152.00
Includes Mansion Tax: \$0.00
Transfer Tax Number: 6667

Number of Pages: 5

*** Do Not Detach This Page
*** This is Not A Bill

Red Hook Transfer Tax:

RP5217: Y
TP-584: Y

County Clerk By: msh
Receipt #: 15977
Batch Record: 139

Bradford Kendall
County Clerk



0220202474

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 16th day of June, two thousand twenty
delivered 6/22/20
BETWEEN

CITY OF POUGHKEEPSIE, with offices at 62 Civic Center Plaza, Poughkeepsie, New York, 12601, ✓
party of the first part,
--and --

558 MAIN STREET LLC, with offices at 20 Maple Street, Irvington, New York, 10533, ✓
party of the second part,

WITNESSETH, that the party of the first part, in consideration of TEN and NO/100 -----
(\$10.00) ----- dollars, lawful money of the United States, paid by the party of the second part, does hereby
remise, release and quitclaim unto the party of the second part, the heirs or successors and assigns of the party of the
second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the CITY OF POUGHKEEPSIE, County of Dutchess and State of New York, being
the same premises conveyed by Albert M. Cimorelli, Helene M. Cimorelli and Michelle A.
Cimorelli to 556 Main Street, Inc., by deed dated January 16, 2004 and recorded in the Dutchess
County Clerk's Office on April 27, 2004 as Document No. 2004-4719. Premises is further known
by address 556 Main Street, Poughkeepsie, NY, 12601.

SEE ALSO SCHEDULE "A" AND SCHEDULE "B" ATTACHED HERETO AND MADE A PART HEREOF.

TOGETHER with all right, title and interest, if any, of the party of the first part of, in and to any streets and
roads abutting the above described premises to the center lines thereof;

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said
premises;

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs
or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first
part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust
fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the
payment of the cost of the improvement before using any part of the total of the same for any other purpose. The
word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year
first above written.

In Presence of:

CITY OF POUGHKEEPSIE

By: _____

Robert G. Rolison, Mayor

20RG-X2991

SCHEDULE "A"

Title #: 20RG-X2991

ALL that certain plot, piece or parcel of land situate, lying and being in the City of Poughkeepsie, County of Dutchess, and State of New York bounded and described as follows: ✓

BEGINNING at a point in the southerly line of Main Street, said point being the northwesterly corner of lands now or formerly 558-564 Main Street, LLC (Deed Doc. No. 02-2003-1636), said point of beginning also being the northwesterly corner of the 3 story brick building situate on the said lands now or formerly 558-564 Main Street, LLC (Deed Doc. No. 02-2003-1636); thence along the westerly lines of the said lands now or formerly 558-564 Main Street, LLC (Deed Doc. No. 02-2003-1636), and lands now or formerly 3 South White Street, LLC (Deed Doc. No. 02-2003-1637) partially along the westerly face of the said 3 story brick building, South 21° 52' 20" West 110.00 feet to a point; thence along the northerly line of the said lands now or formerly 3 South White Street, LLC (Deed Doc. No. 02-2003-1637), North 66° 45' 30 West 41.91 feet to a point; thence along the easterly line of lands now or formerly Powell (Liber 1903 cp 395) North 22° 54' 30" East 110.00 feet to a point in the said southerly line of Main Street; thence along the said southerly line of Main Street, South 66° 43' 00" East 39.92 feet to the point or place of **BEGINNING**.

SCHEDULE "B"

THIS CONVEYANCE is made subject to the following conditions subsequent:

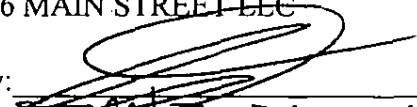
- A. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.
- B. Purchaser shall obtain a building permit for the construction of a three story mixed-use building within six (6) months of the closing of title;
- C. Purchaser shall obtain a valid Certificate of Occupancy for the property within one (1) year after the issuance of a building permit;
- D. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;
- E. Purchaser's obligation to purchase such property shall be contingent upon Seller obtaining and insurable interest in the property pursuant to Article 15 of the Real Property Action and Proceedings Law or other applicable law;
- F. Purchaser agrees that he shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and
- G. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and

Upon breach of any of the above conditions, the City of Poughkeepsie may, at its sole election, upon ten (10) day notice in writing to the Party of the second Part, revest title into said City of Poughkeepsie.

This Indenture is being signed by the Party of the Second Part to acknowledge the aforesaid conditions and covenants and to consent to said conditions and covenants herein.

ACKNOWLEDGED AND AGREED
556 MAIN STREET LLC

By:


E. J. BORDANKOWYCZ, MEMBER

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

On the 16th day of June, 2020, before me, the undersigned, personally appeared ROBERT G. ROLISON, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public
NANCY L.B. GRIFFIN
NOTARY PUBLIC, State of New York
Reg. No. 4855909
Qualified in Ulster County
Commission Expires March 31, 2022 ✓

Quitclaim Deed

	Section	6161
	Block	24
	Lot	392943
Title No. _____	City of	Poughkeepsie

CITY OF POUGHKEEPSIE

TO

558 MAIN STREET LLC

Record and Return to:
Rizzo & Kelley
27 Mill Street
Poughkeepsie, NY 12601

**RESOLUTION
(R-25-23)**

**RESOLUTION CALLING UPON THE NEW YORK STATE LEGISLATURE
TO PASS, AND THE GOVERNOR TO SIGN, S.4659/A.4877
“RENT EMERGENCY STABILIZATION FOR TENANTS” (“REST”) ACT**

**INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBER PATTERSON
THOMPSON, MENIST, BROWN, JAMES AND GRANT :**

WHEREAS, Rent stabilization in localities other than New York City is governed by the Emergency Tenant Protection Act of 1974 (ETPA); and

