



COMMON COUNCIL MEETING

Monday, October 4, 2021

5:30

Public Hearing Meeting: for the purpose of receiving comments on the proposed introduction of a Local Law entitled "Prohibition of Eviction without Good Cause"

https://us02web.zoom.us/webinar/register/WN_7MYQeqJHTquEXpNnv8QfiQ

6:30 p.m.

https://us02web.zoom.us/webinar/register/WN_iosyqHjZSm2x_suiOC6kiA

- I. ROLL CALL:
- II. REVIEW OF MINUTES:

Public Hearing Meeting September 7, 2021
Common Council Meeting September 7, 2021
- III. READING OF ITEMS by the City Chamberlain of any items not listed on the printed agenda.
- IV. PUBLIC PARTICIPATION:
- V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:
- VI. MAYOR'S COMMENTS
- VII. REPORTS OF COMMITTEES AND BOARDS:
- VIII. MOTIONS AND RESOLUTIONS:
- IX. ORDINANCES AND LOCAL LAWS:
 1. **Ordinance O-21-04**, amending §13-111 of Chapter 13 of the City of Poughkeepsie Code of Ordinances entitled "Motor Vehicles and Traffic"
- X. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:
 1. A COMMUNICATION FROM ASSISTANT CITY ENGINEER JOE CHENIER, regarding Eminent Domain Hearing for the Garden and Washington Street bridge projects
 2. A PRESENTATION FROM THE SOUTHERN WATERFRONT REDEVELOPMENT TASK FORCE
- XI. UNFINISHED BUSINESS:
- XII. NEW BUSINESS:
- XIII. ADJOURNMENT:

**ORDINANCE AMENDING §13-111
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-21-04)

INTRODUCED BY COUNCILMEMBERS McCLINTON AND FLOWERS:

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

SECTION 1: Section 13-111 "Parking prohibited on front lawn"

[Ord. of 6-15-1982, § 1, Ord. of 11-5-1998, § 1; Ord. of 1-21-2003, § 1]

- (a) It shall be unlawful for any person to operate any vehicle or to allow any vehicle to be parked, put in place or let remain on the front yard, front lawn or front property of any lot, building, residence, structure or premises:
 - (1) In an R-1, R-2, R-2A, R-3, R-3A or R-4 Zoning District, unless such vehicle is located on a driveway extending through such front yard to a garage, carport or properly surfaced parking area beyond the front yard line and surfaced with materials set forth in Section 16 1/2-3 of this Code; or
 - (2) Bordering on Route 44/55, also known as the "East-West Arterial" in the City of Poughkeepsie.
- (b) It shall be unlawful to park a licensed or unlicensed non-passenger motor vehicle or box or trailer part over 18 feet long on the lawn or driveway in any residential zone between the front line of the residential structure and the curb-line to the street, except between the hours of 8:00 a.m. and 5:00 p.m., when a vehicle is engaged in the temporary activity of moving, lawn maintenance, or delivery.
- (c) The provisions of this section shall not apply to premises for which the Zoning Administrator of the City of Poughkeepsie has given a permit pursuant to Section 19-4.13(3) of this Code of Ordinances.
- (d) Any person violating Section 13-111 shall be subject to a fine, upon conviction, of \$75.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____ :

ADDITIONS denoted by **Bold** and **Underlining**

DELETIONS denoted by Brackets [] and ~~Strikethrough~~

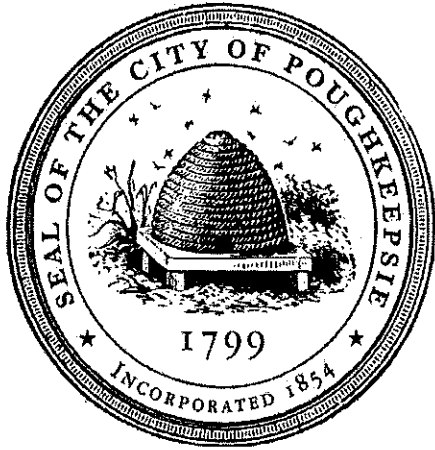
EDPL HEARING NOTICE

PIN 8761.96

Garden Street Bridge over Fallkill Creek Reconstruction

City of Poughkeepsie

Dutchess County



Hon. Rob G. Rolison
MAYOR

Marc S. Nelson, MPA
CITY ADMINISTRATOR

*Prepared by:
Thomas Cole
Modjeski and Masters, Inc.*

Date Prepared: 9/13/2021

NOTICE OF EDPL PUBLIC HEARING
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
PROJECT IDENTIFICATION NO. 8761.96
GARDEN STREET BRIDGE OVER FALLKILL CREEK RECONSTRUCTION
DUTCHESS COUNTY

In accordance with the provisions of Article 2 of the Eminent Domain Procedure Law (EDPL), the City of Poughkeepsie will conduct a public hearing which will be held virtually at www.CityofPoughkeepsie.com/engineering/bridge/ at 5:30 PM on Monday, October 4th, 2021, for the proposed improvement of the Garden Street over the Fallkill Creek Bridge by addressing existing structural and safety deficiencies identified on the bridge and provide a safe bridge crossing for another 50 years. The existing Garden Street bridge is a steel multi-girder bridge with reinforced concrete deck supported by masonry stone abutments coated in gunite. The bridge carries two lanes of traffic with a sidewalk on either side of the road. The intersection of Garden Street and Brookside Avenue immediately adjacent to the bridge will also be addressed as part of this project to address identified turning radii and pedestrian accommodation deficiencies. The reconstruction bridge will retain the existing 2 lanes of traffic (one lane in either direction) and adjacent sidewalks. Garden Street will be closed to traffic for the duration of construction to minimize the duration of impacts to local and through traffic as well as pedestrians and bicyclists. The project will be constructed entirely in the City of Poughkeepsie of Dutchess County.

The City of Poughkeepsie, being the agency having principal responsibility for carrying out or approving the proposed project, is the lead agency pursuant to Part 15 of Title 17 of the Official Compilation of Codes, Rules and Regulations of New York State (17 NYCRR Part 15).

At the public hearing, engineering, traffic, environmental, and right-of-way aspects of the project will be covered briefly in the formal presentation. Further details will be available on the City of Poughkeepsie website at www.CityofPoughkeepsie.com/engineering/bridge/. City of Poughkeepsie representatives will be on hand after the virtual presentation to address questions from the attendees. Any questions should be referred to staff members attending the virtual presentation.

All interested persons will be given the opportunity to express their views concerning the economic and social effects of the action, its impacts on the environment and its consistency with the goals and objectives established by the community. The proceedings will be recorded. Persons may make oral statements and/or file written statements. Written statements submitted at the hearing or mailed to the City of Poughkeepsie Contact no later than October 18th, 2021 will be made part of the record.

Those property owners who may subsequently wish to challenge condemnation of their property via judicial review may do so only on the basis of issues, facts, and objections raised at the hearing (§ 202 (C) (2) of Article 2, EDPL).

Each individual assessment record billing owner ("property owner") or his or her attorney of record whose property may be acquired shall note that, under § 207 (A), a petition to seek judicial review of

the condemnor's determination and findings must be filed within 30 days after the condemnor's completion of its publication of its determination and findings. Further, the exclusive venue for judicial review of the condemnor's determination and findings is the appellate division of the supreme court in the judicial department where any part of the property to be condemned is located (§ 207 (B), § 208).

Further information on this project may be obtained from:

Office of the City Engineer
Richard L. Dupilka, P.E., City Engineer
62 Civic Center Plaza
Poughkeepsie, NY 12601
845-451-4609
engineeringdepartment@cityofpoughkeepsie.com

Please advise this office if a sign language interpreter, assistive listening system or any other accommodation will be required to facilitate your participation in this public hearing. Our contact person is Joe Chenier, whose phone number is 845-451-4058.

TDD (Telecommunications Device for the Deaf) Relay Service:

New York Relay Operator - Translates calls between TDD & non-TDD users.
For In-State Calls Only.

Non-TDD User to TDD User: 1-800-421-1220

TDD to Non-TDD User: 1-800-662-1220

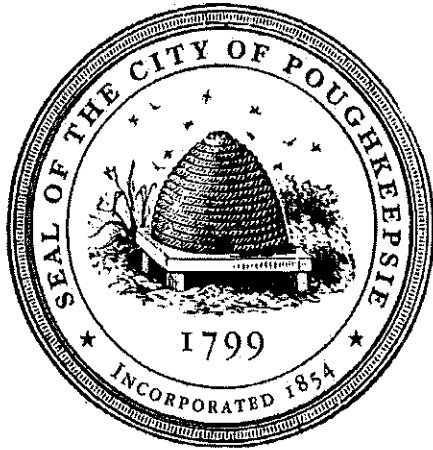
EDPL HEARING NOTICE

PIN 8759.83

Washington Street Bridge over Fallkill Creek Reconstruction

City of Poughkeepsie

Dutchess County



Hon. Rob G. Rolison
MAYOR

Marc S. Nelson, MPA
CITY ADMINISTRATOR

*Prepared by:
Thomas Cole
Modjeski and Masters, Inc.*

Date Prepared: 9/20/2021

NOTICE OF EDPL PUBLIC HEARING
NEW YORK STATE DEPARTMENT OF TRANSPORTATION
PROJECT IDENTIFICATION NO. 8759.83
WASHINGTON STREET BRIDGE OVER FALLKILL CREEK RECONSTRUCTION
DUTCHESS COUNTY

In accordance with the provisions of Article 2 of the Eminent Domain Procedure Law (EDPL), the City of Poughkeepsie will conduct a public hearing which will be held virtually at www.CityofPoughkeepsie.com/engineering/bridge/ at 5:30 PM on Monday, October 4th, 2021, for the proposed improvement of the Washington Street over the Fallkill Creek Arch by addressing existing structural and safety deficiencies identified on the bridge and provide a safe bridge crossing for another 50 years. The existing Washington Street bridge is a masonry stone arch with a stone parapet along the sidewalk on either side of the road. The 5-way signalized intersection immediately adjacent to the bridge will also be addressed as part of this project to address an identified history of traffic incidents at this intersection including impact damage to the existing bridge. The reconstruction bridge will retain the existing 2 lanes of traffic (one lane in either direction) and adjacent sidewalks. Staged construction and a temporary vehicular and pedestrian bridge will be utilized to minimize impacts to local and through traffic as well as pedestrians and bicyclists. The project will be constructed entirely in the City of Poughkeepsie of Dutchess County.

The City of Poughkeepsie, being the agency having principal responsibility for carrying out or approving the proposed project, is the lead agency pursuant to Part 15 of Title 17 of the Official Compilation of Codes, Rules and Regulations of New York State (17 NYCRR Part 15).

At the public hearing, engineering, traffic, environmental, and right-of-way aspects of the project will be covered briefly in the formal presentation. Further details will be available on the City of Poughkeepsie website at www.CityofPoughkeepsie.com/engineering/bridge/. City of Poughkeepsie representatives will be on hand after the virtual presentation to address questions from the attendees. Any questions should be referred to staff members attending the virtual presentation.

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DRAFT

RESOLUTION NO. _____

GARDEN STREET BRIDGE OVER FALLKILL CREEK RECONSTRUCTION PROJECT
P.I.N. 8761.96

CITY OF POUGHKEEPSIE
COUNTY OF DUTCHESS

Introduced:

By:

WHEREAS, the City of Poughkeepsie ("City") is proposing to generally reconstruct the Garden Street Bridge over Fallkill Creek and the adjacent intersection of Garden Street with Brookside Avenue in the City of Poughkeepsie, County of Dutchess, State of New York (P.I.N. 8761.96) (the "Project"); and

WHEREAS, the purpose of the Project is to help address safety and structural deficiencies identified on the existing Garden Street bridge as well as traffic and pedestrian safety concerns for the adjacent roadways and signalized intersection in the City of Poughkeepsie; and

WHEREAS, the Project is a Locally Administered Federal Aid Transportation Project administered by the City; and

WHEREAS, the Project is being progressed by the City of Poughkeepsie Office of the City Engineer, with oversight by the New York State Department of Transportation ("NYSDOT") and in close coordination with the Federal Highway Administration ("FHWA"), in accordance with Federal and State laws, regulations, rules and policies; and

WHEREAS, NYSDOT has determined that in order to progress to the Project through the project design phase and right-of-way acquisition phase, it will be necessary for the City to conduct a public hearing on notice to the general public and affected landowners as provided for in the New York Eminent Domain Procedure Law; and

WHEREAS, the public hearing must be conducted at a convenient location for the purpose of affording the general public and affected landowners an opportunity to express any objections they may have to the proposed location of the Project; and

WHEREAS, at the public hearing, the City must outline the purpose, proposed location or alternate locations of the Project and provide any other information that the City considers pertinent, including maps and property descriptions of the property interests that may be acquired in order to accomplish the Project; and

WHEREAS, persons who attend or participate in the public hearing must be given a reasonable opportunity to present oral or written statements and submit other documents concerning the Project; and

WHEREAS, a record of the public hearing must be kept, including written statements submitted at and following the public hearing, with such hearing record to be made available to the public for examination without cost during normal business hours at the City's principal offices and at the office of the City of Poughkeepsie Engineer and, also, to be reproduced upon written request and payment of the cost thereof.

NOW, THEREFORE, it is hereby

RESOLVED, that the City Engineer is hereby authorized and directed to conduct a public hearing related to the Project; and it is further

RESOLVED, that such public hearing will be conducted at a convenient location for the purpose of affording the general public and affected landowners an opportunity to express any objections they may have to the proposed location of the Project; and it is further

RESOLVED, that notice of such public hearing shall be published at least ten (10) but not more than thirty (30) days prior to such public hearing in at least five (5) successive issues of the City's official daily newspaper, which is a newspaper of general circulation within the City of Poughkeepsie; and be it further

RESOLVED, that at least ten (10) but not more than thirty (30) days prior to such public hearing, the City Engineer shall cause to be served, either by personal service or certified mail, return receipt requested, a notice of the purpose, time, date, and location of such public hearing to each assessment record billing owner, or his or her attorney of record, from whom real property interests may be acquired in order to accomplish the Project; and be it further

RESOLVED, that notice of such public hearing shall include the purpose, time and location of such public hearing, setting forth the proposed location of the Project including any proposed alternate locations; and be it further

RESOLVED, that at the public hearing, the City Engineer and/or his designee(s) shall outline the purpose, proposed location or alternate locations of the Project and provide any other information that may be pertinent to the Project, including maps and property descriptions of the property interests that may be acquired in order to accomplish the Project; and it is further

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WASHINGTON STREET BRIDGE OVER FALLKILL CREEK RECONSTRUCTION
PROJECT
P.I.N. 8759.83

CITY OF POUGHKEEPSIE
COUNTY OF DUTCHESS

Introduced:
By:

WHEREAS, the City of Poughkeepsie ("City") is proposing to generally reconstruct the Washington Street Bridge over Fallkill Creek and the adjacent intersection of Washington Street with Brookside Avenue and Verazzano Boulevard in the City of Poughkeepsie, County of Dutchess, State of New York (P.I.N. 8759.83) (the "Project"); and

WHEREAS, the purpose of the Project is to help address safety and structural deficiencies identified on the existing Washington Street bridge as well as traffic and pedestrian safety concerns for the adjacent roadways and signalized intersection in the City of Poughkeepsie; and

WHEREAS, the Project is a Locally Administered Federal Aid Transportation Project administered by the City; and

WHEREAS, the Project is being progressed by the City of Poughkeepsie Office of the City Engineer, with oversight by the New York State Department of Transportation ("NYSDOT") and in close coordination with the Federal Highway Administration ("FHWA"), in accordance with Federal and State laws, regulations, rules and policies; and

WHEREAS, NYSDOT has determined that in order to progress to the Project through the project design phase and right-of-way acquisition phase, it will be necessary for the City to conduct a public hearing on notice to the general public and affected landowners as provided for in the New York Eminent Domain Procedure Law; and

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THE CITY OF POUGHKEEPSIE NEW YORK

PUBLIC HEARING

Tuesday, September 7, 2021 6:00 p.m.

Changepoint Theatre

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is September 7, 2021 and the time is 6:00 pm.

THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE Public Hearing Regarding the Proposal of the Local Law Local Law establishing a Division of Youth Services

Councilmember-At-Large Salem called the meeting to order at 6:04 p.m.

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

1. Norma Vizcarrando, Esperanza
2. Ken Stickle – Catharine St.
3. Tania Hernandez-Martinez, Poughkeepsie Children's Cabinet Youth Policy Researcher (submitted written comments, see below)
4. Yamilet Ruiz, Poughkeepsie Children's Cabinet Youth Policy Researcher, (submitted written comments, see below)
5. Rob Rolison
6. Dr. Eric Rosser, Superintendent PCSD
7. Brian Robinson, CEO of Equitable Future Inc.
8. Brian Doyle, CEO Family Services, Inc.
9. Dr. Julie Riess, Founder, Day One Early Learning Community
10. Estafany Umbich
11. Stacey Anne
12. Laurie Sandow (submitted written comments)

Do I support the establishment of a City of Poughkeepsie Division of Youth Services? Yes, I do. I appreciate the effort and intent behind the proposed Local Law, but the proposed text raises and fails to answer many questions.

—Who is actually in charge? The text of the proposed law states that a full-time Division Head shall report to the Development Director. Elsewhere, the text states, “the Department of Development shall be managed by the Development Director, who

Official Minutes of the Public Hearing of September 7, 2021 Public Hearing Regarding the Proposed
Local Law establishing a Division of Youth Services

shall report to the City Administrator.” So who’s really going to be charge of the Youth Division? The Division Head? The Development Director? The City Administrator? Who?

—Furthermore, to the best of my knowledge, the City has been without a Development Director since May 2021. At the time, the City stated that it would immediately undertake successor recruitment, with plans to fill the position by September 1st , 2021. Has the position been filled? Are there candidates under consideration? Why is the public kept in the dark on this process?

—Will the public, similarly, be kept in the dark about the process to select the head of the Division of Youth Services, or—in a break from this City’s preference for closed door decision-making—will the public be actively engaged in the process? —In the end, will the Head of the City Division of Youth Services be a visionary, a functionary, or a flunky?

As to specific performance:

—What are the specific children’s services and programs that are *mandated*? Long before Covid took its toll on this city and school district, I am aware of children needing services—children who can’t afford basic school supplies and clothes; children who can’t attend educational and recreational opportunities because their timing conflicts with other family obligations and/or their parents are not in a position, or won’t allow them to attend; children who have no transportation to these programs and events; children who had no idea that the School District provided free lunches during summer; children with medical needs that are not met; children wearing Dollar Store eyeglasses; children who are truant for a variety of reasons; children promoted from one grade to the next despite absences and failing grades; children who can’t obtain library cards because their parents can’t or won’t show up to sign the necessary paperwork; parents who are in the privileged and/or struggling position of abandoning the school district, enrolling their children in private schools and/or schools in adjacent districts.

—Where are the mandates to address safe homes, safe streets, safe passage, safe communities; youth skills and employment training opportunities; music, art, cultural, science, and technology opportunities and training; mentoring programs?

—The proposed text reads: “Create and maintain a centralized directory of all youth services available in the area in such a way that the public may easily access information regarding available programs for eligible City of Poughkeepsie youth.” Is the City aware that the Library District already maintains an extensive list of children’s services and programs? If not, why not? If yes, why is the City not already promoting that database?

—The proposed text reads, [the Division Head will] “act as liaison with the City of Poughkeepsie to the City of Poughkeepsie Children’s Cabinet, City of Poughkeepsie School District, Dutchess County, and external stakeholders and non-profit organizations including the Youth Empowerment Center.” Where is the mandate that

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Local Law establishing a Division of Youth Services

the Division Head keep the public informed about their interaction with, and the actual work of all those organizations, stakeholders and non-profits? and act as liaison with the community and not just with the muckity-mucks?

—Where the proposed text mentions (quote) “external stakeholders and non-profit organizations”, who exactly are those stakeholders? are parents and caregivers included, or are “stakeholders” the usual selective group of suspects who always have a seat at the City’s closed door sessions?

Yes, I support the establishment of a City Division of Youth Services, but there’s a whole lot of questions that still need to be answered, and details that still need to be spelled out.

13. Jeanne Wagner (submitted written comments)

Thank you to the Common Council members for allowing me to submit written testimony in support of the creation of the Division of Youth Services in the City of Poughkeepsie.

My name is Jeanne Wagner and I am a member of the Poughkeepsie Children’s Cabinet Early Childhood Working Group. I am also currently the Executive Director of the Child Care Council of Dutchess and Putnam, Inc. and have held that position for twenty-three (23) years.

The Early Childhood Working Group has identified key early childhood issues that must be addressed in order to establish and maintain quality services for the children, youth and families in the City of Poughkeepsie. However, there is one major barrier to implementing change, and that is the absence of dedicated staffing for City-wide coordination of an early childhood system.

The Division of Youth Services would provide staffing that could bring together existing youth programs, as well as establish new programs in underserved areas, to comprehensively meet the needs of City of Poughkeepsie children and youth.

