



COMMON COUNCIL MEETING

Monday, November 15, 2021

Virtual / Zoom

6:30 p.m.

https://us02web.zoom.us/webinar/register/WN_eG-xEcdSTv-qhIDTE4b0sg

I. ROLL CALL:

II. REVIEW OF MINUTES:

Public Hearing Meeting October 18, 2021

Common Council Meeting October 18, 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:

1. **R-21-80**, Resolution setting a Public Hearing on proposed re-zoning of 117 N. Hamilton St.
2. **R-21-81**, Resolution accepting a donation of certain real property (for subsequent conveyance to Springside Condominium Association

IX. ORDINANCES AND LOCAL LAWS:

1. **LL-21-04**, a Local Law amending Chapter 12 entitled "Housing" of the code of the City of Poughkeepsie to prohibit evictions without good cause

X. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **A COMMUNICATION FROM ACTING DEVELOPMENT DIRECTOR QUINN**, Rezoning Application Regarding 117 N. Hamilton Street
2. **A COMMUNICATION FROM SARAH SMILEY**, on C-PACE Financing Program
3. **A PRESENTATION FROM COMMUNITY DEVELOPMENT COORDINATOR HESSE & CHAD BEACH**, **HERITAGE FINANCIAL CREDIT UNION**, an Introduction to HFCU Financial Opportunity Center

4. A COMMUNICATION FROM CITY ADMINISTRATOR NELSON, on proposed sale of a vacant lot on N. Hamilton Street

5. A COMMUNICATION FROM CITY ADMINISTRATOR NELSON, on a proposed amendment to our local code (Section 19-4-1) in order to allow certain home businesses to operate during the pandemic

XI. EXECUTIVE SESSION TO DISCUSS THE PROPOSED SALE, ACQUISITION OR LEASE OF REAL PROPERTY

XII. UNFINISHED BUSINESS:

XIII. NEW BUSINESS:

XIV. ADJOURNMENT:

**RESOLUTION INTRODUCING AMENDMENT TO THE CITY OF POUGHKEPSIE
CODE OF ORDINANCES ENTITLED “ZONING AND LAND USE REGULATION AND
PROVIDING FOR PUBLIC NOTICE AND HEARING**

R-21-80

INTRODUCED BY COUNCIL MEMBER: FLOWERS

BE IT RESOLVED that an introductory ordinance amending the City of Poughkeepsie Code of Ordinances, entitled “Zoning and Land Use Regulation, the rezoning of 117 North Hamilton Street” 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 ordinance be laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council hold a public hearing for public comments on said proposed ordinance at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o’clock P.M., on December 6th, 2021; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least ten (10) days prior thereto.

On a motion by _____, seconded by _____, the resolution was adopted on a vote of _____ Ayes, _____ Nays. The Mayor declared this resolution adopted.

Dated: November ___, 2021

RESOLUTION
R-21-81

INTRODUCED BY **COUNCILMEMBER BRANNEN** **:**

WHEREAS, J. Allen Britvan has offered to convey title to certain parcels of real property more fully described in Schedule "A" attached as a gift to the City; and

WHEREAS, pursuant to section 2.05(j) of the Administrative Code of the City of Poughkeepsie the Common Council is authorized to accept gifts on behalf of the City of Poughkeepsie; and

WHEREAS, the Common Council has found it to be in the best interest of the City and the residents thereof to accept the gift of the real property with the understanding that the City will negotiate the subsequent sale of the parcels with the Springside Homeowners Association which will return the parcels to the tax rolls; and

NOW, THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie hereby accepts the gift from J. Allen Britvan of title to the real property more fully described in Schedule "A" attached; and be it further

RESOLVED that the Mayor and the City Administrator and the Corporation Counsel be and they hereby are authorized and empowered to execute all documents and to take any steps necessary and convenient to give full effect to this Resolution.

SECONDED BY COUNCILMEMBER _____.

SCHEDULE "A"

GRID NUMBER	PROPERTY ADDRESS
6161-45-046507	181 Academy Street #301
6161-45-048520	181 Academy Street #302
6161-45-051514	181 Academy Street #303
6161-45-053515	181 Academy Street #304
6161-45-058514	181 Academy Street #305
6161-45-063509	181 Academy Street #306
6161-45-066506	181 Academy Street #307
6161-45-067504	181 Academy Street #308
6161-45-067501	181 Academy Street #309
6161-53-066495	181 Academy Street #310
6161-53-063490	181 Academy Street #311
6161-53-059483	181 Academy Street #312
6161-53-055485	181 Academy Street #313
6161-53-054487	181 Academy Street #314
6161-53-052491	181 Academy Street #315
6161-53-051495	181 Academy Street #316
6161-53-043487	181 Academy Street #401
6161-53-040485	181 Academy Street #402
6161-53-035483	181 Academy Street #403
6161-53-033481	181 Academy Street #404
6161-53-023489	181 Academy Street #405
6161-53-024492	181 Academy Street #406
6161-53-026495	181 Academy Street #407
6161-53-029497	181 Academy Street #408
6161-53-033498	181 Academy Street #409
6161-45-026507	181 Academy Street #410
6161-45-027511	181 Academy Street #411
6161-45-031514	181 Academy Street #412
6161-45-036517	181 Academy Street #413
6161-45-066533	Applewood Circle (#506)
6161-45-064529	Applewood Circle (#507)
6161-45-061526	Applewood Circle (#508)

LL-21-04

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

SPONSORED BY CHAIR SALEM AND COUNCILMEMBER MENIST:

Section 1. Title

This local law shall be known as Local Law No. 04 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 Applicability

This article shall apply to all housing accommodations except:

A. Owner-occupied premises with less than four units.

B. Premises where the possession, use, or occupancy of which is solely incident to employment and such employment is being lawfully terminated.

C. Premises otherwise subject to regulation of rents or evictions pursuant to state or federal law to the extent that such state or federal law requires "good cause" for termination or non-renewal of such tenancies.

D. Premises sublet pursuant to section two hundred twenty-six-b of the New York State Real Property Law or otherwise, where the sub-lessor seeks in good faith to recover possession of such housing accommodation for personal use and occupancy.

Section 12-176 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 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 and to the relative rate of rent burden, 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 (1)(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, therefore; 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 the 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 com1 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 an 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;

(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.



THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4010 Fax: (845) 451-4006

OFFICE USE ONLY
CODE: _____
ID # _____
FEES: \$1,000.00

APPLICATION FOR REZONING

PROJECT ADDRESS(ES): 117 North Hamilton St (~~realt to 117~~)
GRID #(s): 131300-6162-632662930000

(ADD ADDITIONAL SHEETS IF NECESSARY)

APPLICANT: Baxter Development Corp
Street: 278 Mill St Suite 100
Town/Zip: Poughkeepsie NY
Phone: 845 471-1047
Email: eric@baxterbuilt.com

Applicant is: ☐ Owner ☒ Contract Vendee

If Applicant is a Corporation, LLC, LP, PC, D/B/A or Partnership, provide the name of the principal(s) who will be representing the rezoning application: Eric Baxter

If applicant is a Corporation, LLC, LP, PC, D/B/A or Partnership, provide names of all shareholders, members, partners and/or officers:

Eric Baxter Amanda Baxter

Date that Corporation, LLC, LP, PC D/B/A or Partnership was formed or registered to do business in New York State: 2021

IF THE APPLICANT IS NOT THE OWNER, DOCUMENTATION AUTHORIZING THE APPLICANT TO PURSUE APPROVALS, SUCH AS AN EXECUTED CONTRACT OF SALE OR OPTION TO PURCHES, MUST BE SUBMITTED.

