



COMMON COUNCIL MEETING

Monday, May 2, 2022
Common Council Chambers

6:00 p.m.

Public Hearing: *for the purpose of receiving comments on the proposed introductory ordinance amending Section 19-3.19 of the City of Poughkeepsie Code of Ordinances, entitled "Central Urban Density Residence District (R-4A)"*

6:30 p.m.

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Meeting – April 18, 2022

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. NEW & UNFINISHED BUSINESS:

VIII. REPORTS OF COMMITTEES AND BOARDS:

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

1. **R-22-35**, Resolution Granting a Temporary Easement to Dutchess County for the YOU
2. **R-22-36**, Resolution Granting an Easement to Central Hudson for Gas Regulator
3. **R-22-37**, Resolution Approving A License Agreement For Operation Of The Ice House Site At Waryas Park

X. ORDINANCES AND LOCAL LAWS:

1. **O-22-03**, General Vehicle Loading Zone Amendment

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

1. **R-22-38**, Resolution To Declare Lead Agency and Granting Referral of Matter to Dutchess County Planning Department - Comprehensive Plan

XII. ORDINANCES AND LOCAL LAWS:

XIII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM PATTERN FOR PROGRESS**, a presentation of the 2022 Housing Needs Assessment.
2. **FROM UNION TAVERN**, A Notice of Intent to File a NYS Liquor License.
3. **FROM CHRISTIAN'S PP LLC**, A Notice of Intent to File a NYS Liquor License.

XIV. ANNOUNCEMENTS:

XV. ADJOURNMENT:

**RESOLUTION
(R-22-35)**

INTRODUCED BY CHAIR SALEM: _____

WHEREAS, the City is the owner of the parkland property located in the City of Poughkeepsie, County of Dutchess, State of New York and more particularly known as “Eastman Park” (the “Premises”); and

WHEREAS, by resolution R-21-41 dated May 17, 2021, the City of Poughkeepsie authorized the transfer of abutting property at 35 Montgomery Street to the County for purposes of developing a multi-purpose youth and community facility for the residents of Dutchess County; and

WHEREAS, pursuant to that resolution, the County shall, within twelve (12) months of the closing of title between the City and the County, demolish the existing structure on the Property; and

WHEREAS, the County is preparing to proceed with the demolition and has advised the City that a temporary easement is necessary on the land of Eastman Park to permit construction fencing as shown on the proposed easement annexed hereto.

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby authorizes the Mayor to execute the attached Temporary Easement.

SECONDED BY COUNCILMEMBER _____.



EXISTING SITE LEGEND	
	EXISTING CONCRETE PAVING
	EXISTING ASPHALT
	EXISTING CURB/STREET PAV.
	EXISTING DRIVE

No.

Design Architect

Abstract

—

ROCHESTER, N.Y.

LISTEN TO WHAT YOU SAY

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0628 15 JUL 87 210

1000

21 MAY 2007

CONFIDENTIAL

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NEW YORK NY 10018

Aquatic Pool

AQUATECHNICS - LOIHRUP

WHITE PLAINS NY 10604

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Accounting and AV

2003

66281-1

STAMP + SIGNATURE

Abstract

**RESOLUTION
(R-22-36)**

INTRODUCED BY CHAIR SALEM:

WHEREAS, Central Hudson has requested two (2) easements from the City of Poughkeepsie in order to construct a natural gas regulator station on City-owned property at 505 Main Street, Poughkeepsie, New York; and

WHEREAS, the proposed easements consist of a gas regulator easement with Central Hudson to permit construction of a natural gas regulator station and appurtenances along with a utilities easement with Central Hudson and Verizon New York Inc. for the construction of necessary utilities to the gas regulator station; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby authorizes the Mayor to execute the attached easements and all other documents necessary to record same with the Dutchess County Clerk.

SECONDED BY COUNCILMEMBER _____.

GRANT OF EASEMENT AND RIGHT OF WAY

THE CITY OF POUGHKEEPSIE, a municipal corporation, 62 Civic Center Plaza
Poughkeepsie, New York 12602 (the "City")

Grantor,

and

CENTRAL HUDSON GAS & ELECTRIC CORPORATION, a domestic corporation
having its principal office at 284 South Avenue, Poughkeepsie, New York 12601

Grantee,

In consideration of the sum of \$1.00 and other valuable considerations, the receipt whereof from Central Hudson Gas & Electric Corporation (hereinafter referred to as "Central Hudson") a domestic corporation having its principal office at 284 South Avenue, Poughkeepsie, New York, is hereby acknowledged, the Grantee hereby grant(s) and convey(s) unto Central Hudson, its successors and assigns, an easement and right of way for the purpose of allowing Central Hudson to construct a natural gas regulator station, its inlet and outlet pipelines, relief stack and other appurtenances, facilities thereto, in, upon, over, under and across the lands of the City, including roads and highways thereon and adjacent thereto, situated in the City of Poughkeepsie, County of Dutchess, State of New York.

The easement granted herein pertains to a portion of Dutchess County Real Property Tax Parcel ID # 6162-79-311017 & 6162-79-321015 and is for the purpose of allowing Central Hudson to construct a natural gas regulator station, its inlet and outlet pipelines, fencing, separate relief stack and all other appurtenances to support the gas regulator station. The easement area is shown and described on the attached survey map identified as Exhibit A and made a part hereof.

Together with the right at all times to have access thereto across the remaining premises of the City (said right of access to be confined to practicable and reasonable routes to be designated by the City), and to enter thereon, and to construct, relocate, operate and maintain, and to protect, repair, replace and remove, in, upon, over and under the property covered by said easement and right of way the aforesaid gas regulator station, inlet and outlet pipelines, fencing, relief stack, any and all lines of pipes, mains, ducts, conduits, and all other appurtenances and fixtures adaptable to the present and future needs, uses and purposes of Central Hudson, its successors, assigns and lessees for any public utility use; and provided that physical damage to the property owned by the City caused solely by Central Hudson, its successors, assigns and lessees, shall be adjusted at the expense of Central Hudson, its successors, assigns, and lessees.

Together with the permanent right also to trim, cut and remove, at any time, such brush, trees and other objects thereon and on adjacent property of the City as in the reasonable judgment of Central Hudson, its successors, assigns and lessees, may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, gas regulator station, pipes, mains, ducts, conduits and other appurtenances and fixtures or any thereof, which are now or may hereafter be constructed on said right of way. Said right shall include the right to use chemical means of brush and tree removal only within the limits of the right of way, and then only when such use does not interfere with the right of the City to cultivate its ground as hereinafter set forth.