Key issues that the Division of Youth Services staff would address, include, but are not limited to:

- Develop and coordinate a City of Poughkeepsie early childhood system.
- Explore and implement innovative partnerships, e.g. pediatric care with a child development specialist.
- Engage the business community to advocate for high quality early childhood education to promote economic development.
- Coordinate communication between agencies and the Child Care Council of Dutchess and Putnam, Inc. and the Poughkeepsie City School District, particularly around issues such as Kindergarten readiness, parent education, and general data sharing.

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- Establish a single point of entry that comprehensively exhibits available early childhood opportunities and wrap around services for children and families.
- Collaborate with the Child Care Council of Dutchess and Putnam, Inc. to expand outreach and educational opportunities for early childhood professionals.

Thank you for your consideration in establishing a Division of Youth Services to benefit and support City of Poughkeepsie residents and their families.

Sincerely,

Jeanne Wagner
Executive Director
Child Care Council of Dutchess and Putnam, Inc.

The City of Poughkeepsie Common Council
Public Hearing: Establishing the Division of Youth Services
Delivered by: Tania Hernandez-Martinez (She/Her)
The Poughkeepsie Children's Cabinet Youth Policy Researcher
Tuesday, September 7, 2021

Good Evening, Chair Salem, Majority Leader Jonson, Vice Chair Brennan, Minority Leader Flowers, and fellow Council members Petsas, Menist, Cherry, Johnson, and McClinton. Thank you for the opportunity to speak this evening in support of the creation of the Division of Youth Services.

My name is Tania Hernandez-Martinez and I am a graduate of Poughkeepsie High School, a Marist College student, and a Youth Policy Researcher with the Poughkeepsie Children's Cabinet. The Children's Cabinet envisions a community where all children and youth thrive in Poughkeepsie regardless of race, gender, ethnicity, poverty or circumstance. Youth Policy Researchers have worked over the past year to engage in conversations with our peers across the City of Poughkeepsie to understand how our lived experiences are connected to larger decision-making systems and to ensure that recommendations from young people are included in the final recommendations of the Children's Cabinet.

Growing up in the City of Poughkeepsie, the daughter of a single mom, I found that there were times when we struggled not only financially, but also because of the lack of support for people who did not speak English. As a student, I noticed that funds in schools were not being allocated properly which led to sports teams having coach busses while teachers were struggling to find paper for lessons. And as a community member, I realized that help, whether it's for education, basic necessities, or extracurricular programs, is not easily accessible for everyone. Growing up, I recognized that the opportunities given to me were done so either because of the academic path I had taken or by sheer coincidence. This, along with everything else I have mentioned is why I became a Policy Youth Researcher. I hope that through my work, the city as a whole can distinguish what isn't working and fix it so that the younger generations and generations to come don't struggle like I did.

Although we all live in Poughkeepsie, there is a clear and drastic difference between the conditions of the Poughkeepsie city school district and other schools in Poughkeepsie as well as the City of Poughkeepsie itself and the town of Poughkeepsie. For as long as I have lived here, there has always been a stigma that only people whose future is in a jail cell live in Poughkeepsie. Not only this, but instead of the community in the City of Poughkeepsie coming together to prove everyone wrong, we often separate ourselves into those two categories. In school, if you aren't in an honors class or beyond, most have the opinion that you aren't worth giving respect or encouragement to. As I have said before,

there were opportunities and help I was given because of my academic path. This doesn't mean that students who weren't in honors or AP courses don't deserve to go to college, don't deserve the guidance to graduate, or don't deserve the guidance to stay off of the streets. Unfortunately, this is the case more often than not and most times this problem arises due to either poverty, race, or country of origin. This is a problem starting in schools that eventually feeds citywide problems like increased population under the poverty line and increased population in jails. If everyone was given the resources they need in order to compete at the same level as someone with less necessities, they would do so.

It takes both the School District, the City, and the broader community to address some of our most pressing challenges. This is why it is important for there to be a Division of Youth Services in the City of Poughkeepsie. Having a City government division whose sole purpose is to provide support and resources to youth means that more young people will be prepared to face challenges in school and in their community. As I have seen it, young people often give up because they don't feel that they have people in their corner. Knowing that the City has taken the time to create a specific division designed to help them will show them that you each truly care about them and want them to succeed.

Thank you for the opportunity to speak this evening and for your continued efforts to ensure that children, youth, and families can thrive in the City of Poughkeepsie.



The City of Poughkeepsie Common Council
Public Hearing: Establishing the Division of Youth Services
Delivered by: Yamilet Ruiz, She/Her
The Poughkeepsie Children's Cabinet Youth Policy Researcher
September 7, 2021

Good evening Chair Salem, Vice-Chair Brennan, Minority Leader Flowers, and fellow Council Members. Thank you for the opportunity to speak today in support of the creation of the Division of Youth Services.

My name is Yamilet Ruiz and I am a graduate of Poughkeepsie High School, a Marist College student, and a Youth Policy Researcher with the Poughkeepsie Children's Cabinet. My interest in this work comes from growing up in Poughkeepsie. While growing up here, I experienced hardships that have had an impact on my current life today. The hardships I experienced were based in the community itself along with the Poughkeepsie City School District. Some of these challenges dealt with the overall violence in the community and the lack of up-to-date resources in learning environments. These hardships motivated me to become a Policy Youth Researcher to learn and become an advocate, create positive change in Poughkeepsie, and take action towards a better community experience for the benefit of the youth and the community as a whole.

As mentioned earlier, I grew up in Poughkeepsie and had the opportunity to attend the school district for the entirety of my academic career. Although I was able to graduate from Poughkeepsie High School and attend Marist College, I faced many challenges as I was completing my academic career. These challenges include violence in the community and the lack of appropriate resources that were required for academic learning. While attending the school district, some of the issues that I faced were related to an uncomfortable learning environment, such as building damages and having a limited amount of resources. These issues created challenging learning experiences and were barriers I had to overcome to succeed with my academics. These experiences motivated me to help address these issues and help make a better learning environment and an overall community for the youth in Poughkeepsie. There is a need for city-wide change to ensure that youth can have a better community to grow up in. Having a safe and supportive community would most likely lead youth into having a better academic experience. I am advocating for a change in my community as a whole to ensure that youth and others in the community have a safe place where they can succeed.

The creation of the Division of the Youth Services is critical to have in Poughkeepsie. There is a need for full-time staff who can focus on children to provide a supportive and safe community that works to ensure that the needs of young people are met. Young people spend two-thirds of their time outside of school, this means that youth need to have access to the appropriate resources that could help them



succeed in *and* outside of school. They are in need of appropriate social events, activities, and resources that could help them become successful and keep them away from violence. Currently, there aren't enough events and activities to match the need, youth are exposed to violence which causes damage to themselves along with their academics. They are more likely to experience negative consequences if they are around violence. Currently, youth are limited to what they can do due to the lack of support and advocate for city-wide change.

While working with the Children's Cabinet, I had the opportunity to interview a few young people from our community. They ranged from ages 10 to 14 years old. During the interview, participants were able to share about their life in Poughkeepsie. For the most part, participants touched upon the violence that happens here in Poughkeepsie. This violence creates a negative impact on the lives of youth as they share their fears of going out during the afternoon or evening hours. Children do not feel safe to go outdoors after a certain time of the day. This is a serious issue because youth should be living in a community where they feel safe and comfortable. With the creation of the Division of the Youth Services, there would be a chance to lead youth to success. Full-time staff is required to help ensure youth are given the best opportunities and that their needs are met. To lead to a better community starts with focusing on our youth and making sure that they are given the proper needs for success. The Division of the Youth Services is a step in making our community a better and safer place.

Thank you for the opportunity to speak this evening and for your continued efforts to ensure that children, youth, and families can thrive in the City of Poughkeepsie.

Official Minutes of the Public Hearing of September 7, 2021 Public Hearing Regarding the Proposed
Local Law establishing a Division of Youth Services

At 7:03pm the Public Hearing was adjourned.

Dated: September 22, 2021

I hereby certify that this true and correct copy of the Minutes of the Common Council Public
Hearing held on September 7, 2021.

Respectfully submitted,

Jasmin N. Davis
City Chamberlain



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Tuesday, September 7, 2021 6:30 p.m.

Changepoint Theatre

Welcome to the regularly scheduled meeting of the City of Poughkeepsie Common Council the date is September 7, 2021, and the time is 7:09 pm.

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

Let's all recite the pledge of allegiance.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL - Seven present, two absent at time of roll call (Absent: Councilmember R. Johnson, Councilmember L. Johnson)

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

NONE

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

- 1. Kane Bowers – Union St.**
- 2. Kafui Atttoh – 18 Balding Ave.**
- 3. Rosemary Maran – 38 South Perry St.**
- 4. Justin Rett – 25 Campus View Ct., Town of Poughkeepsie**
- 5. Michelle Conklin – 114 South Cherry (submitted written comments)**

Good evening - My name is Michelle Conklin. My family has owned and resided continuously on South Cherry Street since 1980. We love Poughkeepsie, and are saddened to see what is happening here. Even when our friends have encouraged us to move, fearing for our safety, we defended the city as a place of promise. I'm here tonight to bring to your attention the fact that a promoter, Team World Boss has been running for profit club like events out of a neighboring residence. These events have been held for the last couple of years, including during COVID, when there were limits to public gatherings. Included with my comments, which I have already submitted, are copies of the advertisements that appeared on social media for these last 2 events.

The music begins the day of the event at approximately noon when the setup for the event begins. The base is so loud that the windows in my home, 2 houses away, physically rattle in their frames. I now understand that there's a noise ordinance that begins at 10:00pm. Therefore I wait approximately 10 hours for the noise to stop or at least reduce in volume. 2 weeks ago on August 21st, when the temperature was 85 degrees, it wasn't an option to close the windows. My four month old Granddaughter was beside herself crying from the noise. I had to keep walking her up the block, so she would stop crying. But when I returned to the house, she would cry inconsolably. Last night, both my Granddaughter and my 80 year old Mother were not able to go to sleep, even though the windows were closed and I had turned the fans on in the house.

When the volume level doesn't change by a bit after 10:00, I do now call the police. The flyers for the past 2 events have included headphones which they don't utilize until the police stop by typically between 10:30 and 11:00. Additionally, the headphones don't really help when the attendees shout at each other to hear one another over the music in their ears, or as midnight last night they enjoyed the song so much there was a sing along. Attendees of these events have little regard for the fact that they are in a residential neighborhood. Last year, my security camera caught young women going between my house and my neighbors squatting and peeing in our yards.

During another event last year after 2:00am, there were several people who decided to hang out on my front porch. They were asked by a family member from the upstairs porch to please to move on. The attendees told her to F off, and they did not abbreviate it. And they continued to hang out on our porch talking loudly and drinking for over an hour.