OWNER (If not applicant): 117 North Hamilton LLC
(If not applicant)

Street: 186 Cottage St Poughkeepsie
Town/Zip: NY 12601

Phone: 845 464 0207
Email: trudermine@verizon.net



THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING DEPARTMENT
62 CIVIC CENTER PLAZA
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4010 Fax: (845) 451-4006

APPLICATION FOR REZONING

PROJECT INFORMATION

ADDRESS: 117 North Hamilton

CURRENT ZONING: R-4

PROPOSED ZONING: I-1

DESCRIBE THE PROJECT FOR WHICH THE REZONING IS REQUESTED: _____

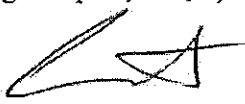
We would like to create new Warehouse / flex space
that will bring jobs and industry to the city
two buildings approximately 21,000 square feet of
building.

Will the project require any of the following approvals after rezoning? Please check all that apply:

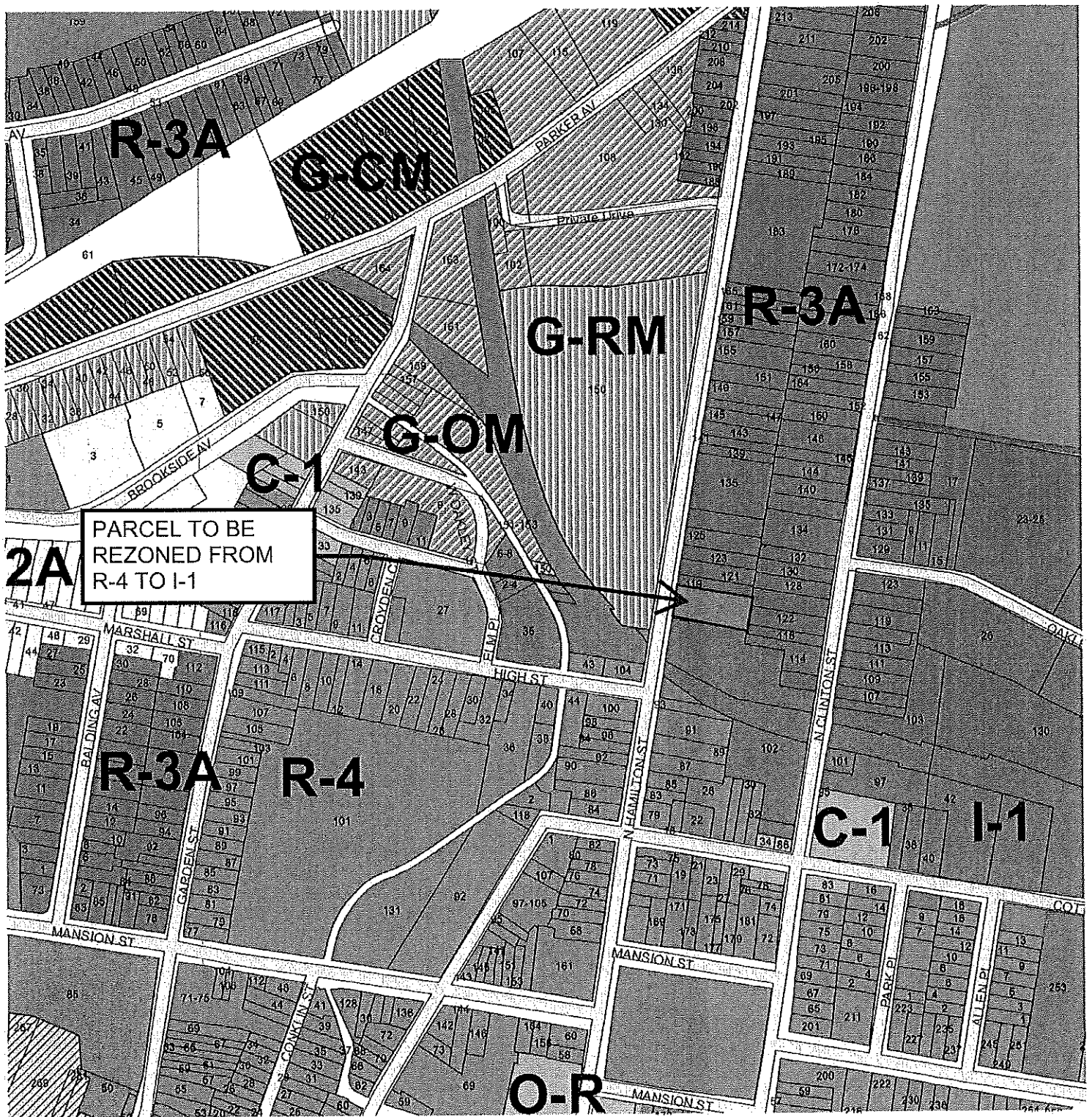
- ☒ Site Plan from the Planning Board
- ☐ Special Permit from the Planning Board
- ☐ Subdivision (lot line adjustment)
- ☐ Use variance from the Zoning Board of Appeals
- ☒ Area variance(s) from the Zoning Board of Appeals

APPLICANT'S CERTIFICATION

By his/her signature, the applicant vows that: 1) He/She has read this application and is familiar with its contents and that the information provided herein is complete and true to the best of the applicant's knowledge; 2) He/She has read, is familiar with, and understands the requirements of the City of Poughkeepsie provision(s) affecting and/or regulating the project for which this application is made; 3) He/She agrees to comply with the requirements of the City of Poughkeepsie affecting and/or regulating the project for which this application is made, including any general or special conditions of permits or approvals granted by any board, agency or department of the City of Poughkeepsie; and, 4) He/She has read this statement and understands its meaning and terms.


Applicant's signature

10/27/21
Date



Taken from City of
Poughkeepsie Zoning
District Map
dated 3-5-2021

117 N.HAMILTON STREET
PROPOSED REZONING
ZONING/AREA MAP
NOT TO SCALE
NOVEMBER 1, 2021



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006**

MEMORANDUM OF TRANSMITTAL

To: Common Council
From: Natalie Quinn, Acting Development Director
Date: October 18, 2021
Re: 117 N. Hamilton Street, Rezoning

The property at 117 N. Hamilton Street (Parcel # 6162-63-266293) is currently zoned as Medium High-Density Residence District (R-4). The applicant, Baxter Building Corporation, requests that the zoning code be amended to allow for a new construction building for up to five different businesses that would have a street front presence on N. Hamilton Street, along with a rear building serving as a warehouse. The R-4 district currently does not permit such uses.

The proposed development will also include 115 N. Hamilton Street (Parcel # 6162-63-271278) which is currently zoned I-1 and permits the proposed uses.

Based on the applicant's request, the Common Council may choose to consider a map change to rezone the single parcel in question to another zoning designation. Alternatively, the Common Council may choose to pursue a text amendment to add the proposed uses as permitted uses within the R-4 district. It is the opinion of planning staff that a map amendment changing the zoning designation for the subject property from R-4 to I-1 would avoid potential negative unintended consequences of allowing commercial or light industrial uses in other R-4 neighborhoods. Thus, the following analysis investigates the preferred option of a map amendment, but an analysis of other potentially appropriate zoning changes can be carried out upon request by the Common Council.