No house or other structure shall be erected, and no roadway (except as agreed upon herein) shall be constructed, and excavating, mining or blasting shall not be undertaken within the limits of the easement and right of way without the written consent of Central Hudson, its successors or assigns; and any house or other structure that is already on said easement and right of way may be removed by Central Hudson, its successors or assigns, or at the expense of Central Hudson, its successors, assigns or lessees, upon written notice to the City, its heirs and assigns, by Central Hudson its successors, assigns or lessees, by certified mail, to the address herein below given.

Central Hudson agrees to defend, indemnify, pay on behalf of, and hold harmless the City, its heirs, successors and assigns, against any and all claims, liability, demands, suits or loss, including attorneys' fees and all other fees connected therewith, arising out of or connected to, and to the extent caused by Central Hudson's negligent exercise of its rights or default under this easement. It is understood and agreed that this release of claims, and agreement to indemnify and hold harmless, is a condition precedent and insuperable part of the easement given by the City and the City was induced to give such permission by the promise of the Central Hudson to give this release. Central Hudson and its employees, officials, agents and representatives waive any right of recovery against the City for any and all claims, liability, loss, damage, costs or expense (including attorneys' fees) arising out of this easement, except to the extent caused by the negligent acts or omissions or the default by the City.

The terms hereof shall be binding upon and inure to the benefit of the heirs, executors, administrators, personal representatives, successors and assigns and lessees of the undersigned and Central Hudson.

Signed, sealed and delivered, on _____, 2022

CITY OF POUGHKEEPSIE

By: _____ (L.S)

Robert G. Rolison, Mayor

State of New York)
)ss.:
County of _____)

Notary Public

Gas Easement Across Lands Now or Formerly of The City of Poughkeepsie

All that part, piece or parcel of land situate in the City of Poughkeepsie, County of Dutchess, State of New York, being more particularly described as follows:

Commencing at the point of intersection of the division line between lands now or formerly of GPS One, LLC (L.22018 P.1546) to the east, lands now or formerly of The City of Poughkeepsie (Doc.# 02 2006 7823) to the west, and the northern boundary of Main Street; thence North 66°59'49" West 7.18 feet to the point of beginning; thence from said point of beginning along the said northern boundary of Main Street the following 2 (two) courses and distances;

1. North 66°59'49" West 38.00 feet to a point;
2. North 66°23'02" West 2.02 feet to a point;

Thence turning northeast across the lands now or formerly of The City of Poughkeepsie (Doc.# 02 2006 7823) the following 7 (seven) courses and distances;

1. North 21°13'36" East 39.42 feet to a point;
2. North 25°46'57" East 31.05 feet to a point;
3. North 19°50'24" East 79.14 feet to a point;
4. North 13°28'56" East 32.39 feet to a point;
5. North 18°00'25" West 17.89 feet to a point;
6. North 17°39'11" East 119.45 feet to a point;
7. South 87°17'37" East 54.04 feet crossing into the lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) to a point;

Thence continuing across the lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) the following 2 (two) courses and distances:

1. North 18°11'22" East 31.13 feet to a point;
2. North 87°17'37" West 12.94 feet to a point in the division line between lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) to the east, lands now or formerly of The City of Poughkeepsie (Doc.# 02 2006 7823) to the southwest and the Fall Kill Creek to the north.

Thence along the division line between the lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) to the south and the Fall Kill Creek to the north the following 2 (two) courses and distances;

1. North 17°39'11" East 18.22 feet to a point;
2. South 81°12'33" East 70.97 feet to a point in the division line between the lands now or formerly of North Cherry Street Development Fund Company, Inc. (Doc.# 02 2017 140) to the east, lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) to the west and the Fall Kill Creek to the north.

Thence turning southwest along the division line between the lands now or formerly of North Cherry Street Development Fund Company, Inc. (Doc.# 02 2017 140) to the east, lands now or

formerly of The City of Poughkeepsie (L.22001 P.1476) to the west South $19^{\circ}36'11''$ West 96.66 feet to a point, thence turning northwest across the lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) North $71^{\circ}35'40''$ West 66.84 feet to a point in the division line between lands now or formerly of The City of Poughkeepsie (Doc.# 02 2006 7823) to the west and the lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) to the east, thence turning southwest along said dividing line South $17^{\circ}39'11''$ West 175.11 feet to a point, thence across the lands now or formerly of The City of Poughkeepsie (Doc.# 02 2006 7823) the following 2 (two) courses and distances;

1. South $13^{\circ}32'23''$ West 76.16 feet to a point;
2. South $21^{\circ}13'36''$ West 43.37 feet to the point or place of beginning.

Containing 0.40 acres more or less.

In consideration of the sum of \$1.00 and other valuable considerations, the receipt whereof from **Central Hudson Gas & Electric Corporation**, a domestic corporation having its principal office (residence) at 284 South Avenue, Poughkeepsie, New York and **Verizon New York, Inc.** a domestic corporation having its principal office (residence) at 140 West Street, New York, NY is hereby acknowledged, the City of Poughkeepsie ("City") hereby grant(s) and convey(s) unto said corporation(s), and each of them, their respective successors, assigns and lessees (hereinafter collectively referred to as the "Corporations"), an easement for any use relating to the electric, gas, or communication industry, including, but not limited to, the installation, operation and maintenance of overhead and/or underground electric, gas or communication facilities which easement shall be 30 feet in width throughout its extent, in, upon, under, over and across the lands of the City including roads and highways thereon and adjacent thereto, situated in the City of Poughkeepsie, County of Dutchess, State of New York.

Said easement shall

begin at Central Hudson pole# P14559 thence extend in an southerly direction for a distance of approximately twenty five (25) feet to a point, said point being Central Hudson pole # P202492; thence continuing in an easterly direction for a distance of approximately two hundred (200) feet where the said lines enter Central Hudson's Gas Regulator Station as shown on Exhibit A attached hereto and made a part hereof.

Together with the rights for guying facilities and service extensions to be located outside of the stated easement width.

Together with the permanent right at all times to have access thereto within the easement and across the remaining premise(s) of the City, and to enter thereon, and to construct, excavate, place, relocate, extend, operate, maintain and to protect, repair, replace and remove, in, over and under the property covered by said easement, such facilities, including, but not limited to, lines or poles, cables, crossarms, wires, guys, braces, underground conduits, pipes, mains and ducts, and all other appurtenances and fixtures adaptable to the present and future needs, uses and purposes of said corporations, their respective successors, assigns and lessees, and provided that physical damage to the property owned by the City caused solely by said corporations, their respective successors, assigns or lessees, shall be adjusted at the expense of the person or entity so causing such damage.

