



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, March 14, 2022, 6:30 p.m.

Virtual

The Council Meeting was conducted using videoconferencing, as permitted by the NYS Open Meetings Law.

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is March 14, 2022, and the time is 6:31 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. ROLL CALL: (8 present, 1 absent: Councilmember Flowers late arrival)

II. REVIEW OF MINUTES:

**Common Council Public Hearing – February 22, 2022
Common Council Meeting – February 22, 2022**

**Motion to accept the minutes: Councilmember Cherry
2nd: Councilmember Long**

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

NONE

IV. PUBLIC PARTICIPATION

1. Laurie Sandow, S. Grand Ave. (submitted in writing)

In 1913, Supreme Court Justice Louis Brandeis wrote “sunlight is said to be the best of disinfectants”. As it happens, this week is Sunshine Week—since 2005, an annual, national celebration of Freedom of Information Law (FOIL). In New York State, FOIL’s legislative directive reads, in part: “The people’s right to know the process of government decision making and the documents and statistics leading to determinations is basic to our society. Access to such information should not be thwarted by shrouding it with the cloak of secrecy or confidentiality.”

Yet here we are tonight, three weeks since the last Common Council meeting, and the alleged work of the Council appears only as two “consent agenda” items—in other words, shrouded, no transparency, no-work-at-all in front of the public, decisions made by unknown parties only in closed rooms where the sun don’t shine. I asked three different councilmembers why the Council did not meet on Monday, March 7, as would have been usual (1st and 3rd Mondays). Two did not reply, and the third—Megan Deichler—first replied with the hooey (and I quote): “...I was told that occasionally, meetings will fall outside of that schedule due to conflicts with holidays and other events.” When pressed for specifics, Deichler said “I was not told the specific holiday or conflict. I would advise you to reach out to Jasmin Davis, the City Chamberlain (jdavis@cityofpoughkeepsie.com) directly to get that information.” Sad, is it not, that a brand new Councilmember who gladly accepts a paycheck, had neither the original interest in learning the facts behind certain decisions, nor the concern and willingness to obtain the information for themselves and their constituents even after being questioned.

As to the rejiggered Council meeting date, let me suggest the missing reason—that March 7 was the scheduled court date for Sarah Salem’s red light/DWI trial. The same Sarah Salem who, in collusion with the City of Poughkeepsie Administration as well as other councilmembers, is currently violating the City Charter on at least two

counts: by failure to create a Redistricting Commission, and by breach of the Charter-mandated dates for twice-yearly informational meetings. The same Sarah Salem with a documented history of law-breaking, fabrication and self-service, manufacturing a non-existent Council rule in order to silence public speakers, altering their own website to circulate a slanderous narrative, short-circuiting public hearings and informational meetings, and most recently fraudulently responding to a FOIL about subscribers to the Council's Facebook page, saying "I don't have any information regarding this request," while not only being on record with statements to the opposite, but also altering that Council Facebook page post-FOIL.

Salem has repeatedly circulated fake news that the Council did not have enough qualified, or the right kind of applicants to create the Redistricting Commission. So let's look at real history:

Section 2.09 of the Charter required the Council to appoint a redistricting commission no later than the first day of March 2021. The Council did not even post a "Public Notice Requesting Letters of Interest to Serve..." until February 19th, 2021, setting an application deadline of March 31st—thirty days past the deadline to create the Commission. At least ten people applied by the deadline, yet none of them were interviewed until May 2021. Even after those interviews, behind closed doors (as usual), the Council chose not to create the Commission.

The Council is not alone in non-responsiveness and fraudulent responses to Freedom of Information (FOIL) requests. The PK4Keeps steering committee and Natalie Quinn both continue to work in secrecy. At a recent Finance meeting Marc Nelson suggested that information obliterated by the City's new website design could be easily obtained through a Freedom of Information request—more fake news. The City's FOIL portal keeps an applicant waiting for up to 30 days, even when the information is readily at hand. Yet City Administrator Marc Nelson has written (and I quote): "Dear Ms. Sandow - whether or not documents are near at hand when an FOI arrives which seeks them is not dispositive of our timeline for providing them. Many other factors are important as city staff are typically addressing a host of matters on

any given day.” When replies to FOI requests are supplied—and they are not always supplied—they are often incomplete, requiring an appeal. Right now, I have two appeals that should be in front of Dr. Martinez, the City of Poughkeepsie FOI Appeals Officer. One of those appeals is already illegally overdue, while the portal indicates that both are only “submitted”, with neither one even “in progress”.