LOCATION COMPATIBILITY

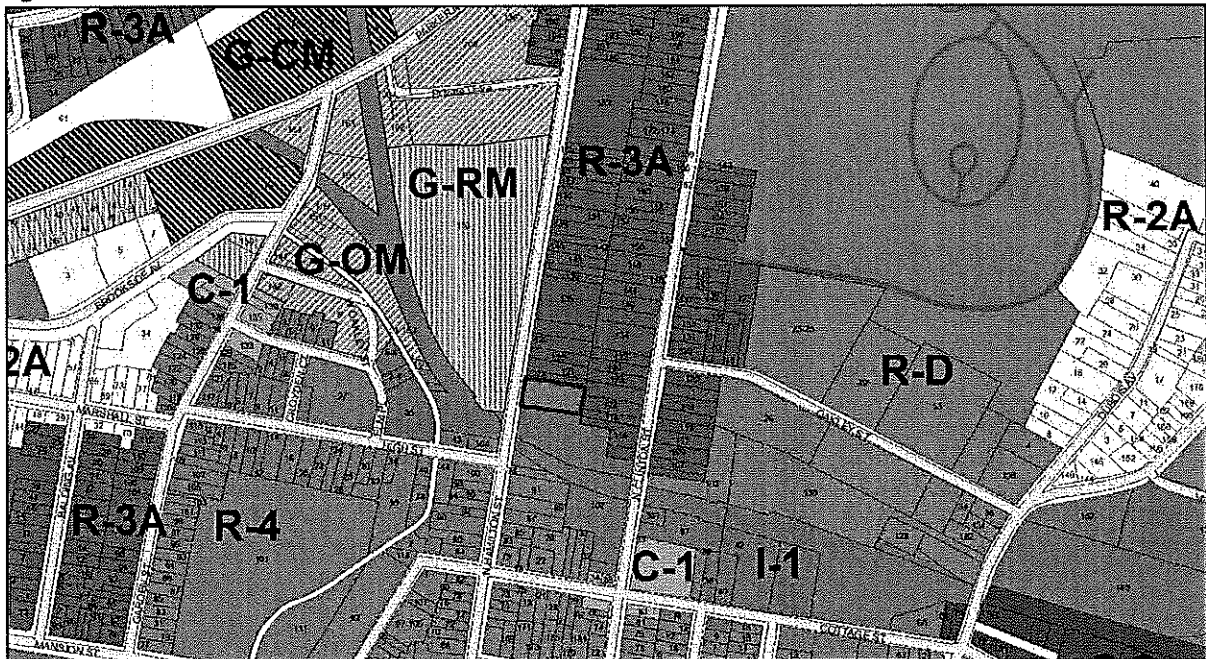
The property at 117 N. Hamilton Street is currently a vacant lot on approximately 0.43 acres. The most recent use of the site was a public place of assembly with two housing units. The existing structure was demolished around 2009, the property rezoned from R-3A to R-4 and sold by the city for a proposed five-unit development. The development was never built, and the site has remained vacant since.

The site is located in a historically industrial corridor of the city, next to the former railroad spur and close to commercial and light industrial activities along Cottage, Smith, and Oakley Streets. Early zoning maps appear to include the property within the Light Industrial (I-1) zoning district, but it later had an R-3A designation before, as described above, it was rezoned to R-4 in 2009. The property immediately adjacent to the south is zoned I-1 and is included within the proposed development.

The property directly abuts a number of residential land uses to the north and east, and it is located across the street from the southern edge of Dutchess County Justice and Transition Center property. This stretch of N. Hamilton Street includes a mix of housing and commercial uses, including an electrical contractor, brewery operations and a beverage center, along with one, two and three-family homes.

It is worth noting that the Walkway-Gateway Zoning District also covers a large portion of this neighborhood. This zoning district promotes a mix of uses, and in the G-OM (Office-Manufacturing) subdistrict the use of existing factory buildings for employment centers is encouraged. The intent of the district goes on to say, "Vacant or unused buildings are encouraged to be adaptively reused for a mix of new and existing uses, especially low impact light manufacturing."¹ This more contemporary zoning district acknowledges the industrial and commercial character of the neighborhood and does not discourage these uses from continuing alongside residential uses.

Figure 1



INTENT AND OBJECTIVES OF THE PROPOSED REZONE DISTRICT

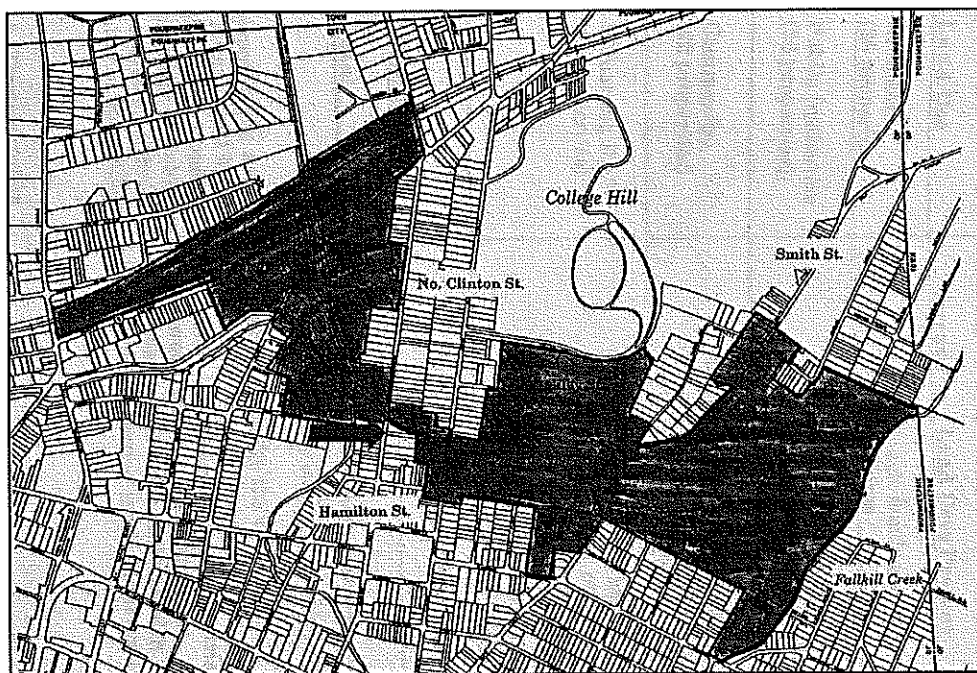
The stated purpose of the I-1 Zoning District is to "provide areas for a wide range of industrial activity that conform to a high level of performance standards, that can be located in close proximity to residential, institutional and commercial areas without objectionable influence and that can serve as a buffer in some cases between more objectionable industrial activities and residential and/or certain commercial areas."² In the I-1 district, the types of uses proposed in the development such as wholesale businesses and contractor businesses are permitted by right, subject to compliance with the lot and bulk regulations as outlined in Section 19-3.29(4).

¹ <https://ecode360.com/29221397>

² <https://ecode360.com/27016701>

COMPREHENSIVE PLAN

The subject parcel is effectively within the Cottage Street Business Park study area as described in the City's 1998 Comprehensive Plan. This study area includes the streets and neighborhoods surrounding the former Conrail spur, from Parker Avenue to Smith and Cottage Streets.



The Comprehensive Plan identifies primary concerns surrounding truck traffic on residential side streets and open storage of materials that are poorly screened from abutting residential uses. However, the plan is generally positive about the mix of residential uses and industry, which provides for employment opportunity and supports the overall health of the local economy. The plan supports continued development of light industrial and commercial uses in the area, provided that any negative byproducts of industry such as noise and fumes be mitigated to the extent possible. Future land uses contemplated by the plan include contractor and supply businesses, wholesale bakeries, garden center or wholesale landscaping businesses, and printing shops among others. (Section 5.0, page 5-23)

ANALYSIS & CONCLUSION

It is the opinion of the Planning Department that a zoning map amendment of the subject parcel to the I-1 zoning district would not negatively impact the surrounding neighborhood, and would be in line with the city's Comprehensive Plan. The land uses of the proposed project are consistent with what currently exists in the neighborhood, and they are not the type of heavy industrial uses that would be incompatible with the residential portions of the neighborhood. Furthermore, the I-1 District regulations contain built-in measures to protect adjacent residential uses, such as Section 19-3.29, which states "Except as otherwise provided, where a lot in any I-1 District adjoins any R-1 through R-6, O-R or PRD District, a landscaped buffer of at least 25 feet shall be provided along the property line." Additional aspects of parking, loading, landscaping and screening in the proposed project are controlled by zoning

and will be reviewed by both staff and Planning Board to ensure the project does not negatively impact the quality of life of neighborhood residents.