Just last night at 2:30am, several people were on my porch again, shouting and swearing. This went on for approximately 45 minutes, all recorded on my security cameras. I have screenshots. They started on the steps, but ended up

sitting against the door to my upstairs and rattling the door, waking the dog, which then, of course, woke several household members, including the 4 month old baby. I have been up since 2:30 this morning.

Attendees have no regard that there are homes all along the street as they are coming and going through the night calling out greetings and shouting to one another. We have also gotten to enjoy some major fights over whose man is who's at all hours.

These events include an entry fee through a tent, which is set up at the end of the driveway, food service and a bar. The event last night included bottle service as well. These events are hosted by professional DJ's and party hosts.

My neighbors and I would like to know in a residential neighborhood, how can such activities be conducted? My research has not yielded information that Team World Boss has a liquor license, nor have I ever received notice from the New York State Liquor Authority that they were seeking one 2 houses down. I'm wondering would that even be possible with my proximity to the high school? Additionally, as someone who runs facilities that serve food, I would assume that the Dutchess County Department of Health would at least have to ensure that basic hygiene standards were followed.

Chair Salem: Michelle, can you just wrap up in a sentence? I want to know how these events can be held in a residential neighborhood repeatedly.

Michele Conklin: I've reached out to Mrs. Cherry, who not only myself, but my neighbors. This is ridiculous. We've called the police. We've spoken with Mrs. Cherry, who has advocated for us. I'm going to call the New York State Liquor Authority, and let them know that we spoke to all of you and nothing's been done. They're running a for profit business. What about taxes that should be collected at liquor's points of sale for liquor? The entry fees that they're collecting? Where are the taxes for the city and everybody else? I'm a taxpaying citizen and they're running a business 2 doors down. I don't see where any permits have been made. I mean, I've run big events. My family has owned a catering company. I know what it takes. This is not acceptable and we are all considering it, and you will read in my comments with the level of violence that is occurring within blocks of our home, we are ready to leave too. And if you think me selling my multi-family home is going to not be sold and then just rent it out, you're wrong. We're the last holdouts here. And it is really for us that this that the leaders in this community have little regard for the people who are living here. Those are my comments.

6. **Lydia Hatfield – Union St.**
7. **Sam Malone – Worrall Ave.**
8. **Catherine Reiner**
9. **Jeffrey Koshmacher – 51 Fountain Pl.**
10. **Sven Theissen – 364 Main St. Apt. 2**
11. **Satara Brown, Founder, ROCC Inc.**
12. **Laurie Sandow – S. Grand Ave. (submitted written comments)**

Tonight is one of the holiest days in the Jewish calendar, and yet here we are, in a church, once again not only violating the wall of separation between church and state, but sending a message of disrespect to 1-out-of-10 City of Poughkeepsie residents. Would a City that pretends to embrace and respect diversity ever hold a government meeting on Christmas Eve? not to mention a government meeting on Christmas Eve in a temple or mosque. No, of course not. And while this virtue-signaling Council has rescheduled meetings due to rain, snow, and power outages, and was made fully aware of tonight's conflict and insult, it's chosen to proceed with both public hearing and council meeting regardless.

Look at tonight's agenda, and ask yourself: what is the urgency of tonight's date versus a rescheduled meeting date?

Is an 8th or 9th Southern Waterfront presentation so urgent? How many times does Sarah Brannen need the spotlight before exiting office? Why are certain councilmembers devoted to dividing the waterfront in the interests of a wealthy, gated community? Why does this Southern Waterfront committee continue to obstruct the work of the City's Waterfront Advisory Committee (WAC) and the Local Waterfront Revitalization Program (LWRP), a program that should be reviewing projects within the city's Coastal Zone Boundary, and establishing the community's vision for future development within the Coastal Zone. Does last week's rainfall and widespread flooding through the City and County not add to the urgency of the LWRP? Or is the plan to further undermine the LWRP until it's handed over to the control of the secretive, behind-closed-door function of PK4Keeps and its consultants?

Speaking of spotlights, how can I not make note of Sarah Salem's lawsuit against Chris Petsas? In a city of 30,000+, how can two unrepentant, self-promoting lawbreakers be the best that the City of Poughkeepsie has to offer for Council Chair? Salem loves lawsuits— except when it comes their own D.U.I., and injuries to an innocent victim. Petsas was one object of a New York State Liquor Authority

investigation, observed hosting gambling and other lawbreaking, despite serving as the Alcohol & Beverage Control (ABC) officer for the Exempt Firemen's Association.

How many times does Sarah Salem need the spotlight? Apparently, constantly. Salem—one of the leading promoters and purveyors of gentrification in the City of Poughkeepsie; entirely silent about landlord and tenant issues throughout the pandemic— will do a solo on tonight's agenda regarding so-called "Good Cause Eviction". W

ho and what is the nature of the City Administrator's "communication" on tonight's agenda regarding renewal of a license agreement with Poughkeepsie Waterfront Development, LLC.? Is it really too much work, or would it really be too much transparency, for the City to identify the parties behind the curtains of that LLC? And to include the license agreement in the agenda packet?

13. Justin Newman – 147 Union St.

14. Norma Vizzcarando

IV. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

And so now we will move to Chairperson's comments. Last Wednesday, Governor Hochul called the special session of New York State lawmakers and they agreed to extend the eviction moratorium. Now, New Yorkers have sweeping protections across the state against evictions into the next year. That goes until January now, which moves to keep hundreds of thousands of people whose finances have been battered by the pandemic in their homes, which doesn't exclude the need for good cause eviction for ways that we can think of long standing changes to the laws that we abide by here in the City of Poughkeepsie to ensure that tenants have protections, that to ensure that they're not kicked out on the street without a good cause, to ensure that they can get a new lease unless, you know, there's some other reason that the landlord is going to remove them from their premises. I think that this is really great news. And now until January, this also puts some urgency behind the fact that we need to start pointing folks that need relief in the direction of being able to access these relief dollars that are out there. There's still more than 2 billion dollars in rent relief available in New York State. And so now it's up to all of us on the council and the Administration, members of the public, organizations that work in housing relief to start putting people to those resources to show them how to make applications, to point them in the direction of relief organizations that then can help them fill out the applications because the money is out there. And this is you know, this goes to the benefit of renters and landlords alike. We need to start pointing people toward the money where there is relief that they can find it. So, you know, and the urgency comes before the end of the year because we don't know if there's going to be another moratorium on evictions and we don't know how far the rest of those kinds of

preventative measures and protections will last.

I did want to comment on Hurricane Ida. I know the Mayor is going to mention probably, you know, damages left onto the city in his comments. I did see that a number of folks had flooding throughout their homes. We had flooded areas of the city. Luckily, we didn't get hit as hard as other areas of New York, but we still got hit. I think that what this does is present a good reminder that, you know, we need to start to improve our infrastructure here in the City of Poughkeepsie. We need to start to prioritize green infrastructure that helps us filter and absorb storm water where it falls. We're a river city. We're at critical risk during every single storm for massive damages to our aging gray infrastructure between the Hudson River and the Fallkill Creek, which floods often through storms. We've seen it flood previously in the past with Sandy and Irene. The list goes on and on. We have a community that is incredibly vulnerable during these storms. The damages aren't just to infrastructure. There are how many deaths in New York City, in New Jersey, not to mention the deaths that occurred down in New Orleans. And, you know, besides that, there's incredible financial damages that await us if we don't take concentrated and concerted action now. Local actions against these kinds of storms can have immediate impacts to create a global effect, especially on the climate. This is all due to climate change. We can't ignore it anymore, and our local community has more of an impact to help mitigate the negative impacts of climate change than we think. Think about the CCA, the community choice aggregation program. The City of Poughkeepsie, in one fell swoop, removed itself from using fossil fuels to provide energy to it's residents. There is not one single more effective way to impact climate change locally on a national level than engaging in a community college aggregation. And there are other things that we can do in order to protect ourselves from the coming storms, from the coming climate disaster, from the current climate disaster that we're living in. With smart infrastructure improvements in planning, we can have more of an impact on the negative impact of climate change. We've made a lot of progress over the years. We've adopted a natural resources inventory to ensure that developments that occur on maps that identify natural resources have some kind of mitigation impact. We're working toward our climate smart community certification. We've installed electric chargers. We're in partnership with Cornell University and they're Climate Adapted Design Studio, which members of the public council members have been invited to an intro meeting on that this coming Friday to see what the students from Cornell are going to start to tackle in the way of strengthening our resistance, our infrastructure to absorb the storm water that comes through to protect our river city, our Creekside City. We can't say that all climate impacts are created or distributed equally from extreme weather to rising sea levels, the effects of climate have disproportionate effects on historically marginalized and underserved communities like the City of Poughkeepsie. It's climate injustice, climate justice, racial justice all the same. We need to really start to make even more concerted efforts against that. And so in the coming months and this is something that I've been thinking about a lot, actually, since I ran for office. I want to work with anyone who's interested on the council. I know Councilmember Brannen has expressed interest. I think Councilmember Menist has expressed interest on establishing a conservation advisory council. We don't have one here in the City of

Poughkeepsie. There are other communities in Hudson Valley across the state that have these kinds of commissions. They put the minds of the community to work, to adapt infrastructure, to attract grants to build resilience and adaptability to this existential crisis that we face. We can't ignore it. We can't say that it's not as relevant as any of the other crises that we're facing here in the City of Poughkeepsie. I want to be able to capitalize and to take a concerted action on this movement. We have so many opportunities that have been presented to us. And I think, again, one of the most recent is at Cornell University, selected us as a city to work with for the Climate Adaptive Design Studio, which I think is very telling of where they see the City of Poughkeepsie as far as a leader in climate justice. Again, I want to work out a way that we can make a climate, a CC work for our community and to ask for volunteers to serve on that committee. I think it's necessary. It's needed. It's been used for years because we've missed a lot of really great opportunities by not having one.

And that brings me to our other committees and commissions. There are a number of vacancies still working through the redistricting commission. We're going to get that body up and running shortly. We do have the census data, so it's urgent. And again, members that did submit resumes already went through interviews are still under consideration. Unless you hear from me, you're still under consideration. We had some resignations on boards. I want to go through the list of boards and committees to see which folks had termed out of their seats. There's going to be plenty of opportunities for committee members to get involved in the City of Poughkeepsie on a volunteer basis. It's a really great way if you're interested in running for office or you're interested in getting involved in a better way to dig in, to get your feet wet, if you will, to see how much more you can volunteer yourself to the city. That information will be coming shortly. I think there's definitely seats now available on the Industrial Development Agency, which deals with a lot of economic development and other committees.