WHEREAS, under the ETPA in its original form, municipalities in Nassau, Rockland, and Westchester counties may adopt rent stabilization if they declare a state of housing emergency, defined as having a rental housing vacancy rate of less than 5%. The Housing Stability and Tenant Protection Act of 2019 (HSTPA) amended the ETPA so that any municipality in the state may opt into rent stabilization if it meets the emergency declaration criteria; and

WHEREAS, pending before the legislature is the “Rent Emergency Stabilization for Tenants Act (REST) which broadens the metrics to be used by a municipality in considering whether to declare a housing emergency and recognizes that, in addition to vacancy rate, publicly available data on a locality's eviction rate, homeless shelter population,. renters' housing cost burdens, and other relevant indicators can also demonstrate a locality's lack of housing availability, affordability, and stability; and

WHEREAS, REST also seeks to modernize the ETPA so that localities adopting rent stabilization by may set a lower building size threshold (currently 6 or more units) for rent stabilization coverage and to include buildings constructed or substantially rehabilitated more than 15 years ago.

NOW, THEREFORE, BE IT RESOLVED that the **Common Council of the City of Poughkeepsie** hereby respectfully urges the New York State Government to pass the Rent Emergency Stabilization For Tenants on Local Determinations of a Housing Emergency,” S.4569/A.4877.

BE IT FURTHER RESOLVED THAT, the **Common Council of the City of Poughkeepsie** directs that certified copies of this resolution be forwarded to Governor Kathy Hochul, the State Senate Majority Leader, the State Assembly Speaker, Chair of the State Senate Finance Committee and Chair of the State Assembly Ways & Means Committee, and all Legislative bodies in the 61 other Counties in the State of New York.

SECONDED BY COUNCILMEMBER _____ .

**RESOLUTION
(R-25-24)**

**RESOLUTION CALLING UPON THE NEW YORK STATE LEGISLATURE
TO PASS, AND THE GOVERNOR TO SIGN, S.1980/A.3690, S.2059/A.3115,
S.2782/A.3193 AND S.2162/A.2576**

**INTRODUCED BY CHAIRMAN WILSON, COUNCILMEMBER PATTERSON
THOMPSON, MENIST, BROWN, JAMES AND GRANT :**

WHEREAS, New Yorkers are facing a worsening affordability crisis. Over two and a half million New Yorkers are living in poverty. As a result working-class and low-income families are fleeing the state in search of a more affordable place to live. In 2022, [the people who left our state at the highest rates were families making between \\$32,000 and \\$65,000 a year](#) - a disproportionate number who were Black and Latino families.

WHEREAS, New York State is the most economically unequal state in the country. New York State has the highest concentration of extreme wealth in the country and the greatest income inequality. The average income of the bottom 99% here is \$49,617, while the average income of the top 1% is \$2.20 million. Over 28,000 tax filers hold wealth over \$30 million, over 15,000 tax filers hold wealth over \$100 million, and 78 billionaire households hold over \$673 billion together. The ultra-rich in New York State collectively hold \$6.7 trillion in wealth.

WHEREAS, the vast majority of New Yorkers support increasing taxes on large, profitable corporations and the top five percent of earners in the state. 67% of all New Yorkers support proposals to raise taxes on the ultra-rich, including 81% of Democrats, 59% of independents and 46% of Republicans. 74% of all New Yorkers would rather raise taxes on the wealthiest individuals than see cuts to public programs and services.

WHEREAS, housing is the greatest single expense for working-class New Yorkers. Over 100,000 New Yorkers are homeless every night in [New York City](#), and 250,000 New Yorkers were homeless [statewide](#) in 2019.

WHEREAS, education is acknowledged as the great equalizer in New York State it still remains that 60% of students are economically disadvantaged and living in poverty and 1 in 10 children are facing housing insecurity creating more need that can be addressed in the school setting, requiring increased funding in our most high need districts. A funding gap of almost \$10,000 per every student persists between the wealthiest and lowest income school districts.

WHEREAS, the childcare workforce is in the 98% percentile of the lowest paid workers in New York State and is a workforce predominantly Black women and women of color. 20% of children under the age of 5 in New York State are living in poverty. Children who attend childcare and early education are more likely to be successful in school, academics, graduate high school and college. Creating a well-funded childcare system with a well-paid workforce has the highest return on investment than any other economic development effort.

WHEREAS making the ultra-rich and giant corporations pay their fair share will generate new public dollars to invest into our communities and the programs and services that help New Yorkers reach their full potential.

NOW, THEREFORE, BE IT RESOLVED that the **Common Council of the City of Poughkeepsie** hereby respectfully urges the New York State Government to pass a budget in 2025 that raises taxes on the wealthiest New Yorkers and funds investments in affordable housing, healthcare, childcare, public education, addressing the climate crisis and more by passing:

- Raising corporate taxes on the most profitable corporations in NY ([S.1980-Hoylman/A.3690-Kelles, Shrestha](#))
- Making our income taxes more progressive([S.2059-Jackson/A.3115-Meeks](#))
- Taxing billionaires' wealth([S.1570-Ramos/A.3252-Kelles](#))
- Creating an heirs tax([S.2782-Brisport/A.3193-Solages](#))
- Implementing a capital gains tax on investment income([S.2162-Rivera/A.2576-Kim](#))

BE IT FURTHER RESOLVED THAT, the **Common Council of the City of Poughkeepsie** directs that certified copies of this resolution be forwarded to Governor Kathy Hochul, the State Senate Majority Leader, the State Assembly Speaker, Chair of the State Senate Finance Committee and Chair of the State Assembly Ways & Means Committee, and all Legislative bodies in the 61 other Counties in the State of New York.

SECONDED BY COUNCILMEMBER _____ .