117 NORTH HAMILTON
NORTH HAMILTON STREET
CITY OF ROCHESTER
OUTER COUNTY, NEW YORK

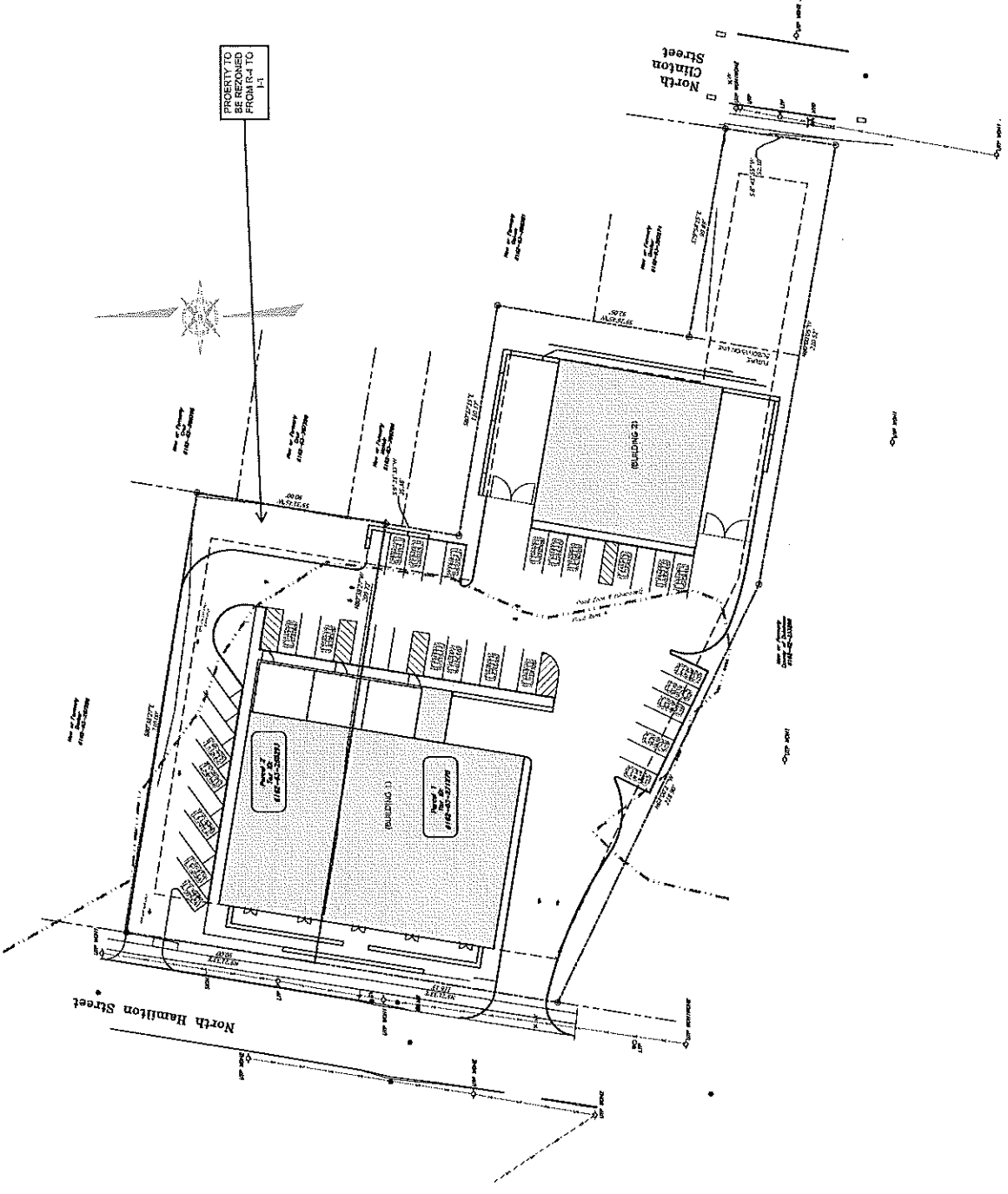
RODOLFO SOYKA
ARCHITECT
117 NORTH HAMILTON STREET
CITY OF ROCHESTER
OUTER COUNTY, NEW YORK

DATE: JUNE 2011
SCALE: 1" = 20'
CHECKED BY: J.A.
DRAWN BY: J.A.

NOTES:
1. THIS PLAN IS FOR THE PROPOSED
2. THE PROPOSED BUILDING IS TO BE
3. THE PROPOSED BUILDING IS TO BE
4. THE PROPOSED BUILDING IS TO BE

NO. DATE
REVISION

117 NORTH HAMILTON STREET
CITY OF ROCHESTER
OUTER COUNTY, NEW YORK



EIC NY PACE

EIC Open C-PACE channels private capital to commercial and non-profit building owners to make energy upgrades to their buildings or build new construction to higher energy standards. Open C-PACE enables them to improve their properties, lower operating expenses and positively impact their communities.

Property Assessed Clean Energy (PACE) financing is a public benefit authorized by state and local law, with repayment secured through a benefit assessment lien on the improved property.

Energy Improvement Corporation (EIC), a non-profit, statewide local development corporation, administers EIC Open C-PACE on behalf of its member municipalities.

EIC Open C-PACE differs from traditional bank loans:

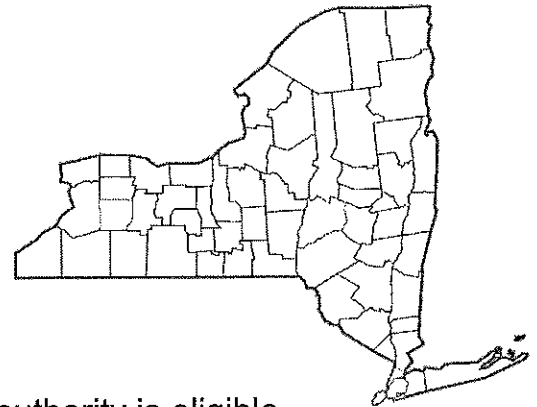
- Financing is available for up to 100% of the project cost, or can be combined with other financing
- Competitive private financing from EIC-approved capital providers
- Customizable loan terms up to the expected life of the improvement(s) (generally 20-30 years)
- Benefit assessment lien is subordinate to municipal taxes and senior to other liens (consent from mortgage holder is required)
- Automatically transfers to new owner upon sale of property
- Available for energy efficiency and renewable energy measures (Projects are qualified according to NYSERDA's C-PACE Guidelines)

Open C-PACE paves the way for higher levels of energy efficiency or renewable energy to be included as part of a building's construction or rehabilitation – and might be the pivotal element needed to move the project forward.

Visit eicpace.org or call (914) 302-7300 x8105

Enabling Open C-PACE in your community

- Municipalities must pass a local law and sign an EIC municipal agreement to offer EIC Open C-PACE.
EIC provides template documents.
- Any New York State municipality with tax lien authority is eligible.
- Open C-PACE is available to all local municipalities within a member county except for cities (and towns in Westchester County) that have tax lien authority, which must join separately.



Benefits to member municipalities:

- No fees to join
- No responsibility for program administration
- No financial exposure for the municipality
- Reduced Greenhouse Gas Emissions

Once Open C-PACE is enabled, the member municipality provides the public benefit of PACE and EIC administers the program.

- EIC records the lien on the land records.
- EIC bills the property owner directly and administers collection of the payment.
- The capital provider enforces the PACE lien only *after* paying any delinquent municipal taxes owed by the property owner to the municipality.

Questions? Visit eicpace.org or call (914) 302-7300 x8105

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-21-##)**

INTRODUCTED BY COUNCILMEMBER _____ :

BE IT RESOLVED, that an introductory Local Law, entitled “Energize NY Open C-PACE Financing Program” 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 are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at ____ o’clock P.M., on _____, 2021; and

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

SECONDED BY COUNCILMEMBER _____



October 07, 2021
The City of Poughkeepsie Common Council
62 Civic Center Plaza
3rd Floor
Poughkeepsie, NY 12601

Dear City of Poughkeepsie Common Council Members,

We at Heritage Financial Credit Union would like to introduce our intentions of opening a Financial Opportunity Center in the Family Partnership Center located at 29 N. Hamilton St. targeted for the first quarter of 2022.

Heritage Financial Credit Union earned its Community Development Financial Institution ("CDFI") certification from the United States Department of the Treasury CDFI Fund in December of 2019. The CDFI Fund's mission is to expand economic opportunity for underserved people and communities. This designation strengthens our mission to provide equal access to capital and basic financial services to all communities, regardless of socio-economic standing.

The Financial Opportunity Center will be the Credit Union's initial footprint in Dutchess County, the first financial empowerment center of its kind for the Credit Union and the only one of its kind in the greater Hudson Valley region that we are aware of. The Center will focus on providing financial counseling, education and literacy in conjunction with core financial services to the community at large in Poughkeepsie's Northside.

Poughkeepsie is one of two key demographic areas identified as underserved when carefully crafting our Community Development strategy. Data provided by the Philadelphia Federal Reserve Bank indicates that 16.2% of the population in Poughkeepsie are unbanked which is 2.8 times the US average. To understand, and then to meet, the needs of the underserved, we intend to cultivate relationships with community service organizations residing in and near to the Family Partnership Center as well as surrounding small businesses and local government. We intend to build relationships through in-person contacts, on-site presentations, financial education delivery, special customized promotions and participating in and hosting community events.

With these goals in mind, and recognizing the City of Poughkeepsie's revitalization efforts to support Community Development, the Credit Union is interested in pursuing a joint application with the City of Poughkeepsie for New York State Banking Development District (BDD) designation

Heritage Financial Credit Union
25 Rykowski Lane
Middletown, NY 10941



Phone: 1-845-561-5607
Fax: 1-845-326-1517
Website: heritagefcu.com



in Poughkeepsie's Northside. The BDD program encourages the establishment of bank branches in areas where there is a demonstrated need for banking services by providing financial institutions with state deposits. These deposits are intended to lower the financial risk that may occur when opening in an underserved community.

As part of the BDD application, the Credit Union is requesting a Common Council resolution of support for our efforts to open a Financial Opportunity Center and to provide educational and financial services to the underserved. We would also like to work closely with the City in defining the proposed geographical boundaries of the designation area and to help provide any rationale and evidence supporting our belief that the area is under banked. The Credit Union will handle the program application process, however we would greatly appreciate assistance with the above mentioned request for a resolution of support.

We would be happy to provide additional information or answer questions as needed to aid in your decision making process. Please send emails to: chad.beach@contacthf.com or contact via phone at 845-561-5607 ext. 115.

Thank you for your consideration,

Chad Beach

A handwritten signature in black ink, appearing to be "Chad Beach", written over a circular stamp or seal.

Community Development Officer
Heritage Financial Credit Union

Michael J. Ciriello

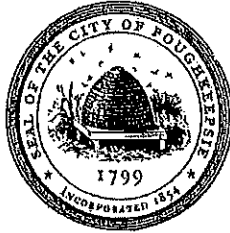
A handwritten signature in black ink, appearing to be "Michael J. Ciriello", written in a cursive style.

President/CEO
Heritage Financial Credit Union

The City of Poughkeepsie

New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601

845-451-4039
Fax: 845-451-4181

October 26, 2021

Mr Marc Nelson
City Administrator
City of Poughkeepsie

Re: 165 N Hamilton Street
6162-55-279377

Mr. Nelson,

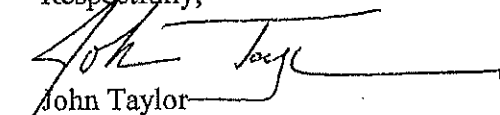
Pursuant to your request, I have been asked to estimate an opinion of market value for the above captioned subject properties for the purpose of estimating market value. The value reported on the property is qualified by certain assumptions, limiting conditions and definitions. The Valuation was prepared for Mr Marc Nelson, and is intended for his specified use.

The property located at 165 N Hamilton Street, City of Poughkeepsie and consists of one unimproved vacant parcel with a total of 0.14 acres (NYS Class 311) and is zoned R-3A. A field inspection has been performed. Additionally, it must be understood that no plans/survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

To establish an opinion of market value, a Sales Approach was utilized based on sales of similar properties, within the subject general market area. In this approach, value is based on the transfer of properties considered to be similar in use and condition. Due to the lack of more recent sales within the subject immediate neighborhood, it was necessary to expand the search into surroundings neighborhoods and utilize sales with similar functional utility. Any and all data, reasoning and/or analysis used to develop the opinion of value has been retained and any depth of discussion is specific to the needs of the intended user.

After careful consideration, I have concluded an estimated Market Value of the subject property to be \$15,000.

Respectfully,


John Taylor
Assessor
City of Poughkeepsie

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A SALE OF
CERTAIN CITY OWNED PROPERTIES
(R21-XX)**

BY COUNCILMEMBER _____ :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 165 North Hamilton Street and identified as Tax Map No: 6162-55-279377; 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
(R-21-XX)

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the City of Poughkeepsie has previously taken title to a lot improved with an accessory structure known as 165 North Hamilton Street (Tax Map No: 6162-55-279377), in the City of Poughkeepsie by reason of unpaid 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 Nick Dykhousé to purchase the property for the sum of \$8,000.00; 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 increase ownership by City residents, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from Nick Dykhousé 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 Nick Dykhousé to purchase premises known as 165 North Hamilton Street (6162-55-279377), in the City of Poughkeepsie for the sum of \$8,000.00 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 shall merge the property with the adjacent property it currently owns located 163 North Hamilton Street.**
- 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. Prior to the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law; and**

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into a contract of sale for the above mentioned transaction provided such contract 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 _____.

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Sale of City Owned Property			
Project Location (describe, and attach a location map): 165 North Hamilton Street			
Brief Description of Proposed Action: The City is selling a vacant residential lot located at 165 North Hamilton Street. The proposed buyer has proposed to purchase the property and merge it with adjoining property he owns at 163 North Hamilton Street.			
Name of Applicant or Sponsor: City of Poughkeepsie Common Council		Telephone: 845-451-4200 E-Mail: citychamberlain@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO ☒	YES ☐
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:		NO ☒	YES ☐
3. a. Total acreage of the site of the proposed action?		0.14 acres	
b. Total acreage to be physically disturbed?		0.00 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.14 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action: ☒ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☒ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	☐	☒	☐
b. Consistent with the adopted comprehensive plan?	☐	☒	☐
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	☐	☒	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	☒	☐	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	☒	☐	
b. Are public transportation services available at or near the site of the proposed action?	☐	☐	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	☐	☐	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	☐	☒	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____ _____	☐	☒	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____ _____	☐	☒	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	☒	☐	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	☒	☐	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	☒	☐	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	☒	☐	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO ☒	YES ☐
16. Is the project site located in the 100-year flood plan?	NO ☒	YES ☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO ☒	YES ☐
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	☐	☐
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO ☒	YES ☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO ☒	YES ☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO ☒	YES ☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

Chapter 19. Zoning and Land Use Regulations

Article IV. Supplementary Regulations

Section 19-4.1. Home occupations.

[Ord. of 4-11-1996, § 3]

- (1) Home occupations shall be conducted by members of the family residing on the premises. Not more than two nonresidents shall be employed therein.
- (2) Said home occupation shall not occupy more than 25% of the total floor area of the principal building. No home occupation shall be conducted in an accessory building. The provision of this subsection shall not apply to work/live lofts.
- (3) In no manner shall the appearance of the building be altered, nor shall the occupation within the residence be conducted in a manner that would cause the premises to lose its residential character, either by the use of colors, materials, construction or lighting. No display of products shall be visible from the street, and no stock in trade shall be kept on the premises.
- (4) The home occupation shall not increase the vehicular traffic flow by more than one additional vehicle per hour and shall not involve the use of commercial vehicles for delivery of materials to and from the premises.
- (5) No home occupation shall create noise, dust, vibration, odor, smoke, electrical interference, fire hazard or any other nuisance that is perceptible beyond the lot lines.
- (6) Home occupations shall in no event be deemed to include: animal hospitals, kennels, barbershops, beauty parlors, clinics or hospitals, dancing schools, mortuaries, nursery schools, clubs, auto repair shops, restaurants, tourist homes, rooming houses or boardinghouses and uses similar to those listed above.

Official Minutes of the Public Hearing of October 18, 2021 Public Hearing Regarding the Proposed
Local Law establishing Good Cause Eviction Legislation



THE CITY OF POUGHKEEPSIE
NEW YORK

PUBLIC HEARING

Monday, October 18, 2021 5:30 p.m.

Virtual / Zoom

Welcome to the scheduled meeting of the Public Hearing in the City of Poughkeepsie. The date is October 18, 2021 and the time is 5:30 pm.

THIS HEARING IS FOR THE PURPOSE OF RECEIVING COMMENTS ON THE Public Hearing Regarding the Proposed Local Law establishing Good Cause Eviction Legislation.

Councilmember-At-Large Salem called the meeting to order at 5:37 p.m.

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

1. Laura Forman, 66 Washington St.
2. Laurie Sandow, S. Grand Ave.
3. Teresa Munchick, 16 Grand Ave.
4. Katherine Raynor, Forbus St.
5. Moses Muguluisi, 89 Randall St., Florida, NY
6. Mignon Delapuenta, 160 Academy St
7. Kafui Attoh, 18 Balding Ave.
8. Thomas Ruane, 92 College Ave
9. Brahvan Ranga, Political Coordinator, For the Many
10. Melissa Hoffman, Lexington Ave.

Submitted Written Comments:

1. Laurie Sandow, Grand Ave.

I begin by noting that, according to Chair Salem, nearly 70 people signed up to speak at the October 4 public hearing, and though I registered close to the deadline, I was somehow called to be the 15th speaker. Either the speaker deadline is not being enforced, or the order of speakers is being manipulated, or both. Similarly, the Chair mis-serves the public by segmenting portions of this hearing, depriving the public of a single, continuous event, and keeping people on hold waiting to hear their name called, without a clue if or when their name will be called. Tonight's continuation of the public hearing proves that point, as many of those signed up to speak on October 4 are not in attendance to speak tonight. Furthermore, I also note the Chair's tolerance for spineless helicopter organizers who live far outside the city, yet provide 29 N. Hamilton as their address.

As to my comments: I am currently speaking in opposition to Salem and Menist's "Good Cause Eviction" resolution. Why? Not because I lack concern for tenants—quite the opposite. But because the existing proposal will NOT protect tenants, does not begin to stabilize or cure the city's housing and rental situation, sets the baseline for future increases at already inflated levels, and is principally a drawn-out election season stunt. The primary accomplishment of this law will be to increase, NOT decrease, litigation between landlord and tenant, at the expense, and to the detriment, of both parties. Court outcomes are predictable considering that the cost of goods, services, water, sanitation and property taxes have all seen recent drastic increases.

Let's look at sponsors Menist and Salem's history. One January 2020 article (that is, 21 months ago) quoted Evan Menist as joining Salem's desire to address affordable housing. "We need to come up with affordable housing solutions for all of our residents," [Menist] said." But have Menist, Salem and this Council actually created affordable housing solutions in the last 21 months? No, they have not.

An August 2021 article read: “But Menist believes the legislation would ‘incentivize’ investment because landlords wouldn’t be able to increase rents above 5% without making upgrades to their property to show the rent hike was justified.”

What does “incentivize” and “justified” mean in plain English and in real-time? It means that, for example, a developer comes along, buys Luckey Platt for \$3 million, renovates in violation of the existing tenants’ Warranty of Habitability, and then “offers” renewal leases at rates that existing tenants cannot afford...incentivizing and justifying those existing tenants right out the door. And not a peep from Menist, representative of that ward, who remained entirely silent while all this was happening.

Here’s another example from tomorrow night’s Planning Board agenda: a proposed addition at Admiral Halsey that Menist has enthusiastically endorsed, for an owner, Omni New York, who’s been listed more than once on New York City’s 10 Worst Landlords and Worst Evictors lists. That’s the same Omni New York whose track record shows drastically worsened conditions since their purchase of Admiral Halsey.

In other words, what do these histories translate to?

- 1) that talk is cheap, but no matter how cheap, or no matter how urgent, affordable housing has NOT been on the Council agenda;
- 2) that the baseline for any 5% increase will be a market rent that’s already inflated and unaffordable to many city residents;
- 3) that (quote) “incentivizing” investment means that properties will continue to exchange hands at the ballooning prices in a hot real estate market, laying the groundwork for litigation that is almost certain to result in rulings justifying landlord rent increases; and
- 4) That *every* LL—good, bad, or indifferent—will be incentivized to increase their rents *every* year, so that they do not fall behind the market curve, and
- 5) That rent increases will be codified at rates in excess of average cost-of-living increases of the last 10 years.

Rather than create affordable housing solutions, Menist, Salem and others are actually on the record voting in support of zoning and developments that do NOT protect or require housing that's affordable to city residents, and also on the record supporting developer applications for non-affordable housing developments that avoid the scrutiny and approval of the City's Industrial Development Agency (IDA) by partnering with non-profits selling Low Income Housing Tax Credits (LIHTC's) to developers who, in turn, resell them to investors.

There is so much that this so-called Good Cause Eviction law does not and will not do. It does not stabilize rents, many of which have already risen to unsustainable levels for rent-burdened city residents. It does nothing to address rampant violations of tenant protections, violations that go largely unrecorded and unpunished in this City; it does nothing about out-of-town or out-of-state landlords who themselves, or through their management companies, do not maintain their properties; it does nothing about the property owners who've blighted the city by keeping their buildings vacant for years on end; it does not establish anything resembling resources like a free Court Help Desk for tenants and landlords alike. It does not deter safety, living condition violations and neglected maintenance in existing senior and subsidized housing. In brief, not only does it NOT automatically deter rent increase abuses without litigation, it practically guarantees litigation.

I urge this Council to vote "no" on proposed Resolution R-21-71, and to instead develop real solutions to the rampant displacement, gentrification, and market escalations that—in the absence of a City Comprehensive Plan—are aimed at creating an unaffordable monoculture, and destroying the diversity and vitality of this City.

Official Minutes of the Public Hearing of October 18, 2021 Public Hearing Regarding the Proposed
Local Law establishing Good Cause Eviction Legislation

At 6:13 pm the Public Hearing was adjourned.

Dated: October 29, 2021

I hereby certify that this true and correct copy of the Minutes of the Common Council Public Hearing held on October 18, 2021.

Respectfully submitted,

Jasmin N. Davis
City Chamberlain



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, October 18, 2021 6:30 p.m.

Virtual / Zoom

Welcome to the regularly scheduled meeting of the City of Poughkeepsie Common Council the date is October 18, 2021, and the time is 6:32 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 – Five present, two absent at time of roll call (Absent: Councilmembers Cherry, R. Johnson; Late arrival: Councilmember L. Johnson)

II. REVIEW OF MINUTES:

**Special Informational Meeting September 27, 2021
Common Council Meeting September 27, 2021**

**Motion to accept the minutes: Councilmember Brannen
2nd: Councilmember Menist**

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

REMOVE:

X. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

2. A PRESENTATION FROM ASSISTANT CORPORATION COUNSEL WILSON, addressing Blight Through Updated Codes and Code Enforcement.