Together with the permanent right to also trim, cut, clear cut to ground level and at the election of either Corporation remove at any time such brush, trees and other objects, thereon or on adjacent property of the City, including trees, brush and other objects located outside the easement, as in the sole judgment of either Corporation may fall upon or come in contact with the facilities or may interfere with, obstruct or endanger the construction, operation or maintenance of said rights, facilities and other appurtenances and fixtures or any thereof, which may hereafter be constructed in, over, or across said easement. Said right shall include the right to use chemical means of brush and vegetation control within the limits of the easement and rights of way where applicable. Any chemical use shall be in accordance with all Federal and State regulations pertaining to utility right-of-way maintenance.

The exact location of said easement and lines is to be as determined by said corporations having regard to the origin, general direction and destination of said facilities and the requirements of said corporations.

Reserving unto the City the right to only plant and cultivate lawn grass and low growing ornamental shrubs within said easement, and the right to cross and recross said easement, provided that any such cultivation and/or use of said easement shall not in the sole judgment of said Corporations interfere with, obstruct or endanger any of the rights granted as aforesaid and provided that no house, shed, garage, outbuilding, pool, road, driveway or other structures or above or in ground improvements shall be erected, constructed placed, installed, or located and no excavating, mining or blasting shall be undertaken or performed within the limits of said easement without the prior written consent of said Corporations.

Central Hudson and Verizon jointly and severally agree to defend, indemnify, pay on behalf of, and hold harmless the City, its heirs, successors and assigns, against any and all claims, liability, demands, suits or loss, including attorneys' fees and all other fees connected therewith, arising out of or connected to either Central Hudson's or Verizon's to the extent caused by the negligent exercise of rights or the default under this easement. It is understood and agreed that this release of claims, and agreement to indemnify and hold harmless, is a condition precedent and insuperable part of the easement given by the CITY and the CITY was induced to give such permission by the promises of Central Hudson and Verizon to give this release. Central Hudson and its employees, officials, agents and representatives waive any right of recovery against the CITY for any and all claims, liability, loss, damage, costs or expense (including attorneys' fees) arising out of this easement. Verizon and its employees, officials, agents and representatives waive any right of recovery against the CITY for any and all claims, liability, loss, damage, costs or expense (including attorneys' fees) arising out of this easement, except to the extent caused by the negligent acts or omissions or the default by the City

This easement and the provisions hereof shall be binding upon and inure to the benefit of the heirs, legal representatives, successors, assigns and lessees of the City and said Corporations, respectively.

Signed, sealed and delivered, on,

CITY OF POUGHKEEPSIE

In the presence of: *Subscribing Witness Only*

BY: _____ (L.S.)

(Sign Name)

ROBERT G. ROLISON, MAYOR

*(Print Name and Title)**(Sign & Print Name)*Residing at62 Civic Center Plaza..
*Number Street*Poughkeepsie.....NY, 12601.....
*Town, City or Village State*Dutchess.....
County

ACKNOWLEDGEMENT OF CONVEYANCE

State of New York)
 County of _____) ss.:

On theday of..... in the year before me, the undersigned, a Notary Public in and for said State, personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

.....
 Notary Public

NEW YORK ALL-PURPOSE ACKNOWLEDGMENT

State of New York)
 County of _____) ss.:

On theday of..... in the year before me, the undersigned, a Notary Public in and for said state, personally appeared, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

.....
 Notary Public

CERTIFICATE OF SUBSCRIBING WITNESS

State of New York)
 County of _____) ss.:

On theday of..... in the year, before me, the undersigned, a Notary Public in and for said State, personally appeared....., the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he/she/they resides in.....; that he/she/they know(s)..... to be the individual described in and who executed the foregoing instrument; that said subscribing witness was present and saw said execute the same; and that said witness at the same time subscribed his/her/their name(s) as a witness thereto.

.....
 Notary Public

RIGHT OF WAY

R/W No.
 Town.....
 PD # Village.....
 City
Granted by
 to
Central Hudson Gas & Electric Corporation
 Date:
 Map: Line:
 Pole No:
 Work Order #: If:
 SBI:
 Address of ROW:

RECORD AND RETURN TO:

Central Hudson Gas & Electric Corporation
 284 South Avenue
 Poughkeepsie, NY 12601
 Attn: Real Property Services



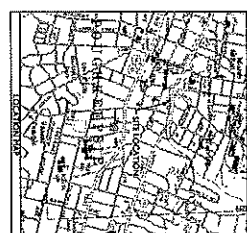
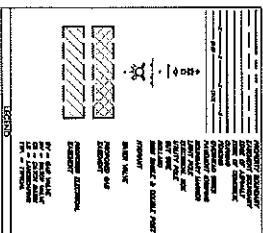
Engineering
& Design

Electrical Easement Across Lands Now or Formerly of The City of Poughkeepsie

All that part, piece or parcel of land situate in the City of Poughkeepsie, County of Dutchess, State of New York, being more particularly described as follows:

Commencing at the point of intersection of the division line between lands now or formerly of Hudson River Housing, Inc. (Doc.# 02 2019 50133) to the west, lands now or formerly of The City of Poughkeepsie (Doc.# 02 2006 7823) to the east, and the Fall Kill Creek to the north; thence South $24^{\circ}43'27''$ West 8.01 feet to the point of beginning; thence from said point of beginning, across the lands now or formerly of City of Poughkeepsie (Doc.# 02 2006 7823) and crossing into the lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) South $87^{\circ}17'37''$ East 162.18 feet to a point; thence across the lands now or formerly of The City of Poughkeepsie (L.22001 P.1476) South $18^{\circ}11'22''$ West 31.13 feet to a point; thence continuing across said lands and crossing into the lands now or formerly of The City of Poughkeepsie (Doc.# 02 2006 7823) North $87^{\circ}17'37''$ West 166.00 feet, to a point in the division line between lands now or formerly of Hudson River Housing, Inc. (Doc.# 02 2019 50133) to the west and lands now or formerly of The City of Poughkeepsie (Doc.# 02 2006 7823) to the east; thence along said division line North $24^{\circ}43'27''$ East 32.36 feet to the point or place of beginning.

Containing 0.11 acres more or less.



- [illegible]

[illegible]



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- Maintenance Management
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- Quality Management

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[illegible]

**RESOLUTION
(R-22-37)**

**RESOLUTION APPROVING LICENSE AGREEMENT FOR OPERATION OF THE
ICE HOUSE AT WARYAS PARK**

INTRODUCED BY COUNCILMEMBER LONG:

WHEREAS, the City of Poughkeepsie entered into a License Agreement with Poughkeepsie Ice House Inc. on June 7, 2010 whereby Poughkeepsie Ice House Inc. was granted the privilege of operating the eatery/food concession at Waryas Park; and

WHEREAS, said License Agreement was set to expire on its own on December 20, 2020. However, the City Administrator granted a short term extension to the license agreement during the COVID-19 pandemic and the license agreement, as extended, expired on October 31, 2021; and

WHEREAS, notwithstanding the upcoming termination date of October 31, 2021, Poughkeepsie Ice House Inc. launched “Flores Taqueria at the Ice House” on October 8, 2021 and

WHEREAS, during discussions between Austin Flores and the City commencing in November 2021 it became clear that Mr. Flores was not aware of the upcoming October 31, 2021 when Poughkeepsie Ice House Inc. requested his involvement in the business; and

WHEREAS, Austin Flores has proven himself to be a business owner devoted to the betterment of the City of Poughkeepsie and he has expressed his willingness to continue operating “Flores Taqueria at the Ice House;” and

WHEREAS, the Common Council determines that it is appropriate to enter into a license agreement with Flores Restaurant Management, LLC as the operator of “Flores Taqueria at the Ice House.”

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby finds and determines that it is in the best interest of the City to enter into a License Agreement with Flores Restaurant Management LLC upon the terms and conditions annexed hereto as Exhibit A and made a part hereof; and

BE IT FURTHER RESOLVED, that the granting of this License is made upon the condition that no member of Poughkeepsie Ice House Inc. may be a member of Flores Restaurant Management LLC. Flores Restaurant Management LLC is to provide a list of all members of the LLC to the City and update said list upon any change; and

BE IT FURTHER RESOLVED, that the Mayor, City Administrator and Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution including but not limited to the execution of the attached License Agreement.

SECONDED BY COUNCILMEMBER _____.

RESOLUTION

(R-22-38)

**SEQRA NOTICE OF DECLARATION TO SERVE AS LEAD AGENCY FOR THE
ADOPTION OF THE CITY OF POUGHKEEPSIE COMPREHENSIVE PLAN AND
REFERRING THE MATTER TO THE DUTCHESS COUNTY DEPARTMENT OF
PLANNING AND DEVELOPMENT PURSUANT TO GML §239-m.**

INTRODUCED BY CHAIR SALEM:

WHEREAS, the City of Poughkeepsie Common Council assigned the task of reviewing and updating the City's Comprehensive Plan to a steering committee that worked, in conjunction with the City of Poughkeepsie's Development Department, czbLLC and Ingalls Planning & Design, to solicit feedback from the broader public and developed a draft document known as *PK4Keeps: A Comprehensive Plan for Poughkeepsie* (the "Comprehensive Plan"); and

WHEREAS, the Steering Committee has submitted the draft Comprehensive Plan to the Common Council for their consideration; and

WHEREAS, the Common Council is initiating the adoption process per General City Law 28-a; and

WHEREAS, the adoption of the Comprehensive Plan is a Type I action pursuant to the State Environmental Quality Review Act (SEQRA) 6 NYCRR 617.4(b)(1) and the proposed plan will not require permits and approval from any other local, regional and State agencies prior to adoption of the plan and a coordinated SEQRA review is not required; and

WHEREAS, the Dutchess County Department of Planning and Development is required to review the draft plan pursuant to GML §239-m and General City Law §28-a(6)(b) and this review is considered to be an advisory opinion under SEQRA; and

WHEREAS, the Common Council wishes to submit the draft Comprehensive Plan to the Dutchess County Department of Planning and Development so that any comments from that Department may be considered by the Common Council during its review of the draft Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED that the City of Poughkeepsie Common Council, as the only involved agency, declares itself lead agency for the SEQRA review of the proposed Comprehensive Plan; and

BE IT FURTHER RESOLVED, that the City of Poughkeepsie Common Council hereby refers the draft Comprehensive Plan to the Dutchess County Department of Planning and Development pursuant to GML §239-m along with the Draft EAF Part I.

SECONDED BY COUNCILMEMBER _____.



**THE CITY OF POUGHKEEPSIE
NEW YORK
DEVELOPMENT DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601**

MEMORANDUM OF TRANSMITTAL

To: Common Council
From: Natalie Quinn, Development Director
Date: April 25, 2022
Re: PK4Keeps Comprehensive Plan SEQRA & County Referral

Dear Members of the Common Council,

Following-up on our presentation to the Council on January 18, 2022, planning staff and the project consultants intend to present to you a full draft of *PK4Keeps: A Comprehensive Plan for Poughkeepsie* on May 16, 2022. Please note that an initial draft is posted on the [project website](#) and is currently collecting feedback from the public. In anticipation of your review, planning staff requests that the Council take the following ministerial actions at the May 2nd meeting to begin the process of circulation and review:

- **Action 1:** Resolution declaring the Common Council as lead agency for environmental review of the Comprehensive Plan as required by SEQRA.
- **Action 2:** Resolution referring the plan to Dutchess County Department of Planning and Development as required by NYS GML 239-m

For those who are unfamiliar with the processes referenced above, below are summarizing bullet points for your review:

- Declaring lead agency in conformance with State Environmental Quality Review Act (SEQRA)
 - In order to start the SEQRA process, the involved agency principally responsible for carrying out, funding, or approving an action must declare themselves as lead agency.
 - The Common Council is the only involved agency with the legislative power to approve the comprehensive plan, and therefore is the appropriate entity to be lead agency
 - Common Council must first declare their intent to be lead agency for the environmental review of this action and circulate that intention to any other involved or interested agencies. These actions *do not* indicate any decision by the Council.
 - Other involved agencies pertaining to this matter may include Dutchess County and the City of Poughkeepsie Planning Board.
 - Any other involved agencies who wish to challenge the Common Council's declaration of intent to be lead agency must do so within 30 days. If no challenge is received, the Council will then assume the role of lead agency.
 - Once the lead agency has been established, the Council can proceed to the next steps of the SEQR process.

