



**SPECIAL MEETING OF THE
COMMON COUNCIL**

Common Council Chambers
Wednesday, January 2, 2019
4:15 p.m.

I. PLEDGE OF ALLEGIANCE:

ROLL CALL

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

III. MOTIONS AND RESOLUTIONS:

1. SEQRA Resolution R19-09 and Sale Resolution R19-10, approving the Sale of 35 Catherine Street.
2. SEQRA Resolution R19-11, and Sale Resolution R19-12, approving the Sale of 263 Church Street.

IV. ADJOURNMENT:

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R19-09)**

BY COUNCILMEMBER _____:

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 35 Catherine Street and identified as Tax Map No.: 6162-78-157094; 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 for purposes of SEQRA the Common Council's action is limited to the sale of the Property 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 _____ .

RESOLUTION
(R-19-10)

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the City of Poughkeepsie is the owner of real property located at 35 Catherine Street and known as Tax Map No.: 6162-78-157094 which is hereinafter referred to as the "Property"; and

WHEREAS, the Property was offered for sale by a Request for Proposal in which the City sought qualified proposals to develop the vacant parcel that is currently used as a surface parking lot; and

WHEREAS, the City received one (1) response from The Kearney Realty & Development Group ("Kearney" or "Purchaser") who proposes to construct "Crannell Square" that will consist of approximately 75 residential units with an option to also construct no more than 10,000 square feet of commercial/retail space (the, "Project"); and

WHEREAS, Kearney has offered to purchase the property for \$462,000; and

WHEREAS, the Administration of the City of Poughkeepsie, supports the Project and recommends the sale of the Property to Kearney; and

WHEREAS, the Common Council hereby finds it is in the best interests of the City of Poughkeepsie to approve the offer from Kearney; and

WHEREAS, the Common Council's action to sell this property is contingent upon Kearney obtaining proper land development approvals for the proposed Project contained in the Request for Proposal response dated October 19, 2018 and for purposes of SEQRA, this action is limited to the authorization to sell the Property and shall not be deemed to constitute an approval of the Project; and

WHEREAS, the Common Council by Resolution (R-18-106) officially makes a determination of non-significance in that the proposed sale is 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

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 the 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 The Kearney Realty & Development Group to purchase the parcel(s) in the City of Poughkeepsie and known as 35 Catherine Street, Grid #(s) 6162-78-157094 for the sum of \$462,000.00 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. the conveyance of title and the payment of the purchase price shall take place within one (1) year of the date of this resolution, unless the Corporation Counsel shall grant such extension as he deems appropriate; and**
- 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; and**
- C. 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; and**
- 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 shall within (1) year of the date of this resolution obtain all necessary land development approvals necessary to construct a residential development containing approximately 75 apartments or a mixed use building containing approximately 75 apartments and no more than 10,000 square feet of commercial/retail space; and**
- F. Purchaser's development shall be consistent with its Request for Proposal Response dated October 19, 2018; and be it further**

RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which 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 _____.

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R19-11)**

INTRODUCED BY COUNCILMEMBER _____ :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 263 Church Street and identified as Tax Map No.: 6161-22-214935; 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 _____

**RESOLUTION
(R19-12)**

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the City of Poughkeepsie is the owner of 263 Church Street and more particularly known as Tax Map No.: 6161-22-241935 (the, "Property"); and

WHEREAS, the Property is an improved by a two-family vacant residence; and

WHEREAS, the city has received an offer to purchase the Property from Hamar Clarke; and

WHEREAS, the city is desirous of selling the Property to Hamar Clarke under a development agreement to rehabilitate the building back to a two-family residence; and

WHEREAS, Hamar Clarke has offered to purchase the Parcel for \$6,950 and the Common Council has determined that to be fair and just compensation; and

WHEREAS, the Common Council hereby finds that the sale of the Parcel is in the best interests of the City of Poughkeepsie to approve such offer so that the premises may be returned to the tax rolls; 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 Hamar Clarke to purchase the premises identified as Tax Map No.: 6161-22-241935 in the City of Poughkeepsie for the sums of \$6,950 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. the conveyance of title and the payment of the purchase price shall take place within thirty days of the date of this resolution, unless the Corporation Counsel shall grant such extension as he/she deems appropriate;**
- 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 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;**
- D. Purchaser shall execute a Developer Agreement setting forth an agreement for rehabilitation requiring the Purchaser obtain a building permit for the rehabilitation of the property within 60 days of Closing of Title and obtaining a final Certificate of Occupancy within 1 year of obtaining a building permit.**
- E. Purchasers agree that they shall not use the purchase price agreed to as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and**

BE IT RESOLVED, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which 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_____:



