



COMMON COUNCIL MEETING

Common Council Chambers

Monday, February 4, 2019

6:30 p.m.

*6:15 p.m. Public Hearing regarding the
creation of a Human Resources Department*

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Meeting of November 5, 2018

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

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

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

VI. MAYOR'S COMMENTS:

VII. MOTIONS AND RESOLUTIONS:

1. Resolution R19-18-25, a support Resolution for the Drinking Source Water Protection Program (DWSP2).
2. Resolution R19-26, approving the designation of 21 Academy Street as an local historic landmark.

VIII. ORDINANCES AND LOCAL LAWS:

1. Ordinance O-19-02, approving and amendment to §13-175 OF THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES ENTITLED “STOP SIGNS; LOCATIONS DESIGNATED”, adding a Stop Sign on Winnikee Avenue.

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM JENNIFER RUBBO**, a presentation regarding the results of the City of Poughkeepsie Natural Resources Inventory.
2. **FROM COMMISSIONER OF FINANCE BRADY**, a communication regarding bond resolutions for four projects.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

**RESOLUTION
(R19-25)**

INTRODUCED BY COUNCILMEMBER SALEM:

WHEREAS, in May 2018, the City of Poughkeepsie joined with the Towns of Hyde Park, Esopus, Lloyd, Poughkeepsie, Rhinebeck and the Village of Rhinebeck to sign an inter-municipal agreement forming the Hudson River Drinking Water Inter-municipal Council (the “Council”); and

WHEREAS, one of the primary goals of the Council is to collaborate on protecting water quality in the Hudson River, the source of our communities’ drinking water; and

WHEREAS, New York State has launched the Drinking Water Source Protection Program (the “Program”) to help municipalities develop and implement a drinking water source protection plan for the source(s) of their drinking water; and

WHEREAS, the Town of Esopus has proposed applying on behalf of the seven municipalities in the Council, and the Council voted at its January meeting to endorse that application; and

WHEREAS, if the group is selected for the Program, each municipality’s responsibilities would include assisting the consultant conducting the source water assessment by identifying officials or staff members who can attend meetings and provide information, reviewing and commenting on documents, and other related activities; and

WHEREAS, the Program would produce an updated Source Water Assessment and a Drinking Water Source Protection Plan, and provide assistance with initial protection project implementation; and

WHEREAS, there is no cost to communities to participate in the Program; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council approves the City of Poughkeepsie's participation in a joint application for the Drinking Water Source Protection Program through the Town of Esopus; and be it further

RESOLVED, that the City Chamberlain shall cause a certified copy of this resolution to be send to the Town of Esopus for inclusion in its application; and be it further

RESOLVED, that the Mayor or the City Administrator is authorized to take further action as necessary to secure the City’s participation in the Program, if selected.

SECONDED BY COUNCILMEMBER MCNAMARA.

A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING 21 ACADEMY STREET AS A LOCAL HISTORIC LANDMARK

(R19-26)

INTRODUCED BY COUNCILMEMBER _____ :

WHEREAS, 21 Academy Street is owned by POK Academy LLC and which property has been nominated for a local historic landmark designation with the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter “HDLPC”); and

WHEREAS, the HDLPC held a public hearing on September 13, 2018 regarding the application as a local historic landmark; and

WHEREAS, the HDLPC voted unanimously in favor of the proposed designation and approved the application on September 13, 2018; and

WHEREAS, the HDLPC’s approved application was forwarded to the Common Council for consideration on September 17, 2018; and

WHEREAS, the Common Council held a public hearing on December 3, 2018 regarding the nomination as a local historic landmark; and

WHEREAS, after duly considering the factors specified in Section 19-4.5(4) of the Code of Ordinances of the City of Poughkeepsie, the Common Council hereby finds that 21 Academy Street possesses special character, historic and aesthetic value as part of the cultural, economic and social history of the City of Poughkeepsie; embodies distinguishing characteristics of an architectural style; is identified with historic personages; and is the work of a designer whose work has significantly influenced an age.

NOW THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie Common Council hereby designates the 21 Academy Street as a local historic landmark, adopts the Statement of Significance as

attached hereto and authorizes and directs the City Chamberlain to forward the notice of the designation to the Dutchess County Clerk for recordation.

SECONDED BY COUNCILMEMBER _____ .

**ORDINANCE AMENDING §13-175 OF THE
CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED “STOP SIGNS; LOCATIONS DESIGNATED”
(O-19-02)**

INTRODUCED BY COUNCILMEMBER _____:

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

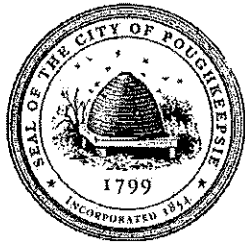
SECTION 1: Section 13-175 of the City of Poughkeepsie Code of Ordinances entitled “**Stop Signs; Locations Designated**” is amended by the **ADDITION** of the following language:

On Winnikee Avenue, at its intersection with Harrison Street and North White Street, both directions.

SECTION 2: This Ordinance shall take effect immediately upon adoption.

SECONDED BY COUNCILMEMBER _____ .

**BOLD and UNDERLINING INDICATE ADDITION
BRACKETS [] AND ~~STRIKETHROUGH~~ INDICATE DELETION**



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, November 5, 2018 at 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL- 8 present 1 absent (Councilmember Cherry)

II. REVIEW OF MINUTES:

CCM August 27, 2018						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

ADD:

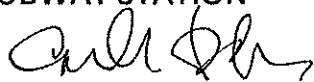
VII: MOTIONS AND RESOLUTIONS:

2. Resolution R18-94, approving the allocation of funds from community development and improvement funds to the 2nd, 3rd and 8th Ward.