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

1. Laurie Sandow, S. Grand Ave.

First, I'd like to speak briefly about the recent City website post and news articles regarding the preliminary 2022 budget—a 287-page, 12.5MB document only linked on October 15th, obviously not enough time for public or careful review. However, I will address one aspect of the news coverage, which seems to contradict my understanding of the current status of the City of Poughkeepsie Fire Department contract. As I understand it, the c/PK Fire Department contract expired effective January 1, 2021, and until today, so many months later, that contract is still in arbitration, and still not finalized. Somehow, the Poughkeepsie Journal article indicated positions that were added. I'd appreciate clarification about whether those positions are actually new, or only have the appearance of additions when a worker is shifted from one job title to another? Have positions been newly created but never filled? Are the positions being referenced additions, or just shifting positions and titles? How can it be that this City is okay with firefighters working and risking their lives without a signed contract?

In the brief time allotted, I also feel compelled to speak again about the City's website redesign: It's one thing to make the design more colorful, but entirely different to claim that the design is more user friendly. I understand that the new design works well for many people who only want to reach a certain department, and are not in the habit of attending various city meetings. For others, though, the new site does not work so well, even for a well-placed, tech-savvy city employee who called me this week to ask how to find a certain page. Yes, the revised website is more visually attractive. But, the website redesign is absolutely NOT more user friendly. It has destroyed the past history, accessibility and function of nearly every prior bookmark used by involved and concerned citizens. Form and style over function is the opposite of good service to the public. How many Emails a day can I or others send to the City about every link that no longer works? How many Emails must I send in reply to organizations, giving them the heads-up that

their correspondence circulates old, worthless, non-working links. I recommend that the City and the Council convene a citizen's committee or meeting to explore, critique and further improve the usability of the City's primary information and communication tool.

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

I want to announce that early voting starts this Saturday, October 23rd. It runs until Sunday, the 31st of October. The early voting site in the city of Poughkeepsie is different than it has been. It's now located at the Mid-Hudson Library Auditorium at 103 Market Street in Poughkeepsie. So just make a note of that.

I know a lot of folks take advantage of early voting. I have myself, it's very easy to get out there and vote. And there are a number of times available on the weekend, which makes it a lot more convenient. So again, that starts this Saturday and it runs until Sunday, October 31 and in Poughkeepsie. Your location is the Mid-Hudson Library Auditorium. If you're out of the city of Poughkeepsie, you can vote at the other locations if you so choose or if you want to take advantage of site right here in the city. Please make sure to do that.

And as was mentioned, the 2022 draft budget has been released by the mayor and the administration. I want to thank the mayor, city administrator, commissioner of finance department heads for getting together that budget and submitting it and releasing it on time to the Common Council. It's under review at this point, I'm going through it myself and I'm sure my colleagues are doing the same, and as we go through it, we'll have to caucus and we'll have to meet to discuss ways that we would like to make changes, amendments or things that we would like to uphold in the mayor's draft and we'll have to pass a budget for the next fiscal year by the end of this year. So I know that there's a lot of new initiatives through and new funds coming in through the American Rescue Plan funds. And so we're going to have to comb over those cost centers with a fine tooth comb. And again, I want to thank city staff for getting the budget out, and I'm looking forward to going through it with my colleagues on the council, and that's all I have for tonight.

And so we'll move to mayor's comments.

VI. MAYOR'S COMMENTS

Thank you, chair, for the opportunity. Talking about the budget, it was released on Friday, we were able to get it out on time. I can tell you, this year was probably the most difficult of all of the budgets that we have prepared because of the uncertainty on revenues. We did come under the cap and we believe that making some additional

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investments next year is good fiscal policy and look forward to having discussions with the council in the next couple of months.

We have until really December to come to you finalizing and we're coming to agreement on some of the items, items that we're all interested in. We did make obviously significant investments and asks in the parks initiatives and pool house upgrades and youth services. We also did maintain city staffing and services at we believe a responsible level. There are some things that we were challenged with and one was the additional million dollars and pension costs to the police and retirement system.

One of the other things that was spoken about earlier was the fire contract. I just wanted to say that we're not in arbitration with the fire department as it relates to the contract. We are in arbitration on a contractual disagreement that we have on overtime. But the contract itself, which we're continuing to negotiate with the firefighters, is ongoing.

I recently and I mentioned this that sent a letter to the County Executive on the sales tax agreement, which expires in 2023. Both myself and the mayor of the City of Beacon Lee Kyriacou advise the county. We are ready, willing to sit down and talk about the terms of the agreement, and they acknowledge that and we look to be setting sometime in the very near future on that sales tax agreement, which obviously will be impacting future budgets moving forward. Long after I leave office and a new mayor will take over in 2024. We did include the ARP funding in the budget. I know that was certainly something that had been discussed amongst many of us here.

And in getting further guidance from the Government Finances Officers Association and The OSC there was a meeting literally about a week before the budget or 10 days before the budget was finalized that talked about ARP and that that money is included in there, including an unprecedented amount of discretionary spending that the common council will be able to utilize in next year. And as you see fit and looking at the guidelines that the Treasury Department has put forth and also OSC and other related regulatory agencies, we designed the budget using ARP money to help with the financial gap that we anticipate again next year, much like we have done this year and the ARP money is helping us close that gap in the 2021 fiscal year. We, we believe, will be in a very similar place next year in 2022 also for and we've talked about this here within the council and within the community about ways that the community can look at ARP funding and all the things that go along with it, how it can be utilized, what the Treasury Department says, and all the things that will go into the council making appropriations to it.

We're in the process right now of developing on our new website a spot where people can go and look at all of those things. Finance is working on some user friendly graphs and other visuals that folks can go to take a look at ARP better understand and

then communicate with all of you and including us on that. On Friday, we had the just a wonderful opportunity to be visited by the Harlem Children's Zone, and Geoffrey Canada, who is been the founder and president of the Harlem Children's Zone, came to Poughkeepsie with his team. Also, our Harvard team with the Education Redesign Lab was here as well to tour parts of Poughkeepsie to talk about how the children's zone can be helpful as we move into new areas of providing opportunities and assistance to the youth of the city and the families. And that was done as a because of the collaborative effort that we started back literally in 2019 when we created the children's cabinet.

And Dr. Rosser, the county executive myself, council person Flowers were there with a whole other host of individuals from the community to have. This was a full day going to different spots within the city of Poughkeepsie and a two hour working meeting on seeing if we are the right fit for the Children's Zone to assist not only with youth programs moving forward, but also how the Children's Zone can help with the further development of the former YMCA site, which is a new would be the new home of the Youth Opportunities Union. It was a it was a really good recognition for all of us and all of us that are on the meeting tonight and others that may be listening of the work that we're doing collectively and collaboratively to be recognized and having an organization like the Children's Zone, which existed in Harlem for 20 years to come to Poughkeepsie to see what we are we're doing.

And I think we all can be proud of that and we have done a lot, but obviously a lot more work needs to be done and we'll continue to do that. We are continuing to get feedback on our housing needs assessment, which is being obviously undertaken by Patterns for progress and the comp plan and zoning endeavor. And there is a pattern for progress sort of a listing event to have more conversations on the housing study, which is going to happen on two to five at 85 Smith Street in conjunction with Hudson River Housing. I believe that they will be having a ribbon cutting ribbon cutting later in the day at a house at that spot. But pattern will be there for that part of the day two to five to listen to others who are interested in weighing in and giving their thoughts on housing.

Also, to anybody who was seeking to provide any written public comments on the study can go to the website and do that. Also, we are looking continually for information on the PK 4 Keeps effort, and that is also at PK 4 Keeps dot org, and we look forward to sharing that information with everyone as we receive it.

And tonight, chair, I'm going to keep my remarks brief as well. Thank you for the opportunity to have a conversation with you.

VII. REPORTS OF COMMITTEES AND BOARDS:

VIII. MOTIONS AND RESOLUTIONS:

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

- 1. Resolution R-21-75, Appointment of Jeff Kosmacher to the Public Arts Commission**

**R E S O L U T I O N
(R-21-75)**

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, by Executive Order EO-16-1 the Mayor established the City of Poughkeepsie Public Arts Commission (the, "Arts Commission"); and

WHEREAS, pursuant to the executive order, the Common Council has authority to appoint three members to the Arts Commission; and

WHEREAS, a vacancy on the Public Arts Commission has been created by the resignation of member Elizabeth Dahmen who was appointed by the Common Council; and

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

WHEREAS, the Common Council now wishes to appoint a member to fill the unexpired term of Elizabeth Dahmen; and

NOW, THEREFORE, BE IT

RESOLVED, that the Common Council hereby makes the following appointment with a term to expire as indicated below:

Jeff Kosmacher

Term Expires: 7/31/22

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SECONDED BY COUNCILMEMBER _____.

R-21-75						
☐ 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	☒	☐	☐	☐

2. **Resolution R-21-76**, Approving MOA with CSEA Restoring 2% Raise for Remainder of 2021

**RESOLUTION
(R-21-76)**

INTRODUCED BY COUNCILMEMBERS L. JOHNSON AND PETSAS:

WHEREAS, the City of Poughkeepsie (the “City”) and CSEA, Local 1000 AFSCME (“CSEA”) are parties to a Collective Bargaining Agreement for the period January 1, 2021 to December 31, 2025; and

WHEREAS, representatives of the City and the CSEA have negotiated on and settled upon certain financial terms and conditions to modify said Collective Bargaining Agreement which are set forth in the Memorandum of Agreement annexed hereto and made a part hereof, and

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

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

NOW THEREFORE,

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BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves a Memorandum of Agreement between the City of Poughkeepsie and the City of Poughkeepsie CSEA in form and substance as attached hereto; and be it further

RESOLVED, that the Mayor is authorized to execute and give effect to the Memorandum of Agreement and that the terms contained in the Memorandum of Agreement shall supersede any inconsistent provisions in the Collective Bargaining Agreement currently in effect between the City of Poughkeepsie and the City of Poughkeepsie CSEA to the extent that there is a conflict.

SECONDED BY _____.

R-21-76						
			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	☒	☐	☐	☐

3. **Resolution R-21-77**, Setting a Public Hearing regarding the Garden Street Bridge Over the Fallkill Creek Reconstruction Project

RESOLUTION
(R-21-77)

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

INTRODUCED BY COUNCILMEMBER CHAIR SALEM :

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

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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

BE IT 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

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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

RESOLVED, that persons who attend or participate in the public hearing shall be given a reasonable opportunity to present oral or written statements and submit other documents concerning the Project; and it is further

RESOLVED, that a record of the public hearing shall 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 Engineer and, also, to be reproduced upon written request and payment of the cost thereof.

SECONDED BY COUNCILMEMBER _____.

Chair Salem motioned to make an amendment to add “Chair Salem” as the sponsor on Resolution R-21-77. Councilmember Brannen seconded.

Amendment to add “Chair Salem” as sponsor of R-21-77						
☒ 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	☒	☐	☐	☐

R-21-77						
☒ 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	☒	☐	☐	☐

4. Resolution R-21-78, Setting a Public Hearing regarding the Washington Street Bridge Over the Fallkill Creek Reconstruction Project

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

**RESOLUTION
(R-21-78)**

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

INTRODUCED BY COUNCILMEMBER CHAIR SALEM :

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

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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

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

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BE IT 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

RESOLVED, that persons who attend or participate in the public hearing shall be given a reasonable opportunity to present oral or written statements and submit other documents concerning the Project; and it is further

RESOLVED, that a record of the public hearing shall 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 Engineer and, also, to be reproduced upon written request and payment of the cost thereof.

SECONDED BY COUNCILMEMBER _____.

Chair Salem motioned to make an amendment to add “Chair Salem” as the sponsor on Resolution R-21-78. Councilmember Brannen seconded.

Amendment to add “Chair Salem” as sponsor of R-21-77						
☒ 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	☒	☐	☐	☐

R-21-78						
☒ 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	☒	☐	☐	☐

IX. ORDINANCES AND LOCAL LAWS:

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

- 1. LL-21-03, Amending Section 14.35 of the Administrative Code Entitled “Taxes-Partial Exemption Granted; Conditions”**

LOCAL LAW AMENDING CHAPTER 14.35 OF THE ADMINISTRATIVE CODE OF THE CITY OF POUGHKEEPSIE ENTITLED TAXES – PARTIAL EXEMPTION GRANTED; CONDITIONS
(LL-21-03)

INTRODUCED BY COUNCILMEMBER MCCLINTON :

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

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

[L.L. No. 1-1996, § 1; L.L. No. 1-2001, § 2, L.L. No. 3-2006, § 1]

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

- (a) The owner or all of the owners must file an application annually in the assessor's office on or before the appropriate taxable status date or such other time as may be hereafter fixed by law. At least sixty (60) days prior to the appropriate taxable status date, the assessing authority shall mail to each person who was granted an exemption pursuant to this section on the latest completed assessment roll an application form and a notice that such application must be filed on or before taxable status date and be approved in order for the exemption to be granted. Failure to mail any such application form and notice or the failure of such person to receive the same shall not prevent the levy, collection and enforcement of the payment of the taxes on property owned by such person.
- (b) In the event the owner, or all of the owners, of property which has received an exemption pursuant to this section on the preceding assessment roll fail to file the application required pursuant to this section on or before the taxable status date, such owner or owners may file the application, executed as if such application had been filed on or before the taxable status date, with the Assessor on or before the date for the hearing of complaints. The Assessor shall approve or deny such application as if it had been filed on or before the taxable status date.
- (c) The income of the owner or the combined income of the owners of the property must not exceed twenty **nine** ~~seven~~ thousand dollars (\$~~29~~7,000) for the income tax year immediately preceding the date of making application for exemption. Where the title is vested in either the husband or wife, their combined income must not exceed the sum of twenty **nine** ~~seven~~ thousand dollars (\$~~29~~7,000.).
- (d) Title to the property must be vested in the owner or, if more than one (1), in all the owners for at least twenty-four (24) consecutive months prior to the date of making application for exemption.

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- (e) The property must be used exclusively for residential purposes, be occupied in whole or in part by the owners, and constitute the legal residence of the owners.
- (f) The amount of the partial exemption shall be computed as follows:

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

- (g) **Unreimbursed medical expenses shall be subtracted from the senior's income calculation.**

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

SECONDED BY COUNCILMEMBER _____ :

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LL-21-03						
☐ 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	☒	☐	☐	☐

X. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. A PRESENTATION FROM THE VASSAR ENVIRONMENTAL COOPERATIVE**, on Proposed Updates to the Natural Resources Inventory.
- 2. ~~A PRESENTATION FROM ASSISTANT CORPORATION COUNSEL WILSON~~**, addressing ~~Blight Through Updated Codes and Code Enforcement.~~
- 3. A COMMUNICATION FROM CITY ADMINISTRATOR NELSON**, regarding Lowering the Speed Limit on Gifford Avenue.
- 4. FROM KENDRA SMITH**, a notice of personal injury sustained on December 23, 2020.
- 5. FROM BEATRICE TISSIERA**, a notice of personal injury sustained on June 30, 2021.

XI. UNFINISHED BUSINESS

XII. NEW BUSINESS

XIII. ADJOURNMENT

A motion was made by Councilmember Brannen and seconded by Councilmember L. Johnson to adjourn the meeting at 9:13pm.

Dated: October 29, 2021

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, October 18, 2021.

Respectfully submitted,

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Jasmin Nicole Davis
City Chamberlain