Some you may have heard that we will start to make a return to virtual sessions starting after September 13th. We're going back to Zoom. Now, this is due to the fact that Governor Hochul has now allowed for governments to reconvene virtually if they so choose, and the reason I think that this is the smartest decision is we're all sitting here with masks on and the number of breakthrough cases that means folks that are vaccinated with COVID right now is increasing in the community. I think for the public health and safety of our community members, this is the right decision to make at this time. As we see the cases increase and, you know, the vaccination rate stay pretty stable, it's a concern and we have to take it seriously. I'm going to keep looking at the cases and the vaccination rate, but until it looks stable, I think the smartest thing that we can do is return to virtual session. So, again, that starts on September 13th. That's not just for the Common Council. Boards and committees are going virtual as well. We've used Zoom, so we're using Zoom again. And so what that means is that our next Common Council meeting, which is on September 27, will be on Zoom. I've gotten a number of emails from folks that wish they could show up here, don't feel safe enough, don't want to come out to a

public meeting and sit inside, which is understandable. I think that what we're going to see is an increase access to our meetings. We saw the numbers of public commenters and members in attendance double what we see here tonight. I thank everyone for coming here tonight and being here. I really, really appreciate it, but I think we're going to see those numbers go up when we go back to virtual sessions. And with that, the only way that we can get back to being in person consistently is if everybody goes out there and get vaccinated.

I do want to mention that this Friday at the Family Partnership Center or I'm sorry, at 75 Washington Street Sun River Health is hosting a pop up vaccination clinic. Again, that's at 75 Washington Street Sun River Health. They're hosting a vaccination clinic for folks that are interested in getting vaccinated. You can make an appointment, but you don't need to make an appointment. You can just walk right in and you can get the Moderna or the J&J vaccine. They're offering both of those vaccines and then they're doing it again on Saturday, September 11th. And both of those dates are from 9:00 to 12:00. If you're interested in Pfizer, that'll be on Saturday, September 11th. So, again, Sun River Health 75 Washington Street pop up vaccination clinic walk ins are welcome. Friday, Moderna J&J. Saturday, Pfizer, both nine a.m. to twelve oh, I'm sorry, nine a.m. to three p.m. on Friday, 9:00am to 12:00pm on Saturday. If you want more information or if you didn't write that down, you can send me an email and I'll send it out to you and I'll send this information to all the rest of the council members. But we need all get vaccinated and we need to continue to wear masks inside if you're in a public setting, if there's no way that you can socially distance, whether you're vaccinated or not, because we really, really need to see these cases go down. And that concludes my comments.

So with that, we can move to Mayor's comments.

V. MAYOR'S COMMENTS

Thank you, Chair. And you had mentioned the climate adaptive design lab with Cornell and DEC, had a kickoff call with them on Friday, really exciting work that they're going to be doing specifically in the watershed area of the Hudson River, also, which we were concerned about with the recent rainfall that we received from Hurricane Ida. In anticipation of that, the Department of Public Works and Veolia, our water and sewer contractors, we're out clearing debris from catch basins and checking on problem areas that flooding has occurred in the past. I'm going to talk a little bit about that in a second just to give you some numbers on the work that we talked about infrastructure, actually what has been done over the past couple of years since we've been entered into that arrangement with Veolia. The Police Department, the night of the storm. I spoke with the front desk, I think in about 7 minutes to 11:00. The officers were checking the problem locations specifically along the Fallkill, the one that they were most concerned with where we have seen flooding in the past in severe weather events is the area along Mansion Street by Malcolm X Park. I talked to Police dispatch at about, I don't know, 1:45 something like that in the morning, and at that point the water was up to 2 feet underneath the top of the bridge, but started to recede. We didn't

see those types of flooding challenges that the city has seen before. But to your point that these are certainly events that seem to be increasing. If you see also to what many communities, especially South of here, Westchester County, the 5 boroughs saw unprecedented water in areas that they had not seen before. And also to I think that, quite frankly, the forecast and the rainfall amounts were changing pretty rapidly that there may not have been time for some of the things to take place that needed to take place. But getting back to what we're trying to do as far as infrastructure is concerned, when it comes to drainage of water on city streets, is that there was a pretty large backlog with our Water and Sewer Department because I had over the years the staff that had been dwindled and when people retired, they weren't replaced. When we made the change to Veolia to help with that. In 2019, we had 100 of our catch basins were vacuum cleaned. There were 44 total work orders, which required 22 repairs. And then 2020, there was a 63 total work orders, 29 needed repair, which happened. All combined touch patients were vacuum and clean plus 41 other work orders on the year were cleaned from catch basins, resulting in 252 specific actions when it comes to the drainage. And so far this year in 2021, there's been 28 total work orders, so far 10 required repairs and then 35 of the combined catch basins, which are the ones that we have the combined sewer and storm water ones that we're concerned about because that impacts the water pollution control plant and then the discharge into the Hudson. They were also cleaned and then there were additional 49 meaning of the catch basins. So, you know, we just show you that if you stay up with it, it can help.

We did not see the challenges that the many other communities face and we did not see the flooding of the Fallkill. And I think also to one of the things that we need to look at that and we're talking to the city engineers about it now and also to city engineering staff, checked all of the bridges within the City of Poughkeepsie that were of concern and found no structural damage back to the Fallkill after the flooding, specifically on the North side over the arterial in the corridor where we had severe flooding after I believe it was Irene, there was a federal program that paid, I believe Nubian Directions was intimately involved in it, the cleaning of the Fallkill, because many of the areas had debris, trees and were damage which caused the real challenge that the city faced. We continue to work on that.

Also continuing to work on is hiring police officers. And as has been said and we know that on Friday, swore in 7 new police officers, 4 of which were transfers, and 3 which started the police academy today at chance to meet with some of the families of the new officers that were there. And the one thing that it's been said and a couple of the officers were actually interviewed by the media and proud to hear what they said is they chose to come to the City of Poughkeepsie, because of the City of Poughkeepsie Police Department and the community in which supported the Police Department. That was a recurring theme and that was very comforting to hear. Police exam is September 18th. The City of Poughkeepsie, we believe we have 58 individuals, 57 individuals that signed up to

take the test. Whether they ended up taking it or not, we'll know after the test is given. But all those individuals were advised that they can get free test help from the city. We're hoping that many of them, if not all of them, take advantage of that. There has been discussion continually here and heard it tonight about violent crime. There was an arrest today as related to a shooting that took place last night. At about 7:46 in the evening, individual had called and said that she had been shot at. Our officers who have been in that area using the hotspot policing and focused deterrence activities that we have been doing in areas such as that street corridor and others were able to stop a vehicle, take two individuals into custody and recover a handgun. And that was because of not only we were there in the area, but also we were able to get a description of the car. I don't know whether that person who was arrested with a handgun was the person that actually fired that shot, but I do know that that person was taken into custody along with somebody else and that handgun is now off the street.

We just received word Friday that we received a grant from Dutchess County in over \$40,600 dollars in their municipal investment grant program. It's an upgrade to our Fire Department resources. This grant was applied for in May of last year, and if we did not get the grant, we would be including those monies in the 2022 budget. This will be used to upgrade our water rescue resources, specifically a addition to our fleet of Marine 1, Marine II will be looking to get a Zodiac rescue boat that can be used both on the Hudson River and other waterways, but also can be used to help other municipalities. There's also money in there for radio equipment, cold weather suits, other types of rescue equipment that goes to that particular Fire Department operation. Also we'll be canceling, deferring the annual lean sale, as we did last year, because we do not feel that we needed to have that in these economic times and we are still in a pandemic. And as the Chair noted, that we are concerned about the additional cases that are happening in many places throughout the country. Also, because we were able to continue with sufficient cash flow that we were had been concerned about. It did not come about that we're doing that again.

Friday is our 9/11 ceremony at the City of Poughkeepsie, and as we all know, this is the 20th anniversary of the attacks at the World Trade Center, the Pentagon and the jet that crashed in Shanksville, Pennsylvania, which was heading to Washington, D.C.. We are really honored to have former Mayor Colette Lafuente coming to speak to us on Friday morning. Collette lost her husband, Juan, in the attack on the World Trade Center. It's going to be right in front of city hall at the 9/11 memorial. And it is rain or shine, I think the weather is supposed to be good, but in the event of rain, we're going to come over here and have it here.

One quick update on Malcolm X Park, which we are all excited about with the improvements in our partnership there with Scenic Hudson and New City Parks and other stakeholders. There's going to be an open house, so to speak, on Saturday, September 18th, it starts at 10:30. It's for the public to come and speak

to all of the partners, community members to talk about the plans for Malcolm X, and most importantly, to get feedback and an update from all the individuals that are involved in that particular really exciting and needed initiative for Malcolm X. That's my report.

Chair Salem: Great. Thank you so much, Mr. Mayor. And so I want to allow space for council members that have questions following Mayor's comments starting, we'll start in voting order this time. Councilmember Flowers.

Councilmember Flowers: Thank you. My question is, around the Fallkill, how often do they go in certain areas, especially some of the flooded areas, to check to see about any kind of debris or fallen trees? I know by the Family Partnership there have been some reports and I know there's a couple, actually, they went down in there and they cut down some of the branches. There was a tree that fell in there. I know there have been reports of fallen branches and large tree limbs that were falling in there. I was just wondering, how often did they go in to remove those?

Mayor Rolison: So, because I am part of the eyes on that as well, because I am always cruising around and seeing it, we try to get our crew in there with the clam truck to go in and get it. Some of it is very tough and not accessible. We've been talking to the engineer, the Engineering Department, because we also have some work slated for the Fallkill, as it has to do with storm water separation. But what I would ask that if someone sees debris of significant amount of debris, which causes that damming, we will make every opportunity to remove it as soon as possible. I was involved with DPW last year at the Family Partnership where we did remove some trees and some shopping carts, shopping carts, trying to find their way in there quite often with the I mean, not that you want them in there is because they're open. They don't create the dam situation that some of the trees do. If there was something that we need to look at, we will. Please don't hesitate to let us know.

Councilmember Flowers: The other thing, I just basically want to make a comment because of those who might be listening to this or watching or meeting that are in my ward. I know the reason that they came here, Ms. Conklin, of going through the issue that she was having my regards to the parties that are happening, that these residents, you know, I definitely can empathize with her aggravation or frustration. I also had some houses were doing the same thing. And this was going on for over 3 and a half years now. And so and I know I've made several complaints even at this council meeting. I have made complaints about it because I have people who decided that they had to move because, you know, really didn't seem like much can be done about it. The police have been there several times, who have told them to turn the music down, have noticed what was going on in the basement, but there hasn't been any other efforts, from what I know of.