NYS Freedom of Information Law < <https://opengovernment.ny.gov/foil-law-text>> provides that an agency shall not deny a request on the basis that the agency lacks sufficient staffing. An Advisory Opinion from the NYS Committee on Open Government includes the following, “The [May 2005 NYS Freedom of Information] amendments clearly are intended to prohibit agencies from unnecessarily delaying disclosure. ... we point out that in its statement of legislative intent, §84 of the Freedom of Information Law states that ‘it is incumbent upon the state and its localities to extend public accountability wherever and whenever feasible.’ Therefore, when records are clearly available to the public under the Freedom of Information Law, or if they are readily retrievable, there may be no basis for a delay in disclosure.”

2. Joan Mandle

V. CHAIRPERSON’S COMMENTS AND PRESENTATIONS

I'm going to keep my comments brief because we do have two communications or presentations this evening, and I want to make sure we have enough time for those in enough time for questions.

Tonight is our last meeting on Zoom. It's pretty exciting. We're headed back to the council chambers next week, next Monday, March 21st. And you know, as I'm sure everyone is aware, we were waiting for updates to the executive order that allowed for virtual public meetings to occur. And it seems that Governor Hochul is just going to let that order, allowing virtual public meetings expire, and that's due to progress with the coronavirus pandemic right now in the city of Poughkeepsie, we have less than nine active cases.

We're trending the way that we like to trend, which is down, and that is very incredible news after two very, very long years of this pandemic. It's feeling very encouraging. I don't want to say to you any words to jinx anyone or anybody or community, but I'm excited to get back in person with everyone. It's been a long

kind of, you know, we've had there's been a learning curve to adjust to Zoom meetings and virtual meetings. And while they have allowed for a lot of folks to join us, that many may not have been able to in the chambers themselves.

I think that there's a little bit of something lost, you know, not having those in-person sessions.

So hopefully moving forward with our I.T. department and City Administrator Nelson, we'll figure out a way for a hybrid approach so that we can continue to accommodate people virtually if, if needed. But for right now, we will be back in the chambers, in the flesh, as they say on Monday.

Next up, we are working through new resumes received for the redistricting commission, conducted two interviews this past weekend. We're probably going to have to do a couple more this week and then we're going to get that commission up and running an up and working. We have some viable new candidates. So that is very encouraging as well for progress, release and finalize the Poughkeepsie housing study. I don't want to give any spoiler alerts, but that study is now posted on the City of Poughkeepsie website, and we will be having pattern at our April 4th council meeting to present on their findings to kind of dig into the report in a little more detail.

So I really encourage folks to mark your calendars for that date. It's a very dense report, but it is very useful for us here in the city Poughkeepsie it contains a lot of critical elements and graphics data insights, and it proves a lot of the assumptions that each of us might have had about what housing looks like currently in the city. True. Which can help us as policymakers and human health community members, as advocates, as we move forward through this housing crisis here in Poughkeepsie, see the next common council meeting that will be in person in the County Council chambers.

We're going to be hearing an update on the forty four fifty five project from the Dutchess County Department of Transportation. So, you know, they've come into the council. A few times to give us an update on how that project is unfolding, and so I'm excited to hear where it's at our next council meeting. And that concludes my comments for tonight. There's a lot going on in the world and I'm finding solace in gathering a community and you know, the positive news about the pandemic and you know that we are able to get back in person together. So I hope folks are able to find a little, you know, a little bit of light out there through all of the chaos that's happening elsewhere.

Mayor's comments Rob, unfortunately, cannot join us tonight.

And then so now we'll move to new and unfinished business from council members.

VI. MAYOR'S COMMENTS

NOT PRESENT

VII. NEW & UNFINISHED BUSINESS

VIII. REPORTS OF COMMITTEES AND BOARDS:

NONE

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

A motion was made by Councilmember Cherry and seconded by Councilmember Long to receive and print.

1. **R-22-25**, Resolution in Support of the NY-NJ Watershed Protection Act: H.R. 4677

**RESOLUTION
(R-22-25)**

A RESOLUTION IN SUPPORT OF THE NY-NJ Watershed Protection Act: H.R. 4677

**SPONSORED BY CHAIRPERSON SALEM, MAJORITY LEADER MENIST,
COUNCILMEMBER SHOOK, COUNCILMEMBER DEICHLER:**

WHEREAS, New York Congressman Tonko has proposed the NY-NJ Watershed Protection Act, a unique federal investment program to authorize \$50 million of federal funds to protect and restore all watersheds, including the Hudson River Watershed, that flow into New York-New Jersey Harbor and

WHEREAS, The Act has unanimous support among the Hudson Valley's Congressional delegation; and,

WHEREAS, the Act would provide benefits to diverse stakeholders such as the protection of fisheries and wildlife, conservation of natural resources and public and private lands, critical urban greenspaces, ocean and coastal resources, and various opportunities to improve the quality of life for community members throughout the region; and

WHEREAS, The City of Poughkeepsie is part of the most densely populated and economically important regions in the country, the proposed NY-NJ Watershed Act will provide enormous economic and environmental benefits locally, regionally and nationally; and