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

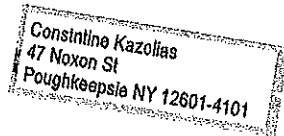
Constantine Kazolias-47 Noxon Street

AFTER READING THE ARTICLE BY THE TWO COMMON COUNCIL MEMBERS WHO WERE REMOVED BY THE COMMON COUNCIL FROM THE IDA BD BECAUSE OF THE CONFLICT OF INTEREST!!! SEVERAL REASONS WERE: SELF APPOINTING AND VOTING FOR THEMSELVES, WHEN THE CITY IDA BD IS AN INDEPENDENT. THE ARTICLE I FOUND LUDICIOUS TO THE POINT OF HAVING THE AUDACITY, IN CONSTRUCTION JARGAN WE USE ANOTHER WORD. F.Y.I. BOTH C.C. 'VICTIMS' WHO WERE INSTRUMENTAL IN EXPANDING THEN IDA BD FROM 5 TO 7, AND SELF APPOINTING THE TWO WHO VOTE IN UNISON LIKE THE HECKLE AND JECKLE BIRDS. WHEN THE IDA BD BY LAW IS INDEPENDENT. THE ARTICLE IS AN INSULT TO THOSE 200 CITY PROPERTY OWNERS WHOSE NAMES APPEARED IN THE LEGAL POJO NEWS, WHO ARE IN THE 3RD YEAR TAX ARREARS BEFORE LOOSING THEIR PROPERTY. WHILE THESE TWO 'VISTUMS' VOTED TO GIVE THE MAPLE STREET MILLIONARES BOYS CLUB A \$1.5 MILLION IN CITY/COUNTY SUBSIDIES, WHILE THE 200 PROPERTY OWNERS ARE HAVING TO SCRAP UP ONE MILLION IN TAX ARREARS. THIS IS WHAT I CALL SOCIALISM FOR THE RICH A D CAPITALISM FOR THE POOR. THE CORE AREA OF POUGHKEEPSIE FROM THE RIVER UP MAIN IS PRIME FOR GENTRIFICATION. PARKING IS A PRPROBLEM AND THESE MONIED DEVELOPERS MUST GIVE SOME THING BACK TO CITY AS A PARKING GARGE/DECK, AS JPMORGAN BUILT NEW SUBWAY STATION



Constantine Kazolias
47 Noxon St
Poughkeepsie NY 12601-4101

CONGRESSMAN MOLONEY DEFEATED NAN HAYWORTH WITH A 100%, 4000 VOTE FROM THE KYREAL JOULE CULT, THE ZONNING FOR 200+ NFP UNITS IS STILL OPEN FOR THE JCC WHOSE RABBI WAS ASSOCAITED WITH THAT CULT. THIS CULT WAS SNIFFING AROUND FOR ACREAGE IN THE INNIS AVENUE AREA... RINO ROLLISON IS ENDORSING MOLONEY WHOSE HAS TAKEN CARE OF 8 NEWBURGH FIREMEN WITH A FEDERAL GRANT, ARE THE 8 NOW ON CITY POUGHKEEPSIE PAYROLL? SHOW MAILER.MAYBE RINO ROLLISON SHOULD HAVE ENDORCED CUOMO. CUOMO WOULD HAVE GIVEN POUGHKEEPSIE \$10 MILLION LIKE NEWBURGH, KINSTON AND CATSKILL. GOT.POUGHKEEPSIE GOT A BIG ZERO!!!



Laurie Sadow-South Grand Avenue
Sheila Drew-66 Washington Street
Al Bosco 32 Thornwood Drive
Jeff Domanski-Beacon New York
Angela DeFelice- 10 Grand Street

Official Minutes of the Common Council Meeting of November 5, 2018

November 4, 2018

Dear Chair Finney:

I am very concerned about your recent decision to remove two council members, Sarah Salem and Sarah Brannen, from the IDA. The claim that they cannot serve on the IDA due to a potential conflict of interest would naturally extend to everyone who also serves as a council member, and thus, includes yourself. If there is ever a perceived conflict of interest on a particular issue, there are procedures to follow, such as having a council member recuse him or herself from that issue. There is no reason that he or she should be removed from the board entirely.

Their removal speaks to a larger concern that I have about how this issue was dealt with – namely, in a heavy-handed way without due process. As someone who volunteers my time to serve on a city committee, it concerns me that someone could be dismissed from service simply because of a perception of bias. The process that the IDA followed to remove Salem and Brannen sets a dangerous precedent.

I know that you care deeply about Poughkeepsie, and its future. So do we all. Let's reinstate Salem and Brannen and move forward with development projects in a reasonable and sound manner.

Sincerely,

Cornelia Harris

WAC Committee Member

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Finney as to the issues with conflict of interest and the IDA resolutions, she has addressed some of the concerns already in a memo, which is going into the record as part of this agenda. It briefly addresses some of the concerns that were raised about conflict of interests. More pertinent at this time is that it describes the activities with regard to financial review and oversight that the Finance Committee Chair and she are discussing before moving forward. So although this statement of hers was not available for this evening's meeting, it will be part of the budget meetings moving forward between now and when we expect to adopt the budget, December 3rd, she hopes. It will be available for those who want to see it. The 2017 audit has come out, and the very good news is that the 16% tax increase, which was a shock, and was painful, appears to have generated stable cash for the city, not only in 2017, but to be part of the minimal tax increases in 2018 and in 2019. Thinks that this is particularly important and that it is one of the issues that the Council Finance Committee will be preparing for the council's consideration it raises the question whether tax exemptions or zoning variances or other measures which cost money, but are intended to encourage the growth of the tax rolls, whether those are no longer necessary. The financial impact, the success of the tax increase was achieved without reliance on any particular tax incentives. Thinks that is a very important piece of data, which we will be asking council to consider.

Official Minutes of the Common Council Meeting of November 5, 2018

The city administration has already had a few conversations along those lines with members of the administration, and it is a very intriguing and frankly a very encouraging possibility that tax incentives that cost money may not be needed as desperately as they are needed or perceived to be needed in the past. Another topic which we have asked the mayor to look at, and he will have some comments on it later this evening, the shootings in the 5th ward. We have increased the budget for police presence, and a 2nd issue we would like the city to look at and make some recommendations has to do with providing financial support for additional prosecutions. Because no matter how many arrests the police make, if the crimes are not prosecuted, we will not make progress. Look forward to hearing from the city on that point. It is Mr. Petsas's birthday, we should all wish him a Happy Birthday. Councilwoman Cherry had a successful birth. Her daughter, Rayne was born Thursday evening, and they are doing well, and we look forward to Mrs. Cherry's return to participation in the Common Council as she goes through the maternity leave. Because it's the end of the year, we are expecting to have a few special meetings to make sure that we cover the budget and any other topics are timely depending on Mrs. Cherry's availability, I would say we are planning 1-2 special meetings at the end of the month. Look forward to her full participation.

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Comments of the Chair of the Common Council regarding conflicts of interest and membership on the IDA Board of Directors: November 5, 2018

1. *There is a general conflict of interest*, when Council members serve on the IDA. Recusal does not solve the general conflict, in this instance.

Recusal—not voting on issues before both the Common Council and the IDA—would result in the affected Council members' having no input on economic development matters that are of interest to both the Council and the IDA. Affected Council members could not vote at either Council meetings or at IDA meetings.

By removing the Council members from the IDA, the Council is assured of those Council members' full participation in the discussions, analyses and decisions before the Council, as to IDA related matters—economic development in general and in specific—the DeLaval property, the tax burden of PILOTs, the relationship between the County's and the City's IDA initiatives, what initiatives and policies the IDA should be pursuing on behalf of the City.

The Council—by a vote of 6 to 3—voted to retain the participation of all its Council members, as Council members, rather than have any Council member sidelined at both the Council and the IDA, on these critical matters.

2. *Actual conflicts.* There are a number of disputes on the one side-- the Common Council majority, the Common Council leadership, the Common Council Finance Committee, who are in agreement—and the current and past membership of the IDA board of Directors.

a. *There is a substantial debt owed by the IDA to the City*—approaching \$ 500,000—and carried on the books of the IDA and the City for many years. At this time, the IDA has over \$ 300,000 in cash, but the current IDA Board has refused to implement a repayment plan.

Instead, the current IDA Board is planning to commit to a \$ 93,000 per year Executive Director, who will be working part-time, no more than 1,000 hours per year.

The City and the Common Council are faced with two choices—sue the IDA for repayment, or ask the Common Council to remove the recalcitrant board members, who are refusing to pay the outstanding debt.

The majority of the Common Council, the majority of the Council leadership, and all four of the Finance Committee have decided to remove and replace IDA directors, as the simplest resolution of the \$500,000 outstanding debt.

b. *There is an actual conflict between the current IDA board of directors and the Common Council Finance Committee, as to the direction and purpose of the IDA.*

There are now three years of financial experience and projections strongly indicating material changes in the City's need to make tax concessions, in order to put new or underutilized properties on the tax rolls. This financial data presents the intriguing and critical opportunity to reconsider the traditional and not very successful tax and zoning incentives, that the City IDA has been using for many years.

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(See also, <https://www.poughkeepsiejournal.com/story/news/investigations/2016/10/30/tax-exempt-millions-breaks-idas-jobs/930034916>, regarding the lack of measurable success of IDA's in New York State.)

This outcome, and the implications for the activities of the IDA, are the subject of ongoing discussion by members of an informal inter-agencies working group on economic development--Council leadership, the Council Finance Committee, the City economic and administrative leaders, and members of the current IDA board of directors, and their attorneys. The working group has reached out to community stakeholders and counsel, as well as County economic development stakeholders.

Briefly, the shock treatment of the 2017 16% tax increase has stabilized the City's cash flow, in very important ways, as well as generating small surpluses. This success has been achieved without any demonstrable reliance on tax or economic incentives. One might say that the success was achieved in spite of the mediocre results of tax incentives.

The City has published its 2017 audited year end results, of the first full year of the 16% tax increase.

The audit shows, especially at page 56, that the City's cash flow is not only stable, but includes significant additional cash and flexibility with impressive abilities to respond to changes during the year. For example, employee benefit expenses were lower by \$ 1.48 million, which savings enabled the City to respond to an equally large failure to achieve the departmental revenue goals.

During 2018, the City was able to commit to a substantial increase in police personnel costs, in response to unexpected levels of attrition. Again, this flexibility is due to the stability provided by the 16% tax increase.

The 2019 tax increase is almost microscopic in terms of tax rate increase. Of a 1.83% tax increase, almost all of it is the result of increased property values, not increased City spending nor an increased need for cash.

The first example of this conflict—the need for expensive incentives—arose in references to the Baxter project. Those Common Council members who were removed from the IDA had been unwilling to accept the direction of the Council leadership or the Council Finance Committee, on economic incentives for the Baxter interests. This unwillingness is itself a conflict. It is also an internal management issue that the Common Council resolved, with a vote of 6-3.

c. There is an actual conflict among the roles of the Common Council, the IDA and the Board of Zoning Appeals. The financial results of the 16% tax increase raise the same questions about zoning exceptions—does the City need to grant zoning exceptions in order to increase the tax rolls, while simultaneously risking the stability of the surrounding properties' tax values.

Most of the projects presented to the IDA call for exceptions to the zoning code. These exceptions have an immediate fiscal impact on the surrounding properties, which fiscal impact is not considered by the BZA at this time. However, the public response to these exceptions routinely includes fear of reduction in the surrounding properties' values and taxable revenues.

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The Chairs of the Common Council and the Common Council Finance Committee are considering, among other initiatives, a fiscal impact statement for zoning variances, especially short-term conditional variances. This requirement has also been identified as worth consideration by the inter-agencies working group on economic development.

The Chair of the BZA is a member of the IDA Board of Directors. The Common Council majority may determine to replace him on the IDA. His full participation on the BZA is needed, such that he cannot manage the conflicts by recusing himself.

This role of zoning is a question that will require a lot more work on the part of the BZA and its leadership. The Common Council may determine that this zoning work is the priority, rather than one individual's having joint membership on the IDA and the BZA with the attendant limitations of recusals.

d. The Chair of the Common Council Finance Committee has initiated the topic of a developer fee, or cash driven community benefits agreement as mandatory for any City provided economic incentives or exceptions. This developer fee would be dedicated to immediate needs in the vulnerable wards and neighborhoods. It might be expanded to requests for zoning variances as well. The inter-agencies working group will be looking at this topic, in detail.

A developer fee could compete with the administrative fees that the IDA would be collecting. As the IDA has already indicated a reluctance to use its cash for simple obligations such as debt repayment, the Common Council leadership have identified an actual conflict of interest between developer fees and IDA administrative fees.

e. The City's 2019 budget refers to increases in mortgage tax recording fees and parking revenues. The City's 2019 budget projects increase in mortgage tax recording revenues and parking fees. As the 2017 City audit reported, especially on page 56, shortfalls in these types of revenues can have a significant impact.

However, routinely, the IDA waives mortgage tax fees and the BZA is increasingly waiving parking space requirements. These are actual conflicts, with the IDA, as to the City's budget and revenues, which budget and revenues are under the control of the Common Council.

f. The Council Finance Committee and the inter-agencies' working group are considering an increased emphasis on aggressive solicitation of grants, and aggressive recruiting of out-of-town businesses, rather than responding to local builders only.

The benefits of a proactive approach and a shift from supporting local builders is demonstrated by two sets of data—p. 60 of the 2017 audit and difficulties of the DeLaval project.

As shown on p. 60 of City's 2017 audit, the City can significantly improve its revenues from grants. Such an effort will require funding and complete cooperation between the IDA and the rest of the City's economic development and budget agencies, including the Common Council. However, to date, the IDA has shown interest only in local builders, offering incentives that may no longer be relevant or necessary to the City, with results that have been disappointing, if not scandalous.

The need for pro-active out-of-town recruiting and looking beyond the City of Poughkeepsie and Dutchess County is demonstrated by the years' long inability to solve the Rubik's cube of riverfront development. The DeLaval project especially shows the limits of relying on local talent.

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The putative developer of record has or has not committed to a commercially oriented development, but has repeatedly walked back his references to commercial real estate, by describing his inability to finance a commercial project.

The Inter-agency economic development working group has started with the assumption that this builder is telling the truth about his self-described limitations. From there, the working group is starting to outline the implications—should the City should be looking for another developer or another plan, or waiting until the market has changed, or some combination of these processes.

It's very complicated—a Rubik's cube—with many stakeholders. The Common Council has voted, 6 to 3, that individual Council members can participate only as members of the Common Council, within the management framework of the Common Council.

g. There is a conflict, in the IDA's having ignored the Common Council's and the City's priorities of resolving inherited problems—Inherited problems include the Water Club PILOT and bankruptcy proofing of municipal assets, the allegations of unpaid use of a riverfront parking lot at Shadows, the Tetra-Laval litigation and its relevance to the value of the DeLaval site and its relevance to accurate reporting of the deficit, New York State's delays in releasing \$ 592,000 for Kaal Rock projects, a delay that may or may not implicate further riverfront development planning.

The IDA has not been focusing on these inherited responsibilities. It has refused to pay its debt to the City. It is responding only to new proposals to grant tax incentives, without referring to the City's greatly improved present economic condition, or responding to the elected members of the Common Council, who represent the residents of the City, including the five or six wards which are not getting cash from IDA incentives. The IDA is rushing to hire an extremely expensive part-time director, without an operating budget, and without the support of the City or the Common Council.

For these reasons, the Common Council voted 6 to 3 to remove Common Council members from the IDA. These same six Common Council members have indicated a commitment to appointing the IDA Board of Directors, as needed, to avoid future conflicts.

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VI. MAYOR'S COMMENTS:

Mayor Rolison- a couple of things that are happening in the future, and want to highlight a few things that have happened since our last meeting together. We have held our organizational meetings for this year's Celebration of Lights, which will be taking place here in the city on November 30th at 6:30 p.m., Crannell Street parking lot down to Donegan Park at Clover and Mill, where there will be a firework display. This yearly event, for about 25-26 years now was recently named "Hudson Valley's Best Festival", by Hudson Valley Magazine. That's going to be a great night, and everyone can get together, and march down Main Street to watch the fireworks together. Also, November is Homeless Awareness Month and we are going to be conducting a drive here at City Hall in conjunction with Hudson River Housing. We had another successful parade here on the 20th for Halloween, it was the Grace Pumpkin Parade for Grace Smith House. It was the largest. It was the 3rd year in a row, and that was from Pulaski down to Waryas and it was a busy weekend here in the city. There was Fall in the Park at Malcolm X Park, there was also the Walk for Freedom, which was very well attended too, which started here at City Hall earlier in the morning. We have a new staff person that is on, started the middle of last week, Daniel Vonknoblauch is our new parking department Administrator, working downstairs on the 2nd floor. We are excited about that, and he is very happy to be here and we are too, he is ready to go to work on all matters parking related here in the city. On October 20th there was a great ceremony at Family Services dedicating the sculpture installation, honoring John Flowers. The actual sculptures which were made out of medal and or iron. Also want to especially thank Holly Wahlberg who has put together a display on the 1st floor and the 3rd floor, highlighting the contributions of the City of Poughkeepsie residents in WWI and also believe WWII. If you get a chance, it just came up, and it's titled, "The Poughkeepsie's Part in the World War". It highlights really vividly and graphically emotionally what people from this city did in sacrificing to keep this world, especially this country free. On October 30th there was a solidarity vigil held at Temple Beth-el because of the shootings in Pittsburgh. It was sponsored by the Inter-Faith Council and the Jewish Federation of Dutchess County. Had gone there not exactly knowing what to expect, but there were from anywhere from 700-800 people from all over the greater Poughkeepsie area and beyond that came to that event. And, what we heard that night really made you feel good about being a member of this community. Because obviously a lot of people care. I'll leave you with this particular part of the event, it was sort of universal, what the takeaway for him was, we need to listen to one another, we need to respect the difference of opinion, we need to discuss how we feel about things openly, we need to be decent, and we need to be, and when we do that, we know we do better. Not only for our community, but for our positions, whether it's a member of city government or someone who lives on a particular street, and we know that the world is a better place. And it's unfortunate that things happen in such tragic ways, such as the events in Pittsburgh that brought everyone together to have that discussion. And it's not a discussion that ends on one night after an hour and twenty-five minutes of talking these things through. And now we find ourselves here I in the city being under seize, so to speak in the past 5-6 days of shootings, which we have not experienced in a good number of years, at this frequency. And the shootings, also have arrived out of battles between people over things they shouldn't be battling over-drugs-turf wars-disputes. And hopes that the greater community knows that we're standing up against that as well. This has happened here and we have to respond to it. Wants to just talk about a few things that he can

tonight, and to brief the council and others on what we know, what we're doing, and what we are going to continue to be doing. They are all separate incidents, not related to one another. Now that could change, but at this particular point and time the police departments feels that they are not linked. But I can say that every single one of them was part of a dispute that most likely the individuals who were the victims and the perpetrators of the shooting knew one another to some extent. At this time we have a full investigative team. Not only the men and women of the City of Poughkeepsie Police Department, but the Dutchess County Drug Task Force, The Bureau of Alcohol and Tobacco and Firearms is analyzing all of the evidence. The District Attorney's Office, The Hudson Valley Crime Analysis Center and The Hudson Valley Safe Streets Task Force, along with all of other federal, county and local partners are all working together to bring these crimes to a successful conclusion and hold people accountable. We also have increased police patrols in areas that need it because of some of these incidents that have taken place throughout the city. The SNUG team is actively involved in each one of these crimes and they're doing their thing, which is separate from the police investigation. Thinks that people need to come forward if they know anything about these particular incidents of violence. Some were during the daylight hours where people could have seen something. And if they would come forward, even if it's something they think doesn't sound all that important, it might very well be important. You can call our tip line 451-7577. It's interesting too when there aren't a lot of patterns to these things and they happen more frequently than they have in the past. The last shooting we had was in September, and the one before that was in July. But now we have these in a row, and we will continue to work around the clock to hold people accountable. Thinks that we have a responsibility, not only because of these acts of violence, just in general to be more respectful, to be decent, to be civil, and to work together on all things we can to help the city prosper.

VII. MOTIONS AND RESOLUTIONS:

- 1. A motion was made by Councilmember Petsas and seconded by Councilmember Lorraine Johnson to receive and print.**

Councilmember Brannen made a motion to amend the resolution to add 2 workshop meeting dates (November 16, 2018 at 5:30 p.m. and November 19, 2018 at 5:00 p.m.) along with the public hearing (November 26, 2018 at 5:30 p.m.), **Councilmember McNamara** seconded the motion. **Vote 8/0**

RESOLUTION (R-18-93)

INTRODUCED BY COUNCILMEMBER PETSAS

WHEREAS, the Common Council has received the Mayor's proposed 2019 budget for the City of Poughkeepsie and the budget message from the Mayor; and

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

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

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie shall hold a budget review session on the proposed 2019 budget on Friday, November 16, 2018 at 5:30 and Monday, November 19, 2018 at 5:00 p.m. and a public hearing to receive comment from the public concerning the proposed 2019 budget on Monday, November 26, 2018 at 5:30 pm in the Common Council Chambers, Third Floor, City Hall, 62 Civic Center Plaza, Poughkeepsie, New York and the Chamberlain is hereby directed to publish proper notice of the above hearing.

SECONDED BY COUNCILMEMBER LORRAINE JOHNSON

R 18-93						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

2. A motion was made by Councilmember Petsas and seconded by Councilmember Lorraine Johnson to receive and print.

**RESOLUTION
(R18-94)**

INTRODUCED BY COUNCILMEMBER SALEM

BE IT RESOLVED, the Common Council of the City of Poughkeepsie hereby approves the appropriation of \$2,250 from Contingency- Community Development and Improvements (01.20.1900.7498) for miscellaneous planting and beautification- Ward 2 in the amount of \$1900; community educational forum- Ward 2 in the amount of \$100; Halloween festivities and miscellaneous plantings- Ward 3 in the amount of \$750; and Spratt Park improvements in the amount of \$1200- Ward 8.

SECONDED BY COUNCILMEMBER PETSAS

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R 18-94						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. FROM ROCHELLE JAMES**, a notice of personal injury sustained on August 2, 2018. **Referred to Corporation Counsel**
- 2. FROM LOUIS RITACCO**, a notice of personal injury sustained on October 8, 2018. **Referred to Corporation Counsel**
- 3. FROM PK BREWING CORP.**, located at 178 Main Street, a notice of intent to obtain a liquor license. **Referred to Corporation Counsel**

X. NEW BUSINESS:

Councilmember Brannen entered the following documents into the record:



**THE CITY OF POUGHKEEPSIE
NEW YORK**

November 1, 2018

Common Council Members
Mayor Rollson
City Administrator Nelson
City of Poughkeepsie
62 Civic Center Plaza
Poughkeepsie, NY 12601

VIA ELECTRONIC MAIL

Dear Council Members, Mayor Rollson, and City Administrator Nelson:

We write to you to express our concern over the Common Council's increased and detrimental role in the City of Poughkeepsie Industrial Development Agency's (IDA) conduct of its business. The resolution, R18-85, removing us as Council member representatives to the IDA Board, that the Common Council Chair introduced and that passed by a majority vote of the Council, was factually erroneous, as this letter will detail.

Given the Council Chair's own statements, it has since become clear that the resolution was the first step toward her ultimate goal of creating what she has called a "placeholder board" that will halt all applications in the pipeline of the IDA until such time as she has secured the support to abolish the City of Poughkeepsie IDA. This is a position that would have long-lasting and devastating impacts on the city's revitalization efforts.

The events leading to R18-85 began with the IDA's consideration of a PILOT application by the RL Baxter Building Corp. for a project on Maple Street. The application underwent a comprehensive and thorough consideration process, with two public hearings and deliberation by the entirety of the IDA Board. In August, the IDA Board approved a 10-year PILOT for the project because most of the members believed it would add value to the City of Poughkeepsie and increase the vibrancy of the "Middle Main" neighborhood by bringing mixed-income housing, a bright open public plaza, and a space for the community to gather. Local residents, business owners, and the Council member representing the site all expressed support for the development. Moreover, the project, which could not be constructed without the modest tax abatement, will generate a considerable net positive tax revenue for the city, a ten-fold increase in the first year and more than \$500,000 in new tax revenue to the city over the first 10 years.

In the course of the IDA board's review of this project, the Chair of the Common Council indicated to us that she was not in favor of this project and, because of that, threatened to "fire" all IDA Board members who voted in favor of this project and institute a "placeholder" board that would halt all development incentives. This retaliatory position is evidenced by the first set of resolutions, on the Council agenda for August 27, 2018, which focused on the RL Baxter Building Corp. Maple Street project. When those resolutions were removed from the agenda

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due to lack of support, the Council Chair introduced R18-85 on September 17, 2018, which alleged a conflict of interest in Council members holding seats on the IDA board.

During the Council meeting on September 17, 2018, we respectfully requested a thorough legal review of the alleged conflict before a vote on the resolution was taken. Although that request was denied and the resolution passed, we have since received an opinion from two attorneys. Harris Beach, the attorney for the IDA, offered a comprehensive legal analysis of the alleged conflict. It is clear from this letter that the Council Chair's limited knowledge of municipal governance has led to a mistaken interpretation of conflict of interest and how that impacts the compatibility of our offices. As concluded by Harris Beach in the attached letter, there is no conflict and the two offices are expressly compatible as a matter of state law.

Moreover, we have sought the guidance of the General Counsel to the New York Conference of Mayors, Mr. Wade Beltramo, as to the question of conflict and compatibility of offices. Similar to the opinion provided by Harris Beach, Mr. Beltramo has stated that there is no inherent incompatibility between the office of Councilmember and IDA board member. Moreover, if ever there was a legal action between the two entities, which there is currently not, the recommended remedy would be recusal on related matters, not a resignation or removal of office.

Resolution R18-85, as well as the recently published call for resumes for new IDA board applicants to replace additional sitting board members, amounts to an attack on all development activity in the city. It is misguided, misinformed, and dangerous. The IDA board does not provide funds to businesses, as some have claimed. Rather, it provides a discount on future tax revenue that would not exist were it not for development incentives. Many of us appointed to the IDA board in January volunteered our time and energy because we believed in a vision of Poughkeepsie supported by inclusive development that would benefit all neighborhoods and residents. We revised our mission statement to reflect that intention and value. We also began to change the way in which the board considered tax incentives to end the Tkaczyk administration's and previous IDA Chair Calogerakis's overly generous PILOT awards.

Development occurs in moments of favorable market conditions when there is demand for new building and affordable interest rates. The City of Poughkeepsie is experiencing a window of opportunity that, by many accounts, will likely close with the onset of a national recession within the coming year. The City, which is already under fiscal stress, having only recently begun its recovery from the last, devastating recession, should be focused on expanding our tax base to alleviate the burden on homeowners and on supporting commercial and high-quality, mixed income housing development and rehabilitation.

There are a number of potential projects before the IDA that, if reviewed and negotiated correctly, stand to greatly benefit our community. One such project is the development of the southern waterfront, currently a closed off parcel of land that was once available for the community to enjoy that has been vacant for two decades. The IDA is the agency responsible for signing a lease and negotiating a potential PILOT for this redevelopment that can bring this section of the City of Poughkeepsie's waterfront back to life. The action to remove the Council representatives from the IDA board and the Council Chair's attempt to create a board that will end development incentives for positive, inclusive projects will be an egregious mistake that will set the City's progress back on the waterfront and other development for years to come.

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We, therefore, call upon our fellow Common Council members to take immediate steps to rectify the problems created by R18-85 and ensuing attempts by the Council Chair to control all actions of the IDA. Specifically, we ask the Common Council to rescind R18-85 and not to appoint new board members to the IDA, but rather maintain the five board members that are already in place. The City of Poughkeepsie cannot afford continued disruption to its economic development operations at this critical time. Additionally, we ask that the Common Council take immediate steps to appoint members to the City's now vacant Ethics Board, the body with legal authority to review questions of conflict of interest, so that future questions of conflict can be handled properly and within the prescribed law. Finally, we invite the Mayor and members of the Common Council to work in collaboration to form a task force to develop a guiding vision for housing and commercial development in the city that will aid in the IDA's future decision making.

Sincerely,

Council Member Sarah Salem, 2nd Ward

Council Member Sarah Brannen, 4th Ward

CC: Paul Ackermann, Corporation Counsel
City of Poughkeepsie Industrial Development Agency Board Members

Official Minutes of the Common Council Meeting of November 5, 2018

From: Patrick M. Malgieri [mailto:pmalgieri@HarrisBeach.com]
Sent: Monday, October 22, 2018 12:33 PM
To: Tyler Jones
Cc: Christopher A. Andreucci
Subject: RE: Conflict of Interest/Incompatibility of Office

Tyler, I am following up on our discussion from earlier today. A question has been raised following my e-mail of October 8th below in which I addressed the question of whether Bill Brady would be precluded, as a matter of law, from serving as the CFO of the City of Poughkeepsie Industrial Development Agency (the "Agency") by virtue of his employment by the City of Poughkeepsie (the "City") as its Chief Financial Officer. The question now presented is whether, as a matter of law, Sarah Brannen and Sarah Salem are precluded from serving as members of the Agency by virtue of the fact that they each serve as a member of the Common Council of the City. As you know, they previously served as members of the Agency until the Common Council, acting in its statutory capacity as the appointing authority with respect to the Agency's members, removed them from office earlier this year and reduced the membership of the Agency from seven (7) members to its current number of five (5). For the reasons largely covered in my October 8th e-mail below, I believe that neither Councilmember Brannen nor Councilmember Salem are precluded by law from serving as members of the Agency due to their respective status as members of the City's Common Council, either by reason of incompatibility of office or a conflict of interest.