So now that they're hearing this meeting or seeing or notice that there's been efforts being made in other areas, I just wanted to just make sure that, you know, whatever efforts that we're putting in other areas, that we're doing it all throughout the city, because it's very embarrassing to sit here and complain about it and then find out that there's extraordinary efforts being done in other areas of the city. I know there's one place that was actually being addressed by the code enforcement, but these are a couple of houses that are in my ward. I've been doing this for many, many years. And what we need to understand is that a lot of these issues happened in the third, in the 6th sometimes and in the 5th Ward, and then it doesn't get addressed and then it spreads out to other parts of the city. And then because they feel that they can get away with it. Then it gets to the point where it comes overwhelming.

We need to nip it in the bud as soon as it happens, because like I said, this has been going on for years over in North Side, and I hate to say it like that, but that's exactly what's happening. And now I'm hearing that some efforts are being made that's been on South Cherry, on South Clinton. Those same efforts have to be made also in the areas that I'm in. Just to let you know and I sent the council email in regards to this, we have to do more about the noise ordinance. The police, they go, they get harassed, they get almost attacked. I went at 1:00, almost 1:30 in the morning on Persian over a party. And I literally there were 3 guys that jumped on my face and wanted to fight. And I went over there just so I can tell them, can they please shut the music down or shut it down because the police kept going there and it wasn't happening.

I'm just asking whether if for some reason when you when the police are riding through and they see these parties are happening and they start early, they start early in the afternoon, that if they can maybe stop and just let them know that at 10:00, you know, just to be mindful that it needs to shut down, because by the time they get all the phone calls that people are making after 10:00, most of these people are already drunk. And so what happens is when you go there and it was very scary when I was there to the fact that because the police was with me and they basically said we're not going to get into a confrontation with these people because they're all drunk, and this is 1:30 in the morning. Now, there are people who are out there that are very upset because of the fact they feel like nothing is being done. They're listening to this music blaring in their windows and they're windows rattling. And this is 1:30 in the morning. And I shouldn't have to have come out my house to go to a resident house asking them, can you please turn the music down, that they're violating a noise ordinance? And the first thing they tell me is, why aren't you telling the other people to stop partying all night? Why are you coming after me? And this was they were having a wedding, so they don't do it all the time. This was the first time I've got a complaint. And unfortunately, this was in the 7th Ward, but it was the residence in the 5th Ward were complaining because it was on the border of the ward. We really have to make a conscious effort to do this throughout the city and figure out how we're going to deal with this, because it is an ongoing problem.

It gets very dangerous to the fact that the only reason why I didn't get into the fight with the guy is because the woman came up and pushed the guys away. But yet they started arguing with all of us. And like I said, they were all drunk. I don't know what else to do at this point. And I don't want to wait until the council jumps up and gets involved with it when now it's a whole citywide problem, and they feel like now it's getting close to election. This is something that we should be dealing with, like continuously and like we should have been done a couple of years ago.

Now that it's happening all throughout the city and now we have other residents that are coming here complaining about it, I'm hoping that we're working more together, be diligent about addressing this issue. That way, you know, none of us have to go through that. This is nonsense that's going on almost every weekend. Hopefully we can do that. Thank you.

Chair Salem: Thank you. Councilmember McClinton.

Councilmember McClinton: Yes. Let me just start with where Councilwoman Flowers dropped off, that it is a citywide pandemic. As the 8th Ward representative, I think one of the things the Mayor mentioned was that it was also happening on Parkwood, which is in my ward. I did get calls about not only loud noise and double parking and food, food being sold out of homes constantly, all times a day, night. The residents did have issues with that. I can tell you that it does take some time, but part of fixing it, while we do want to make laws that help us to govern it, we also need to ensure that people are accountable also. We need to talk to those people who own the houses, talk to those people who are renting those houses, talk to those people and try to get them to understand also. I know there are many people who have tried this method and it hasn't worked, but I would just urge that we start there because sometimes they just think that they're having a good time and it's not impeding on anybody else's good time. I think sometimes they need to be made aware not all the time, but sometimes I just urge that we start there.

I would also like to applaud the Mayor on his efforts toward increasing the policing. We have been short staffed for some time, so I'm happy to hear the report of us increasing that. My only question to the Mayor would be about the ceremony on Friday, the 9/11. I didn't recall a time if you did say. Other than that, that's all I have.

Chair Salem: Great. Thank you so much. Councilmember Menist.

Councilmember Menist: Thank you, Chair. I just want to make a quick point regarding this, regarding the issue with noise complaints. I've been in office for a little over a year and a half, and in that entire time, it's been an issue in the 2nd ward just as much as has been citywide. I don't necessarily think this is

an issue of something that's spreading, but obviously it's coming to a head here tonight in this meeting. I've asked many times and I was texting with a resident of Montgomery Street last night who has told me last night at the end of her rope she's not going to call the police anymore because they don't do anything when they come and they just leave and nothing changes or they don't show up at all. I've complained numerous times. I just want to make the point to you, Miss, when you spoke about waiting until 10:00pm understanding there's a noise ordinance.

We have a noise ordinance in the City of Poughkeepsie that protects against unreasonable noise at any hour of the day. Anyone who's telling you, you have to wait until 10:00pm for enforcement is not telling you the truth. That's not the way the law is written. The law says that you have a right to be within your own home and not have to hear an unreasonable noise. You have a right to be within your home and not have your windows shaking at any time of the day.

Unreasonable noise is defined in the city code as for a reasonable person to find the volume unreasonable from 50 feet away. Even if you're outside on your porch and it's an unreasonable amount of noise that's in violation of the noise ordinance and the noise ordinance allows our City PD to give a fine of up to \$300.00 dollars every single time, every single day. It could happen day in and day out again and again and again. And if that's not happening, yes, that's absolutely an enforcement issue. There's no problem with our noise ordinance. There's no problem that this body can solve as lawmakers. We cannot write a law that's going to fix this problem because the law already exists. It needs to be enforced. The laws on the books need to be enforced. We have this problem time and again. I don't know what else this council can do about it. I would make that point and I would ask the administration to please ask that some action is taken. Like I said, I don't know what else we can do. Thank you.

Chair Salem: Thank you. Councilmember Petsas. Councilmember Brannen.

Councilmember Brannen: First, I want to thank the Mayor for the update on the tax. It's good to hear that the tax lien sale is going to be canceled for this year. Again, this will be the second year that the city has not sold tax liens. I've been advocating for 4 years that we end the city's unjust and inefficient tax system. I introduced legislation earlier this year. We had a hearing on it. The request was from the Administration to please allow them some time to respond. I would love to hear some response to the originally proposed legislation. I haven't received any comments yet on that. I know you requested a second hearing. I've been waiting to hear whether or not the Administration would be in support of some modified legislation ending the city's tax liens. I would request, Mr. Mayor, if you and you Administration and staff could please respond to that legislation, it's still open. It's still part of this session. We already had the public hearing on it earlier this year. I think it's good news that the tax lien sale has been halted for this year, especially because of the surge and a lot of people experiencing unemployment

and difficulty affording their homes. This is a displacement issue for people as well. Selling tax liens for people who can't afford their taxes. Essentially, it's selling the debt held by the government to a private third party, for profit, arm's length investor. I would hope that this is a sign of progress and that maybe we can come together on that this year. So, Mr. Mayor, any thoughts on that, I would appreciate.

Mayor Rolison: I don't have any specific thoughts on that, but certainly because we've done this now 2 years in a row, and we're seeing where we are physically not doing it as related to cash flow. It's certainly something that we can follow up now we got a little more data on it.

Councilmember Brannen: I appreciate that and I'd be willing to sit down with you and Commissioner Martinez to talk about the impact on cash flow, because I do believe that payment plans for people with an interest rate or fee that is lower than what they pay now will help us recoup back taxes without placing an undue burden on residents. I think that will make out better as a whole in the end. My next question was something that came up during public comment tonight and something that's come up a couple of times. I wonder if one of you could clarify the Development Director position because there are several people in the Administration or not necessarily people who are currently employed, but there have been 3 different positions with this word development in them. I know this is raise some questions as we're considering this youth services legislation. Could you please clarify just the different development positions that have existed and currently exist in the Administration and whether or not they're filled today?

City Administrator Nelson: Sure. Thanks for that question, Councilmember Brannen. The Social Development Director currently that position, the incumbent is Jackie Greenwald. The Social Development Director is responsible almost entirely for management of our CDGB Community Development Block Grant program. Currently reports to the Corporation Council, and that's a division head position. The second position is the Economic Development Director that was previously held by Paul. As the council and public remember, he recently left a city employ a few months back. That position is vacant. And then the third and final position is the Charter position, the Development Director, that is the department head that oversees the various divisions, the Building Division, Planning, Zoning and so on. Just to respond to a comment that was made during the public comment section. We have indicated that we will post for the position of Development Director and that job posting is on my desk. It may need editing, however, based on the action of this council, vis a vis the adoption of the legislation proposed to create the Division of Youth Services. We intend to post for that position as soon as we know what the council decision is. Obviously, as the legislation is currently drafted, the Youth Services Director would report to the Development Director, and that's a new direct report chain that's not currently accounted for, so that's why we're waiting.

Councilmember Brannen: I know it's come up a couple of times, so it's very helpful. My last question is about the comprehensive plan, and I'm sure you know why this is coming up. We've received several group emails this past week, a couple from the members of the Industrial Development Agency and then now we have one from a resident today. It's come up in public comment a few times. Can you just comment from your perspective on what, if anything, you can do to address some of these concerns about the comprehensive plan formation? I will say, after reading the letter, I can understand where these concerns are coming from, and I do think that there is some merit to them and I think that we should collectively have some substantive response for it. I don't mean response in terms of just a verbal response, a written response, but potentially some action that would address some of the concerns to put that project on firm footing for the future, because it is a very large project. It will dictate the future of the city for those of us who live here and people who do business here, et cetera. And given everything that we talked about tonight in terms of climate change, in terms of even youth services, I think, you know, hopefully we'll take a look at the name, but I think about children and seniors and, you know, is this city laid out and is the infrastructure of this city conducive to healthy children and also allowing seniors to age in place? These are the kinds of future thinking things in addition to climate change that we should be thinking about in terms of the comprehensive plan. That really requires good representation and also some strategic thinking. I wonder if you could just share your perspective on some of the concerns that have been brought up before this council over the past several weeks and also in the letters that we received.