- Referral to Dutchess County in conformance with NYS General Municipal Law § 239-m
 - NYS GML 239-m states that the lead agency for any action must refer all of the proposed documents pertaining to said action to the Dutchess County Department of Planning and Development for review and comment.
 - Upon receipt of complete materials, the department will issue a recommendation within thirty (30) days. The department will recommend either approval, modification, or disapproval, of the proposed action, or report that the proposed action has no significant county-wide or inter-community impact.
 - If the department recommends modification or disapproval of a proposed action, the referring body shall not act contrary to such recommendation except by a vote of a majority plus one of all the members thereof.
 - Within 30 days after final action, the referring body shall file a report of the final action it has taken with the department. A referring body which acts contrary to a recommendation of modification or disapproval of a proposed action shall set forth the reasons for the contrary action in such a report.

Attached to this memorandum is Part 1 of the Environmental Assessment Form related to SEQRA review.

Please do not hesitate to contact me if you have any questions.

Cc: Rebecca Valk, Corporation Counsel
Jasmin N. Davis, City Chamberlain

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Adoption of City of Poughkeepsie Comprehensive Plan		
Project Location (describe, and attach a general location map): City of Poughkeepsie NY; Dutchess County		
Brief Description of Proposed Action (include purpose or need): The proposed action includes the adoption of the City of Poughkeepsie's comprehensive plan. The City's existing comprehensive plan is more than 20 years old and is in need of updating. The intent of the comprehensive plan is to provide a general guide for decision-making. The planning process included multiple public input meetings and regular meetings with the comprehensive plan steering committee. The plan includes community values, principles and priorities as well as goals, strategies, and recommended actions. As individual recommended actions are advanced, a more detailed SEQR process will be completed as required by New York State Law. This will be particularly applicable to recommended actions that involve physical alterations and improvements to land. Adoption of a comprehensive plan is a Type I action under SEQR.		
Name of Applicant/Sponsor: City of Poughkeepsie	Telephone: (845) 451-4007 E-Mail: nquinn@cityofpoughkeepsie.com	
Address: 18 Water Street		
City/PO: Poughkeepsie	State: NY	Zip Code: 14840
Project Contact (if not same as sponsor; give name and title/role): Natalie Quinn, Development Director	Telephone: (845) 451-4007 E-Mail: nquinn@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	City Common Council Adoption of Comprehensive Plan	Adoption is anticipated in June of 2022
b. City, Town or Village ☐ Yes ☒ No Planning Board or Commission		
c. City, Town or ☐ Yes ☒ No Village Zoning Board of Appeals		
d. Other local agencies ☐ Yes ☒ No		
e. County agencies ☒ Yes ☐ No	Dutchess County Planning Board, New York GML Section 239 Review	June of 2022
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☐ Yes ☒ No		
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		☒ Yes ☐ No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		☒ Yes ☐ No
iii. Is the project site within a Coastal Erosion Hazard Area?		☐ Yes ☒ No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐ Yes ☒ No

If Yes, identify the plan(s):

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

C.3. Zoning	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district?	☒ Yes ☐ No
The City of Poughkeepsie has an adopted zoning code with a variety of residential, commercial, industrial and special districts. There are 11 residential districts, 4 commercial districts, 2 industrial districts and 5 special districts.	
b. Is the use permitted or allowed by a special or conditional use permit?	☒ Yes ☐ No
c. Is a zoning change requested as part of the proposed action? If Yes,	☐ Yes ☒ No
i. What is the proposed new zoning for the site? _____	
C.4. Existing community services.	
a. In what school district is the project site located? <u>Poughkeepsie City School District</u>	
b. What police or other public protection forces serve the project site? <u>Poughkeepsie City Police Department</u>	
c. Which fire protection and emergency medical services serve the project site? <u>Poughkeepsie City Fire Department</u>	
d. What parks serve the project site? <u>Bartlett Park, College Hill Park, Dutchess Rail Trail, Eastman Park, Kaal Rock Park, King Street Park, Lincoln Park, Mansion Square Park, Pulaski Park and Pool, Reservoir Square Park, Soldier's Memorial Fountain, Spratt Park and Pool, Upper Landing Park, Walkway Over the Hudson Trail, Wheaton Park</u>	

D. Project Details

D.1. Proposed and Potential Development	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? _____	
b. a. Total acreage of the site of the proposed action?	_____ acres
b. Total acreage to be physically disturbed?	_____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	_____ acres
c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____	
d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No	
If Yes,	
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will the proposed action be constructed in multiple phases? ☐ Yes ☐ No	
i. If No, anticipated period of construction: _____ months	
ii. If Yes:	
• Total number of phases anticipated _____ • Anticipated commencement date of phase 1 (including demolition) _____ month _____ year • Anticipated completion date of final phase _____ month _____ year • Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	

f. Does the project include new residential uses? ☐ Yes ☐ No If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? ☐ Yes ☐ No If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☐ Yes ☐ No If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☐ Other specify: _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☐ Yes ☐ No (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☐ No If yes, describe. _____ _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? ☐ Yes ☐ No ix. Summarize site reclamation goals and plan: _____ _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☐ Yes ☐ No If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____ _____	

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☐ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

• Do existing sewer lines serve the project site? _____ • Will a line extension within an existing district be necessary to serve the project? _____ If Yes: • Describe extensions or capacity expansions proposed to serve this project: _____	☐ Yes ☐ No ☐ Yes ☐ No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: • Applicant/sponsor for new district: _____ • Date application submitted or anticipated: _____ • What is the receiving water for the wastewater discharge? _____	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: i. How much impervious surface will the project create in relation to total size of project parcel? _____ Square feet or _____ acres (impervious surface) _____ Square feet or _____ acres (parcel size) ii. Describe types of new point sources. _____ iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____	
• If to surface waters, identify receiving water bodies or wetlands: _____	
• Will stormwater runoff flow to adjacent properties? _____	
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____ ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____ iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____ ii. In addition to emissions as calculated in the application, the project will generate: • _____ Tons/year (short tons) of Carbon Dioxide (CO₂) • _____ Tons/year (short tons) of Nitrous Oxide (N₂O) • _____ Tons/year (short tons) of Perfluorocarbons (PFCs) • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆) • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs) • _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☐ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☐ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☐ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
i. During Construction: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____	ii. During Operations: • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☐ Yes ☐ No If yes: i. Provide details including sources, time of day and duration: _____	
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
n. Will the proposed action have outdoor lighting? ☐ Yes ☐ No If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____	
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☐ No Describe: _____ _____	
o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☐ No If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____ _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☐ No If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____ _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☐ No If Yes: i. Describe proposed treatment(s): _____ _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☐ No	
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☐ Yes ☐ No If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and coverts on the project site.