WHEREAS, watersheds provide drinking water, tourism and outdoor recreation, economic opportunities, as well as sustain fisheries, critical wildlife and provide vital infrastructure from flooding and rising sea levels; and

WHEREAS, the Act would provide matching funds to achieve the goals of New York State Department of Environmental Conservation's Hudson River Estuary Program, a state program that has greatly benefitted Hudson Valley communities; and

WHEREAS, the Act would fund shoreline management and restoration within the watersheds; and

WHEREAS, as an elected body tasked with protection and safeguarding irreplaceable water-connected resources and nature-based flood hazard mitigation measures that are essential to protect human life and infrastructure; and

WHEREAS, this Act would direct the Secretary of the Interior to enhance collaboration and coordinate restoration activities at all levels of government to protect fish and wildlife habitats, endangered species, improve water quality, increase public access to the estuary, mitigate flood risks, and develop public outreach and educational activities; and

WHEREAS, many residents of the region of the NY-NJ Watershed live in communities lacking environmental justice, where access to and enjoyment of fish, wildlife, clean water, and other natural resources have been impaired or compromised, federal funding is necessary to mitigate these long overdue environmental and social issues; and

WHEREAS, The City of Poughkeepsie would benefit from the Act as it would establish beneficial programs and award grants to help fund valuable restoration projects in our local community; and

WHEREAS, The City of Poughkeepsie is a cornerstone in which its residents depend on and the region relies on for its resources to provide prosperity throughout the state, therefore, The City of Poughkeepsie must uphold its duty to protect the community's access to drinking water and natural resources; and

WHEREAS, The City of Poughkeepsie has an opportunity to be a social and environmental leader of the state, by supporting the NY-NJ Watershed Protection Act, we may lead by example and facilitate much needed change; and

NOW THEREFORE,

BE IT RESOLVED, that The City of Poughkeepsie Common Council, supports the passing of the NY-NJ Watershed Protection Act.

BE IT FURTHER RESOLVED, that certified copies of this Resolution be delivered, by the City Chamberlain to Congressman Tonko of New York's 20th Congressional district; and

BE IT FURTHER RESOLVED, that the aforesaid resolution shall take effect immediately.

SECONDED BY:

R-22-25						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Long	Voter	☒	☐	☐	☐
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Councilmember Deichler	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☒	☐	☐	☐
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Chair Salem	Voter	☒	☐	☐	☐

X. ORDINANCES AND LOCAL LAWS:

1. **O-22-02**, Ordinance Amending §13-175 of the City of Poughkeepsie Code of Ordinances Entitled “Stop Signs; Locations Designated” FIRST READ

**ORDINANCE AMENDING §13-175 OF THE
CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED “STOP SIGNS; LOCATIONS DESIGNATED”
(O-22-##)**

INTRODUCED BY COUNCILMEMBER MENIST:

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

SECTION 1: Section13-175 of the City of Poughkeepsie Code of Ordinances entitled “**Stop Signs; Locations Designated**” is amended by the **ADDITION** of the following language:

On Rinaldi Boulevard, at its intersection with Gerald Drive and Laurel 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

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

XII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. FROM FINANCE COMMISSIONER DR. MARTINEZ**, City-County Sales Tax Agreement
- 2. FROM CITY ADMINISTRATOR NELSON**, Easement for Safety Fence Surrounding former YMCA (upcoming county demolition project)

A motion was made by Councilmember Cherry and seconded by Councilmember Menist to defer the remaining petition to Corporation Counsel.

- 3. FROM YESENIA CHEVEREZ**, a notice of property damage sustained on January 17, 2022.
- 4. FROM CAMILLE GEORGE**, a notice of property damage sustained on January 19, 2022.
- 5. FROM JUDITH MEADE**, a notice of personal injury sustained on or around January 19, 2022.
- 6. FROM JOSEPH COWANS**, a notice of property damage sustained on February 2, 2022.
- 7. FROM ATHENA MALCOLM**, a notice of personal injury sustained on February 7, 2022.
- 8. FROM JAMES HOUSTON**, a notice of property damage sustained on February 7, 2022.
- 9. FROM JERNELL STEVENS**, a notice of personal injury sustained on February 8, 2022.

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10. FROM DAWN GYURITS, a notice of property damage sustained on February 8, 2022.

11. FROM CATHERINE CRECCO, a notice of personal injury sustained on February 10, 2022.

12. FROM NYCOLE SMALL, a notice of property damage sustained on February 22, 2022.

XIII. ANNOUNCEMENTS:

XIV. ADJOURNMENT:

A motion was made by Councilmember Thompson and seconded by Councilmember Long to adjourn the meeting at 8:13pm.

Dated: March 17, 2022.

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, March 14, 2022.

Respectfully submitted,

Jasmin Nicole Davis
City Chamberlain