The Agency was formed pursuant to the provisions of Section 917 of the General Municipal Law of the State of New York (the "GML") which provides, in relevant part, that the "agency, its members, officers and employees and its operations and activities shall in all respects be governed by the provisions of title one of article eighteen-A of this chapter." Section 856(2) of the GML, which empowers the local governing body of the municipality (in our instance, the City's Common Council) to appoint members to the agency's governing, policy-making board, expressly allows members of the Agency's board to include "representatives of local government..." [emphasis added] Section 856(4) of the GML goes even further and provides, in relevant part that "[A]ny one or more of the members of an agency may be an official or an employee of the municipality. In the event that an official or an employee of the municipality shall be appointed as a member of the agency, acceptance or retention of such appointment shall not be deemed a forfeiture of his municipal office or employment, or incompatible therewith or affect his tenure or compensation in any way." [emphasis added] In short, the statutes governing industrial development agencies (such as the Agency) expressly contemplate and sanction the appointment of municipal officials (elected or otherwise) to the IDA governing boards, thus eliminating any potential argument that the holding of both offices is incompatible as a matter of law.

As with my thoughts in my October 8th e-mail regarding Mr. Brady, whether Councilmembers Brannen's and Salem's service on the Agency's board could give rise to possible incompatibility in the event of an actual, contested dispute between the City and the Agency (such as, for example, the City's claim for repayment of a loan previously made to the IDA), the answer can really only be known if and when any such dispute arises and its issues and implications are more fully understood. The Agency and Councilmembers Brannen and Salem could, of course, make the determination at that time that, regardless of whether incompatibility exists as a matter of law, it would be in the best interests of the Agency at that time to terminate one or both of their respective appointments.

On a final note, I also do not believe that the holding of both offices gives rise to a conflict of interest as that term is understood and defined in the GML. Section 800(3) of the GML defines the term "interest" to mean, in relevant part, "a direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with such municipality which such officer or employee serves." [emphasis added] There is, obviously, no "contract" with the City in this instance, nor is there any compensation due or paid to the members of the Agency board outside of reimbursement of any out-of-pocket expenses which may necessarily be incurred in the discharge of their duties and approved by the Agency. Simply stated, the statutory elements of a conflict of interest do not exist in this instance and there is simply no "pecuniary or material" benefit or interest that Councilmembers Brannen and Salem would derive from their appointment to the Agency board.

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Once again, this response is intended to reflect my preliminary thoughts and analysis of the issues raised. A formal opinion of our firm, if the Agency should so request one, would necessitate further, detailed research and analysis as well as a full internal review by our firm's opinion committee. If, after reviewing this e-mail with the other members of the Agency, the board determines that it wishes to have our firm undertake the work toward the issuance of an opinion in this matter, please let me know. Thank you. Pat

Patrick M. Malgieri

Partner

HARRIS BEACH PLLC

ATTORNEYS AT LAW

White Plains Office
445 Hamilton Avenue, Suite 1206
White Plains, NY 10601
914.298.3017 Direct
914.683.1200 Main
914.683.1210 Fax

Rochester Office
99 Gamsay Road
Pittsford, NY 14534
585.419.8665 Direct
585.419.8816 Fax
Website | Bio | Add to Contacts

p r a c t i c e G R E E N

Save a tree. Read, don't print, emails.

Official Minutes of the Common Council Meeting of November 5, 2018

From: Patrick M. Malgieri
Sent: Monday, October 08, 2018 12:07 PM
To: 'Tyler Jones' <pastortyler@gmail.com>
Cc: Christopher A. Andreucci - Harris Beach PLLC (candreucci@harrisbeach.com)
<candreucci@HarrisBeach.com>
Subject: Conflict of Interest/Incompatibility of Office

Tyler, I am following up on our discussion from earlier today. As we discussed, Common Councilmember Sarah Brannen forwarded an e-mail to me last week from Council Chairperson, Ann Finney, in which she stated that the appointment of the City of Poughkeepsie's Chief Financial Officer, William Brady, as the Chief Fiscal Officer to the City of Poughkeepsie Industrial Development Agency (the "Agency") would constitute a conflict of interest. As a matter of New York law, I do not believe that Mr. Brady's appointment to that position by the Agency would constitute a conflict of interest on his part. Although Councilmember Finney does not frame the issue in these terms, I suspect that she may view the holding of the office of the CFO for the Agency as being incompatible as a matter of law with his employment by the City of Poughkeepsie (the "City"). However, I also do not believe that the holding of both offices is, as a matter of law, incompatible.

Conflicts of interests applicable to municipalities and their officers are governed by Article 18 of the New York General Municipal Law (the "GML"). Section 801 of the GML provides that "no municipal officer or employee shall have an interest in any contract with the municipality of which he is an officer or employee when such officer or employee, individually or as a member of a board, has the power or duty to (a) negotiate, prepare, authorize or approve the contract or authorize or approve payment thereunder [or] (b) audit bills or claims under the contract,...." There are exceptions to this prohibition set out under Section 802, none of which are applicable to the instant matter.

The operative word of Section 801 quoted above is "interest" since that is what is being prohibited under the terms of the statute. Section 800(3) of the GML defines the term "interest" to mean, in relevant part, "a direct or indirect pecuniary or material benefit accruing to a municipal officer or employee as the result of a contract with such municipality which such officer or employee serves." [emphasis added] It should first be noted that the appointment of Mr. Brady by the Agency as its CFO would not necessarily involve any contract with the City. Moreover, under the terms of the proposed appointment of Mr. Brady by the Agency as its CFO (which I understand will be without compensation of any kind other than, of course, reimbursement of any out-of-pocket expenses which may necessarily be incurred by him in the discharge of his duties and approved by the Agency), there is simply no "pecuniary or material" benefit or interest that Mr. Brady would derive from his appointment. Even if, for the sake of discussion, the Agency were to enter into a contract with the City for Mr. Brady's services (thus presumably satisfying the statutory requirement of a contract with the municipality), the absence of any pecuniary or other material benefit deriving to Mr. Brady would take this proposed engagement outside the scope of the statute's prohibitions.

Although not expressly raised in Chairperson Finney's e-mail (but, I believe, suggested) is the question of whether the offices of Chief Financial Officer of the City and Chief Fiscal Officer of the Agency are incompatible as a matter of law, thus barring Mr. Brady from appointment as the Agency's CFO. Compatibility of offices is not expressly dealt with in the statutory language of Article 18 of the GML, but a number of opinions of the New York State Attorney General and Comptroller have addressed this issue in a variety of circumstances and contexts. Although a detailed review and analysis of those opinions is beyond the scope of this e-mail, I was not able, upon a somewhat cursory review of the reported summaries of those opinions applicable to city officials, to locate any directly on point with the circumstances in this instance. However, I do think some guidance in this area can be offered by the terms of Article 18-A of the GML applicable to industrial development agencies such as the Agency.

Section 856(2) of the GML, which empowers the local governing body of the municipality to appoint members to the agency's governing, policy-making board, expressly allows members of that board to include "representatives of local government...." Section 856(4) of the GML goes even further and

provides, in relevant part that "[A]ny one or more of the members of an agency may be an official or an employee of the municipality. In the event that an official or an employee of the municipality shall be appointed as a member of the agency, acceptance or retention of such appointment shall not be deemed a forfeiture of his municipal office or employment, or incompatible therewith or affect his tenure or compensation in any way." Further underscoring the conclusion that holding two offices (one with the City and the other with the Agency) is not, as a matter of law, incompatible, Section 856(6) of the GML expressly empowers industrial development agencies, such as the Agency, with the consent of the municipality, "to use agents, employees and facilities of the municipality, paying the municipality its agreed proportion of the compensation or costs". *[emphasis added]*

As to whether Mr. Brady's retention of both positions would give rise to possible incompatibility in the event of a dispute between the City and the Agency (such as, for example, the City's claim for repayment of a loan previously made to the IDA), the answer may only be known if and when any such dispute arises and its issues and implications are more fully understood. Certainly the Agency (and Mr. Brady) could make the determination at that time that, regardless of whether incompatibility exists as a matter of law, it would be in the best interests of the Agency to terminate the appointment. However, even in the context of a potential dispute over the possible repayment of the loan referenced above, the analysis as to incompatibility would, I believe, necessarily focus on the nature of his respective responsibilities in both appointed offices. While I cannot speak authoritatively to his duties on behalf of the City, I believe that his responsibilities as CFO of the Agency, as set out in the Agency's by-laws, are largely administrative, advisory and fiduciary in nature and could, I believe, be materially unaffected by any potential dispute.

As I discussed on our call, Tyler, this response is intended to reflect my preliminary thoughts and analysis of the issues raised by a portion of Chairwoman Finney's e-mail. A formal opinion of our firm, if the Agency should so request one, would necessitate further, detailed research and analysis as well as a full internal review by our firm's opinion committee. If, after reviewing this e-mail with the other members of the Agency, the board determines that it wishes to have our firm undertake the work toward the issuance of an opinion in this matter, please let me know. Thanks, Tyler. Pat

Patrick M. Malgieri
Partner

HARRIS BEACH PLLC

ATTORNEYS AT LAW
White Plains Office
445 Hamilton Avenue, Suite 1206
White Plains, NY 10601
914.298.3017 Direct
914.883.1200 Main
914.683.1210 Fax

Rochester Office
99 Garnsey Road
Pittsford, NY 14534
585.419.8885 Direct
585.419.8816 Fax
Website | Bio | Add to Contacts
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**** DRAFT ****

**RESOLUTION ESTABLISHING A TASK FORCE ON HOUSING AND COMMERCIAL
DEVELOPMENT IN THE CITY OF POUGHKEEPSIE**

(R-18-##)

SPONSORED BY COUNCILMEMBER BRANNEN and COUNCILMEMBER SALEM:

WHEREAS, The City of Poughkeepsie has experienced a decline in population and in median income, while the level of poverty has increased to more than 22 percent of residents, and

WHEREAS, A report by Pattern for Progress has estimated that 57 percent of renters in the City of Poughkeepsie are cost burdened or severely cost burdened by their monthly rent, and

WHEREAS, The City of Poughkeepsie is one of the most fiscally stressed municipalities in New York State, according to a 2018 report of the New York State Comptroller and therefore must expand its tax base to become financially secure, while also maintaining affordability for residents; and

WHEREAS, The City of Poughkeepsie has a diverse community that stands to gain from equitable commercial development and housing; and

WHEREAS, Many offices, boards, and commissions affect the housing and commercial development environment in the City of Poughkeepsie, including the Office of the Mayor, the Common Council, the Planning Board, the Industrial Development Agency, the Waterfront Advisory Council, and the Historic District and Landmarks and Preservation Commission, and

WHEREAS, the city's revitalization will require a shared vision and collaborative approach to housing and commercial rehabilitation and construction, and

WHEREAS, Members of the community should have a participatory role in developing a vision for the city's revitalization, as well as metrics of success;

NOW, THEREFORE

BE IT RESOLVED, that there be established a task force consisting of two Common Council members, two representatives of the Office of the Mayor, one representative of the Planning Board, one representative of the Industrial Development Agency, one representative of the Waterfront Advisory Council, and one representative of the Historic District and Landmarks and Preservation Commission, along with four residents or business owners of the City of

XI. OLD BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Petsas and Councilmember Randall Johnson to adjourn the meeting at 8:52 p.m.

Dated: January 30, 2019

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on November 5, 2018.

Respectfully submitted,

**Deanne L. Flynn
City Chamberlain**