Mayor Rolison: So, the first time that I became aware of some of the concerns that you're bringing up is when we received the anonymous letter on concerns, which I don't understand why that letter needed to be anonymous. However, it was a letter, an email to us. And we looked at it and spoke to the planning team downstairs, who were intimately involved in this and also working with the group of stakeholders and the consultants to express what we were hearing. And then there was a letter that was sent email that was sent, I believe, today from 3 members of the IDA, one of which apparently has since resigned today, so that's 2 members of the IDA. I don't know if that letter was being addressed from individuals or that was from the IDA as the industrial development agency. But some are very similar, the first letter and the second correspondence that we got. I'm not familiar with the third, but that doesn't matter. The question always is in anything, and we are still what we haven't debated it, but the LWRP comes to mind is something that we haven't been able to complete. The question is how many folks are in the main group? And there always is going to be individuals in any topic, whether it relate on anything that the city does, that they feel they need to be represented and I understand that. When the original group steering committee, if that's what we want to call it, was spoken about through multiple individuals within city government to get a comprehensive group. The one thing that I will say that that's not done. As a result of the anonymous letter, we had a meeting with the planning group and we

added additional people to the steering committee that addressed some of the specific concerns in that anonymous letter, which essentially was and I don't have it in front of me was that there were not enough people from business, large employers, developers who are developing properties within the City of Poughkeepsie, and so took that into consideration and we did add. I made a phone call to Central Hudson. We've got a Central Hudson person on there and there were others. What I would just say is, is that this is a continuing conversation and is not something that says, no, that's the group. That's the way it's got to be, because that doesn't do anybody any sort of service, because ultimately this is going to come to the council months down the road from now. Would love to see it passed as long as all the work that is needed to be done gets done in a collaborative way because, you know, that's what a comprehensive plan is. I can't say right now here because I don't have the list in front of me.

It's the conversation certainly we can continue to have, but this is not a closed process. This is transparent. This is collaborative. And if there are individuals who want to be involved, they can. There are going to be other types of groups working on specific things like you've talked about, whether it is seniors and aging in place. Whether it is youth services, whether it is public safety and all of the other things. I had a conversation for over an hour, one of the consultants a week or 2 ago and wanting to know, you know, right now in my mind, what is the number 1, 2 and 3 that you think a comprehensive plan has to address. That day it was public safety. The next day, it was public safety. It's for me, it's infrastructure, it's education. It's not just how many streets we're going to pave or how many buildings we're going to build. That's where I'm coming from. I know others are probably coming from other places, which I haven't even thought about. But right now, that's where I'm sort of kind of focused on, of course. But there are other things, you know, I didn't bring up climate change, but it is that important. Yeah, you better believe it's important. I just want to make sure that people understand that this is not some to quote or to one of the comments I heard in public comment about the backroom deals. Let's get something straight. There's no back rooms in city hall. All doors are open unless there's a meeting going on and there aren't, you know, quote unquote, the chosen muckety mucks. There are people that happily have positions that they were either elected to or got a job in with professional credentials that are involved in this process in other processes. I don't want anybody to ever think for 5 seconds under what we do every single day in city government, that we're going to not listen to people, and we're going to tell you you're not welcome. It's just not going to happen. And but there's going to be times, I understand this, that you might feel that way, I get it because there's times that I feel that way and other levels of government who are listening to us in the City of Poughkeepsie. Maybe that's the state legislature, maybe that's the federal government. Maybe they're not taking a concern all the things that we're trying to do locally, but we work through it as a government. That's what we're going to do with this comprehensive plan because besides the amount of money it cost, we can't go through an exercise where something is never going to get an active part because apparently

that's what happened last time. That's sort of the long and short, more long than short of how I feel about the plan. But no one is not going to be told they can't get involved or their concerns aren't valid and are not going to be heard.

Councilmember Brannen: Thank you for that. And I'm thinking of the LWRP process, and I wasn't involved in that until very late when it came to the council for a vote. One of the lessons learned, I think, from that process would be for this council to receive some regular updates and also opportunities for interfacing with the consultants and the team. And maybe we could have some standing presentations or a special meeting on the topic along the way so that by the time it comes to a vote, we've worked out all of the big picture questions. And then lastly, I'm not going to ask any questions about the illegal parties. I think my colleagues already did. I just want to say to Ms. Conklin, I heard you. You don't live in my ward, but I feel for you and I sincerely, sincerely hope that you get some justice soon. Thank you.

Chair Salem: Thank you so much.

VI. REPORTS OF COMMITTEES AND BOARDS:

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

Councilmember Brannen: Actually Chair, we have no update. Last week was the last one and I think we'll be coming in to do the presentation on the first meeting of October.

VII. MOTIONS AND RESOLUTIONS:

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

- 1. SEQRA Resolution R-21-67 and Sale Resolution R-21-68, Sale of City Owned Property Located at 171 S. Cherry Street, Tax Map No. 6161-31-318779.**

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-21-67)**

INTRODUCED BY COUNCILMEMBER: CHERRY

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 171 South Cherry Street and identified as Tax Map No. 6161-31-318779; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

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

SECONDED BY COUNCILMEMBER _____ .

SEQRA R-21-67						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McClinton	Votes	☒	☐	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Councilmember R. Johnson	Voter	☐	☐	☐	☒
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

RESOLUTION
(R-21-68)

INTRODUCED BY COUNCILMEMBER: CHERRY

WHEREAS, the City of Poughkeepsie has previously taken title to a single family house located at 171 South Cherry Street (Tax Map No. 6161-31-318779), in the City of Poughkeepsie by reason of unpaid real property taxes; and

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

WHEREAS, an offer has been received from Chaderton R. Adams in the amount of \$58,900; and

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

WHEREAS, the Common Council hereby finds that the offer from Chaderton R. Adams is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from Chaderton R. Adams to purchase premises known as 171 South Cherry Street (Tax Map No. 6161-31-318799), in the City of Poughkeepsie for the sum of \$58,900.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

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

- A. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.**
- B. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**

- C. Purchaser will apply for building permits for the renovation of the premises within 30 days after the closing of title;
- D. Purchaser shall abate any and all building code violations during the course of renovating the premises.
- E. Purchaser agrees that, after building permits have been issued and renovations have commenced, he will complete work within one year. In the event Purchaser is unable to complete the work through no fault of his own, he will request an extension of time from the Property Acquisition and Disposition Committee;
- F. Purchaser agrees that they shall not use the agreed upon purchase price as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation;
- G. Purchaser agrees that the premises will be owner-occupied for three (3) years from the date of transfer and will execute an agreement to ensure compliance.
- H. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record
- I. Purchaser shall execute a Developer Agreement setting forth an agreement for rehabilitation as approved by Corporation Counsel.

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

SECONDED BY COUNCILMEMBER _____.

R-21-68			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McClinton	Votes	☒	☐	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Councilmember R. Johnson	Voter	☐	☐	☐	☒
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

- 2. SEQRA Resolution R-21-69 and Sale Resolution R-21-70, Sale of Vacant City Owned Lot located at 38 High Street: 6162-62-218257.**

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R-21-69)**

INTRODUCED BY COUNCILMEMBER: L. JOHNSON

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 38 High Street and identified as Tax Map No. 6162-62-218257; and

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

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

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

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

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

SECONDED BY COUNCILMEMBER _____ .

SEORA R-21-69						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McClinton	Votes	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

R E S O L U T I O N (R-21-70)

INTRODUCED BY COUNCILMEMBER: L. JOHNSON

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as 38 High Street (Tax Map No. 6162-62-218257), in the City of Poughkeepsie by reason of a Treasurer's Deed; and

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

WHEREAS, an offer has been received from Shane Bartholomew to purchase this property for the sum of \$10,000; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, one of which is to return properties to the tax rolls, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Shane Bartholomew is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from Shane Bartholomew to purchase premises known as 38 High Street (Tax Map No. 6162-62-218257), in the City of Poughkeepsie for the sum of \$10,000.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

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

- A. That the Purchaser shall within thirty (30) days of the date of this resolution, take title to such property.**
- B. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;**
- C. Purchaser's obligation to purchase such property shall be contingent upon Seller removing the improvements, content thereof and debris from the property prior to closing;**
- D. 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**
- E. Purchaser will promptly apply to the County of Dutchess Real Property Tax Service Agency to merge this parcel with 36 High Street (Tax Map No. 6162-62-210255) to form one tax parcel.**

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into an Agreement for Sale of Land for the above mentioned transaction provided such agreement contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall

deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER _____.

R-21-70						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McClinton	Votes	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

- 3. Resolution R-21-71, setting a Public Hearing on the proposed Good Cause Eviction legislation.**

**RESOLUTION OF THE CITY OF POUGHKEEPSIE COMMON COUNCIL
INTRODUCING A LOCAL LAW ENTITLED "PROHIBITION OF EVICTION
WITHOUT GOOD CAUSE" AND PROVIDING FOR PUBLIC NOTICE AND
HEARING**

(R-21-71)

INTRODUCED BY CHAIR SALEM, COUNCILMEMBER MENIST:

BE IT RESOLVED, that an introductory Local Law, entitled "PROHIBITION OF EVICTION WITHOUT GOOD CAUSE" be and it 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 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 at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York 12601 for the purpose of receiving comment on the proposed Local Law on October 4, 2021 at 5:30 p.m.; and

BE IT FURTHER RESOLVED, that the City 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 ten (10) days prior thereto.

SECONDED BY _____

A LOCAL LAW AMENDING CHAPTER 12 ENTITLED
"HOUSING" OF THE CODE OF THE CITY OF
POUGHKEEPSIE TO PROHIBIT EVICTIONS WITHOUT
CAUSE

Section 1. Title

This local law shall be known as Local Law No. for the year 2021.

Section 2. Legislative Findings, Intent and Purpose.

Renters in the City of Poughkeepsie, especially low- and moderate-income renters are increasingly faced with the refusal of landlords to continue to rent to otherwise credit-worthy tenants and tenants who are otherwise following all applicable laws. Increased real estate prices in the city is leading to increases in gentrification and the displacement of tenants who cannot afford increasing rents. The purpose of this law is to protect tenants from exorbitant rent increases that could result in increased homelessness within the City.

Section 3. Statement of Authority

This local law is authorized by the Municipal Home Rule Law (chapter 36-a of the Consolidated Laws of the State of New York) and the General City Law (chapter 21 of the Consolidated Laws of the State of New York).