Land use or Covert	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☐ No i. If Yes: explain: _____
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☐ No If Yes, i. Identify Facilities: _____ _____
e. Does the project site contain an existing dam? ☐ Yes ☐ No If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet ii. Dam's existing hazard classification: _____ iii. Provide date and summarize results of last inspection: _____ _____
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☐ No If Yes: i. Has the facility been formally closed? ☐ Yes ☐ No • If yes, cite sources/documentation: _____ ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ iii. Describe any development constraints due to the prior solid waste activities: _____ _____
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☐ No If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☐ Yes ☐ No If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☐ No ☐ Yes – Spills Incidents database ☐ Yes – Environmental Site Remediation database ☐ Neither database Provide DEC ID number(s): _____ Provide DEC ID number(s): _____ ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____ iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☐ Yes ☐ No If yes, provide DEC ID number(s): _____ iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☐ No	
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? ☐ Yes ☐ No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ %	
_____ %	
_____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site	
☐ Moderately Well Drained: _____ % of site	
☐ Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☐ 0-10%: _____ % of site	
☐ 10-15%: _____ % of site	
☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☐ No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☐ Yes ☐ No	
ii. Do any wetlands or other waterbodies adjoin the project site? ☐ Yes ☐ No	
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☐ Yes ☐ No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☐ No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? ☐ Yes ☐ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☐ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☐ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☐ No	
If Yes:	
i. Name of aquifer: _____	

m. Identify the predominant wildlife species that occupy or use the project site: _____ _____ _____	
n. Does the project site contain a designated significant natural community? ☐ Yes ☐ No If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☐ No If Yes: i. Species and listing (endangered or threatened): _____ _____	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☐ No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☐ No If yes, give a brief description of how the proposed action may affect that use: _____ _____	
E.3. Designated Public Resources On or Near Project Site	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☐ No i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☐ No If Yes: i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☐ No If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	

e. 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? ☐ Yes ☐ No If Yes: i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District ii. Name: _____ iii. Brief description of attributes on which listing is based: _____
f. 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? ☐ Yes ☐ No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☐ No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☐ Yes ☐ No If Yes: i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles.
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☐ No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Natalie Quinn Date _____

Signature _____ Title Development Director

**ORDINANCE AMENDING §13-211.1
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED “MOTOR VEHICLES
AND TRAFFIC”**

(O-22-03)

INTRODUCED BY COUNCILMEMBER MENIST:

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

SECTION 1: §13-211.1 is hereby amended by the following addition:

Section 13-211.1 General Vehicle Loading Zone.

Upon the erection of signs giving due notice thereof, the following areas shall be designated as a General Vehicle Loading Zone and is to be utilized only for the purpose set forth in this Article:

Main Street, South side, beginning 170 feet West of its intersection with Academy St. and continuing West for a distance of 50 feet.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by **Underlining and Bold**

**Standardized NOTICE FORM for Providing 30-Day Advance
Notice to a Local Municipality or Community Board**

1. Date Notice Sent: 4/15/22 1a. Delivered by: U.S. Post Office

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

☐ New Application ☐ Removal ☒ Class Change *Renewal

For premises in the City of New York:

☐ New Application ☐ New Application and Temporary Retail Permit ☐ Renewal ☐ Alteration ☐ Removal
☐ Class Change ☐ Method of Operation ☐ Corporate Change

For New and Temporary Retail Permit applicants, answer each question below using all information known to date

For Renewal applicants, answer all questions

For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For Corporate Change applicants, attach a list of the current and proposed corporate principals

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For Class Change applicants, attach a statement detailing your current license type and your proposed license type

For Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: City of Poughkeepsie

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): 2109158/2104866 Expiration Date (if applicable): 7/1/22

5. Applicant or Licensee Name: Oasis Restaurant Corp

6. Trade Name (if any): Union Tavern

7. Street Address of Establishment: 49-51 Market Street

8. City, Town or Village: Poughkeepsie, NY Zip Code: 12601

9. Business Telephone Number of applicant/ Licensee: 845-232-5674

10. Business E-mail of Applicant/Licensee: Cgioia33@hotmail.com

11. Type(s) of alcohol sold or to be sold: ☐ Beer & cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service: ☒ Full Food menu; full kitchen run by a chef/cook ☐ Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: restaurant

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke

14. Method of Operation: (check all that apply) ☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): jazz acoustic rock

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): _____

15. Licensed Outdoor Area: ☐ None ☒ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure
 (check all that apply) ☐ Sidewalk Cafe ☐ Other (specify): _____

16. List the floor(s) of the building that the establishment is located on: 1st Floor
17. List the room number(s) the establishment is located in within the building, if appropriate: NA
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☒ Yes ☐ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

Name Serial Number
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: 49 Market St Corp
23. Building Owner's Street Address: PO Box 538
24. City, Town or Village: Hyde Park State: New York Zip Code: 12538
25. Business Telephone Number of Building Owner: 914-475-3529

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: Alan Ruppel EA
27. Representative/Attorney's Street Address: 35 Market Street
28. City, Town or Village: Poughkeepsie State: New York Zip Code: 12601
29. Business Telephone Number of Representative/Attorney: 845-454-1110
30. Business E-mail Address of Representative/Attorney: arup@cgrlaw.com

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under Penalty of Perjury - that the representations made in this form are true.

31. Printed Principal Name: Carla Giobbi Title: President

Principal Signature: _____

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

CITY OF Poughkeepsie
CITY CHAMBERLAIN
2022 APR 27 PM 12:17

49

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice was Sent: 04/26/2022 1a. Delivered by: Overnight Mail with Tracking Number
2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:
- ☒ New Application ☐ Renewal ☐ Alteration ☐ Corporate Change ☐ Removal ☐ Class Change ☐ Method of Operation Change

For New applicants, answer each question below using all information known to date

For Renewal applicants, answer all questions

For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s)

For Corporate Change applicants, attach a list of the current and proposed corporate principals

For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation

For Class Change applicants, attach a statement detailing your current license type and your proposed license type

For Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: CITY OF POUGHKEEPSIE

Applicant/Licensee Information:

4. Licensee Serial Number (if applicable): _____ Expiration Date (if applicable): _____

5. Applicant or Licensee Name: CHRISTIAN'S PP LLC

6. Trade Name (if any): PENDING

7. Street Address of Establishment: 85 MAIN ST

8. City, Town or Village: POUGHKEEPSIE, NY Zip Code: 12601

9. Business Telephone Number of Applicant/Licensee: (845) 366-0381

10. Business E-mail of Applicant/Licensee: CHRISTIANGANNON1999@GMAIL.COM

11. Type(s) of alcohol sold or to be sold: ☐ Beer & Cider ☐ Wine, Beer & Cider ☒ Liquor, Wine, Beer & Cider

12. Extent of Food Service:

☒ Full food menu; full kitchen run by a chef or cook ☐ Menu meets legal minimum food availability requirements; food prep area at minimum

13. Type of Establishment: Restaurant (full kitchen and full menu required)

14. Method of Operation:
(check all that apply)

☐ Seasonal Establishment ☐ Juke Box ☐ Disc Jockey ☒ Recorded Music ☐ Karaoke

☒ Live Music (give details i.e., rock bands, acoustic, jazz, etc.): AMERICAN

☐ Patron Dancing ☐ Employee Dancing ☐ Exotic Dancing ☐ Topless Entertainment

☐ Video/Arcade Games ☐ Third Party Promoters ☐ Security Personnel

☐ Other (specify): N/A

15. Licensed Outdoor Area:
(check all that apply)

☒ None ☐ Patio or Deck ☐ Rooftop ☐ Garden/Grounds ☐ Freestanding Covered Structure

☐ Sidewalk Cafe ☐ Other (specify): N/A

CITY OF Poughkeepsie
CITY CHAMBER OF COMMERCE
2022 APR 27 PM 12:17

OFFICE USE ONLY		
☐ Original	☐ Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: **BASEMENT, GROUND**
17. List the room number(s) the establishment is located in within the building, if appropriate: **N/A**
18. Is the premises located within 500 feet of three or more on-premises liquor establishments? ☐ Yes ☒ No
19. Will the license holder or a manager be physically present within the establishment during all hours of operation? ☒ Yes ☐ No
20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:
N/A Name _____ Serial Number _____
21. Does the applicant or licensee own the building in which the establishment is located? ☐ Yes (if YES, SKIP 23-26) ☒ No

Owner of the Building in Which the Licensed Establishment is Located

22. Building Owner's Full Name: **ALVARATTA LLC**
23. Building Owner's Street Address: **87 FAIRVIEW AVE**
24. City, Town or Village: **POUGHKEEPSIE** State: **NY** Zip Code: **12601**
25. Business Telephone Number of Building Owner: **(845) 518-1902**

Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice

26. Representative/Attorney's Full Name: **BRETT HAAS REPRESENTATIVE**
27. Representative/Attorney's Street Address: **PO BOX 42**
28. City, Town or Village: **MEMPHIS** State: **NY** Zip Code: **13112**
29. Business Telephone Number of Representative/Attorney: **(646) 245-2610**
30. Business E-mail Address of Representative/Attorney: **BRETT@LIQUORAUTHORITY.ORG**

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: **CHRISTIAN P. GANNON** Title: **LLC MEMBER**

Principal Signature: *X Christian Gannon*



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, April 18, 2022, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is April 18, 2022, and the time is 6:33 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 Deichler absent)

II. REVIEW OF MINUTES:

**Special Informational Meeting – April 4, 2022
Common Council Meeting – April 4, 2022**

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

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

-NONE-

IV. PUBLIC PARTICIPATION

- 1. Brenda Blasini & Talbot Johnson**
- 2. Peter Van Aken – Wilbur Blvd.**
- 3. John Rath**
- 4. Laurie Sandow – S. Grand Ave. (submitted in writing)**

I'll start by noting that two weeks ago the Council finally voted four people as members of the City's Redistricting Commission yet, to date, not one of us has received necessary instruction to proceed.

But mostly tonight, I'd like to talk about rampant lawbreaking, collusion and fake news within the ranks of City Administration and electeds. I'll start by highlighting Corporation Counsel Valk's defense for secretly closing the sale of Wheaton Park to Pelton Partners LLC based on a years-long process riddled with fiduciary breaches, including a concocted sales price based on a 2008 appraisal, despite RFP(s) for the parcel not even being issued until 2014; failure to formally record or produce attendees, minutes and alternate bids from the RFP selection process; and the sale not closed until 2022. In justifying the sale, Valk willfully turned a blind eye to both the history and documented infractions behind former Mayor Tkazyik's poison-pen RFPs. Ms. Valk and this Administration continue to avoid mention and acknowledgement of the illegalities whose stink permeates the issuance of the RFPs, the winning bid selection process, and the Common Council vote on the contract.

I wonder, is there anyone else in the City who's able to buy a property based on an appraisal made six years prior to their offer, and 14 years prior to purchase, for which neither purchase order nor current appraisal exists? Are buyers normally granted ownership of part of the streets and roads abutting their purchase? Is it normal practice for this City to write purchase contracts granting the buyer the right to waive land use approvals? Or for the purchaser to fail any other aspect(s) of their contract and still be granted the absolute right to purchase? Why is the City—having modified the contract through their secret closing agreement—still refusing to release that document, despite a Freedom of Information request submitted more than two weeks ago? Let me suggest two possibilities: 1) that the agreement is being withheld because it most likely enables the City to rob Peter—that is, we, the public—in order to pay Paul (the Bonura and the Delaval settlement); and 2) the agreement embarrasses or indicts the Administration in other ways.

Let me also read into the record part of a recent Email from Corp Counsel Valk, in response to two different Ethics complaints I filed. Both complaints had impeccable documentation—one of Sarah Salem’s evidence-tampering in order to circulate false and defamatory statements; the second documenting Salem’s clear violation of the City Charter. Instead of taking up the cudgel against official misconduct by a City of Poughkeepsie elected, Ms. Valk spun and blew off the complaints as if she’d been asked for private representation. Quoting Ms. Valk: “there is no remedy under the law that this department may take on behalf of a private citizen against the elected City officials.”

It’ll be interesting to find whether Ms. Valk will spin lawbreaking behind closed doors at tonight’s Executive Session regarding the Ice House lease termination, with Kevin Lund in receipt of a July 8, 2021 termination notice, clearly preceding the Flores Taqueria buildout. Will the Mayor, City Administrator or Ms. Valk break their silence on Dutchess County’s stated intent to relocate those currently sheltered in the PODS into another City of Poughkeepsie site, a so-called “Emergency Housing Facility for single adults” plunked down at 26 Oakley, right in the middle of the Fifth Ward, just one block from College Hill Park. Or will those be spun, too, just the latest examples of this City’s welcome mat for lawbreaking and secret deals.