Section 4. Amendment to the Code of the City of Poughkeepsie

Chapter 12 of the Code of the City of Poughkeepsie, entitled " Housing" is amended by ADDING the following Division within Article III entitled "Minimum Standards":

DIVISION 9

Prohibition of Eviction Without Good

Cause Section 12-175 Grounds for removal of tenants

- A. No landlord shall remove a tenant from any housing accommodation, or attempt such removal or exclusion from possession, notwithstanding that the tenant has no written lease or that the lease or other rental agreement has expired or otherwise terminated, except upon order of a court of competent jurisdiction entered in an appropriate judicial action or proceeding in which the petitioner or plaintiff has established one of the following grounds as good cause for removal or eviction:

- (1) The tenant has failed to pay rent due and owing, provided, however, that the rent due and owing, or any part thereof, did not result from a rent increase or pattern of rent increases which, regardless of the tenant's prior consent, if any, is unconscionable or imposed for the purpose of circumventing the intent of this article. In determining whether all or part of the rent due and owing is the result of an unconscionable rent increase or pattern of rent increases that is imposed for the purpose of circumventing this article, the Court may consider, among other factors,
- i) the rate of the increase relative to the tenant's ability to afford said increase, ii)
 - improvements made to the subject unit or common areas serving said unit, iii)

whether the increase was precipitated by the tenant engaging in the activity described at Section 223-b (l)(a)-(c) of the Real Property Law, iv) significant market changes relevant to the subject unit, and v) the condition of the unit or common areas serving the unit, and it shall be a rebuttable presumption that the rent for a dwelling is unconscionable or imposed for the purpose of circumventing the intent of this article if said rent has been increased in any calendar year by a percentage exceeding five percent;

- (2) The tenant is violating a legal obligation of their tenancy, other than the obligation to surrender possession, and has failed to cure such violation after written notice that the violation ceases within ten days of receipt of such written notice, provided however, that the obligation of tenancy for which violation is claimed was not imposed for the purpose of circumventing the intent of this article;
- (3) The tenant is committing or permitting a nuisance in such housing accommodation, common areas, or other areas of the property, or is maliciously or by reason of negligence damaging the housing accommodation, common areas, or other areas of the property; or the tenant's conduct is such as to interfere with the comfort of the landlord or other tenants or occupants of the same or adjacent buildings or structures, including but not limited to, smoking inside the residential unit where smoking inside the residential unit has been prohibited by the landlord and such prohibition has been communicated to the tenant, failing to dispose of waste created by the tenant's pet(s) from the property on which the residential unit is located in accordance with relevant laws, repeatedly engaging in activities that cause an unreasonable amount of noise or allowing others to do so without taking appropriate steps to mitigate such noise, and causing the accumulation of excessive rubbish and/or garbage in the residential unit and common areas
- (4) Occupancy of the housing accommodation by the tenant is in violation of or causes a violation of law and the landlord is subject to civil or criminal penalties therefor; provided however that the City of Poughkeepsie or other qualified governmental entity has issued an order requiring the tenant to vacate the housing accommodation. No tenant shall be removed from possession of a housing accommodation on such ground unless the court finds that the cure of the violation of law requires the removal of the tenant and that the landlord did not, through neglect or deliberate action or failure to act, create the condition necessitating the order to vacate. In instances where the landlord does not undertake to cure conditions of the housing accommodation causing such violation of the law, the tenant shall have the right to pay or secure payment in a manner satisfactory to the court, to cure such violation provided that any tenant expenditures shall be applied against rent to which the landlord is entitled. In instances where removal of a tenant is absolutely essential to their health and safety, the removal of the tenant shall be without prejudice to any leasehold interest or other right of occupancy the tenant may have and the tenant shall be entitled to resume possession at such time as the dangerous conditions have been removed. Nothing herein shall abrogate or otherwise limit the

right of a tenant to bring an action for monetary damages against the landlord to compel compliance by the landlord with all applicable laws;

- (5) The tenant is using or permitting the housing accommodation to be used for an illegal purpose;
- (6) The tenant has unreasonably refused the landlord access to the housing accommodation for the purpose of making necessary repairs or improvements required by law or for the purpose of showing the housing accommodation to a prospective purchaser, mortgagee, or other person having a legitimate interest therein;
- (7) The landlord seeks in good faith to recover possession of a housing accommodation located in a building containing fewer than twelve units because of immediate and compelling necessity for their own personal use and occupancy as their principal residence, or the personal use and occupancy as principal residence of their partner, spouse, parent, child, stepchild, father-in-law or mother-in-law, when no other suitable housing accommodation in such building is available. This paragraph shall permit recovery of only one housing accommodation and shall not apply to a housing accommodation occupied by a tenant who is sixty-two years of age or older or who is a disabled person;
- (8) The landlord seeks in good faith to recover possession of any or all housing accommodations located in a building with less than five units to personally occupy such housing accommodations as their principal residence;
- (9) The owner-landlord has in good faith entered into a contract for the sale of the housing accommodation and such contract requires that the housing accommodation be transferred free and clear of any and all residential tenancy obligations as a condition of such sale where the owner-landlord has no shared financial or other interest with the potential buyer other than the sale of the housing accommodation in question and submitted sufficient proof to the court thereof
- (10) Where the tenant has refused in bad faith to enter into a written lease which has been offered in good faith to the tenant by the landlord, subject to the following:

(a) The proposed written lease must have been offered to the tenant in writing on at least two occasions at least two weeks apart, and such written offer shall include:

(i) an original and one copy of the proposed written lease, executed by the landlord or their designee;

(ii) notice of the landlord's intention to pursue eviction if the tenant rejects the proposed written lease and/or does not enter into said lease within thirty days of the initial offer and specifying that the landlord may pursue

eviction at any time between the expiration of the 45 days and 120 days of the date of such offer;

(iii) clear instructions to the tenant concerning the manner in which the tenant is to communicate to the landlord acceptance or rejection of the written lease;

(iv) Notice of any proposed increase in rent equal to or greater than 5% shall be provided in compliance with Real Property Law § 226-C;

(b) the proposed written lease shall not supersede an existing, active lease to which the landlord and the tenant are parties;

(c) The terms of the proposed written lease may not

(i) be unconscionable and/or mandate or proscribe activities not rationally related to the regulation of activities that would create a nuisance at the property or cause discomfort to the tenants or occupants of the same or adjacent buildings or structures, including, but not limited to activities described in subdivision (3) of subsection A above; or

(ii) substantially alter the terms any of any existing lease other than to provide reasonable clarification of the terms and conditions of the tenancy;

(d) the proposed written lease shall not be offered for the purposes of circumventing this article;

(e) the tenant shall be entitled to dismissal of any eviction petition brought for the tenant's refusal to enter into a lease according to these terms if

(i) the tenant consents to enter into the proposed written lease presented in the first offer pursuant to subsection 10(a) at any time prior to the earlier of the execution of the warrant of eviction or the good faith execution of an enforceable lease agreement between the landlord and a different party in arms-length transaction for the premises occupied by the tenant regardless of landlord's willingness to accept

said consent at the time it is communicated; and/or

(ii) prior to the commencement of the eviction proceeding the tenant attempted in good faith to negotiate the terms of the proposed written lease without substantially altering the terms of the prior lease agreement and that the landlord refused in bad faith to engage in such negotiation; and/or

(iii) the tenant's failure to enter into the proposed written lease was due to a good faith failure to comprehend the terms of the proposed written lease;

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(iv) the tenant is a victim of domestic violence as defined by NY Social Service Law §459-A and is unable to safely enter into the proposed written lease due to good faith concerns for the tenant's personal safety; and/or

(v) the proposed written lease includes an increase in rent or increase in the tenant's responsibility for recurring payments associated with the tenancy that would violate the terms or intent of subdivision (1) of subsection (A), above;

(f) that any proceeding for eviction pursuant to this subsection shall have been commenced within 120 days of the proposed written lease first having been offered to the tenant, provided, however, the landlord may commence the process for execution of a lease pursuant to this subdivision by submitting a new or revised lease to the tenant that would recommence the 120-day time period for a potential eviction action pursuant to this subdivision.

Section 5. Severability.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

Section 6. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

R-21-71						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McClinton	Votes	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

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

- 4. Resolution R-21-72**, acceptance of a GIGP Grant for Park Improvements at Malcolm X Park.

A motion was made by Councilmember Brannen to strike the words “at least” in the third whereas clause on the resolution R-21-72. The motion was seconded by Councilmember Menist.

Amendment R-21-72						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McClinton	Votes	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

(R-21-72)

RESOLUTION ACCEPTING A GRANT UNDER THE GREEN INNOVATION GRANT PROGRAM FOR IMPROVEMENTS TO MALCOLM X PARK

INTRODUCED BY COUNCILMEMBER LORRAINE JOHNSON:

WHEREAS, the City of Poughkeepsie has been has been awarded a grant from the New York State Environmental Facilities Corporation (“EFC”) under the Green Innovation Grant Program (“Grant Program”) in the amount of \$355,000 for improvements to Malcolm X Park; and

WHEREAS, the City will utilize the grant to improve the Park with the following “green technologies”: (1) the installation of a 500 square foot biosawale/bioretention area to treat runoff from precipitation events; (2) the installation of a 1500 square foot rain garden to be located at the northerly end of the site to treat tributary runoff from the proposed pavilion and the adjoining park areas; (3) the existing asphalt tennis court and asphalt walkways will be removed and seeded to increase green space and reduce the amount of impervious surfaces, which will result in the reduction of runoff. (the, “Project”); and

WHEREAS, the City will commit \$39,639 from its General Fund in order to meet the Grant Program’s local match requirement and may commit other in-kind city services; and

WHEREAS, pursuant to 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law; and

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council authorizes Mayor Robert G. Rolison to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the project and to fulfill the City of Poughkeepsie's obligations under the Grant Agreement; and be it further,

RESOLVED, that the City of Poughkeepsie Common Council authorizes the Mayor or the City Administrator to increase this local match through the use of in-kind services without further approval from the City of Poughkeepsie Common Council; and be it further

RESOLVED that the City of Poughkeepsie hereby determines that the proposed improvements Malcolm X Park is a Type II action in accordance with 6 NYCRR Section 617.5(c)(1) as "maintenance or repair involving no substantial changes in an existing structure or facility", Section 617.5(c)(2) as a "replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes...", Section 617(c)(3) as a "retrofit of an existing structure and its appurtenant areas to incorporate green infrastructure", Section 617.5(c)(4) as "agricultural farm practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming", Section 617(c)(8) as "maintenance of existing landscaping or natural growth", and Section 617(c)(9) construction or expansion of primary or accessory/appurtenant nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities" and is therefore not subject to further review under 6 NYCRR Part 617.

SECONDED BY: _____

Official Minutes of the Common Council Meeting of September 7, 2021

R-21-72 (as amended)						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember McClinton	Votes	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☐	☐	☐	☒
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **A COMMUNICATION FROM CITY ADMINISTRATOR NELSON**, regarding Renewal of a License Agreement with Poughkeepsie Waterfront Development, LLC.
2. **FROM CAMERON CALVIN HARDY**, a notice of personal injury sustained on August 17, 2021.

X. UNFINISHED BUSINESS

XI. NEW BUSINESS

XII. ADJOURNMENT

A motion was made by Councilmember Brannen and seconded by Councilmember Menist to adjourn the meeting at 10:14pm.

Dated: September 22, 2021

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Tuesday, September 7, 2021.

Respectfully submitted,

Jasmin Nicole Davis
City Chamberlain