Lastly, I’ll close by noting that, par for the course, no surprise, I’m still waiting for replies from various parties to the majority of questions I submitted at the April 4, 2022, Informational Meeting. Questions were specifically addressed to Chamberlain Davis, Planning Director Natalie Quinn and City Administrator Marc Nelson, as well as Sarah Salem and Corporation Counsel Valk. Ms. Valk replied to some questions, while finding a way to evade and dismiss other matters by saying they were not written as questions. Ms. Valk’s reply to my questions follows on the next three pages:

On Tue, Apr 12, 2022 at 4:31 PM Valk, Rebecca A. <RValk@cityofpoughkeepsie.com> wrote:

Ms. Sandow: Please in *bold/italics* are my responses to your written questions.

Questions to Corporation Counsel Valk:

—On Wednesday, February 16, you instructed Deputy Chamberlain Donna DeLuca that she should NOT include my public comments in the draft minutes of the February 7 Common Council meeting. On Thursday, February 17, I submitted a FOIL regarding both your instructions to Ms. DeLuca, and also your instructions to me that, if I “wish for written comments to be part of the minutes please submit prior to or contemporaneously to the meeting.” I FOILED your exchange with Ms. DeLuca and Mr. Nelson, as well as any written law, regulation or ordinances applying to all members of the public, specifying the requirements and deadlines you alleged regarding submission of their public comments.

There is no question posed in the paragraph above.

I did not receive a reply to this FOIL until March 30—well past NY Freedom of Information Law’s provision that “If circumstances prevent disclosure to the person requesting the record or records within twenty business days from the date of the acknowledgement of the receipt of the request, the agency shall state, in writing, both the reason for the inability to grant the request within twenty business days and a date certain within a reasonable period, depending on the circumstances, when the request will be granted in whole or in part.”

There is no question posed in the paragraph above.

What should I understand when even the c/PK’s own Corporation Counsel is non-compliant with NY State’s Freedom of Information law?

I responded to this FOIL upon being made aware of it. If it was transmitted to my office earlier, I will see if there was a communication error to prevent the same from happening again. If you feel you have been denied rights under FOIL, there are legal remedies available under the law.

And/or sends instructions for which there appears to be no basis in law?

I’m not sure there is a question here but to the extent there is one I reiterate there is a basis in the law. Simply because something is not prohibited in the law does not mean that it is also required by law.

On Tue, Apr 12, 2022 at 4:31 PM Valk, Rebecca A. <RValk@cityofpoughkeepsie.com> wrote
(continued):

The content of “minutes” is controlled by Public Officers Law Section 106(1): “Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.” Nothing in the Charter requires anything additional. I have no objection if the Chamberlain should choose to add more to her minutes and she has graciously provided with you three days to email comments that are typed and read verbatim on the day of the meeting. My verbal instruction that I shared with you in email was that the Chamberlain did not need to amend minutes already prepared when a resident decides many, many days later to send in the written version of their comments.

When I did receive a reply, my request for your correspondence to Ms. DeLuca and Mr. Nelson was denied on the basis of Attorney-Client privilege, and the second part of the FOIL reply stated that “no such document exists” regarding the deadlines you were attempting to impose on me. To quote Ms. Jasmin Davis’ reply: “As to your request for “any and all City of Poughkeepsie laws, regulations and /or ordinances that specify – in writing – requirements and deadlines apply to all members of the public regarding submission of their public comments for inclusion in Common Council meeting minutes” please be advised that so such document exists. The content of “minutes” is controlled by Public Officers Law Section 106(1): “Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.”

There is no question posed in the paragraph above.

Questions to Corporation Counsel Valk (continued):

—Ms. Valk: The City’s Charter clarifies, and I quote: “that the City Chamberlain and Corporation Counsel serve the Common Council as well as the Mayor, thus ensuring that the legislative branch has sufficient clerical and legal support in the exercise of its power and authority.”

Yet, it appears that not only did you not include the Common Council, nor even notify the Common Council, that you were proceeding to closing on the Wheaton parcel until the very day that the closing took place. It’s also my understanding that you did not notify nor seek the Council’s input or opinion on that closing, even though you had been in conversation with the Mayor, the City Administrator, and one assumes Pelton Partners for at least two weeks prior to your March 29 notification, and likely far longer before that. Please advise why your actions were not a violation of your obligation under the City Charter to equally serve the Common Council as well as the Mayor?

On Tue, Apr 12, 2022 at 4:31 PM Valk, Rebecca A. <RValk@cityofpoughkeepsie.com> wrote
(continued):

Resolution 15-93 of the Common Council directs the Mayor, City Administrator and Corporation Counsel to complete the sale of the property and that resolution remains in full force and effect. Your question makes many incorrect assumptions, including that my legal opinion would change based upon the individual/department requesting. My analysis is always guided by the documents/contract/resolution under review, and not the person or entity seeking the legal opinion. The decision if/when to close was the administration's – not the law department. Throughout the process, and whenever one of the several branches of government seeks legal advice, I am bound by the attorney client privilege, which can only be waived by the client. Once a decision was made by the Mayor, I advised the Common Council with the consent of the Mayor to share the legal opinion rendered to the Administration.

—With the Records Access Officer as the person who determines who the FOI request will be circulated to, is there any way to request or check who has actually received? especially if there seem to be parties who should have received and replied but who have been non-responsive?

If the requestor does not identify the relevant department, it will be for the records access officer to determine which departments might have documents in response to a FOIL. To obtain the identities of the departments circulated to and a response, a FOIL may be submitted.

REBECCA A. VALK

Corporation Counsel

City of Poughkeepsie

62 Civic Center Plaza, 3rd Floor

Poughkeepsie, NY 12601

Telephone: 845-451-4065

rvalk@cityofpoughkeepsie.com

Official Minutes of the Common Council Meeting of April 18, 2022

5. Sean Hammerle
6. Naomi Brooks – S. Grand Ave.
7. Jeff Koschmacher
8. Ken Stier – Verrazano Blvd.
9. Andrew O'Grady – CEO of Mental Health Association of Dutchess County
10. Erma Garmen – Beekman St.
11. Carrie Decker – Academy St.

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS

I don't have a lot of comments today. I want to remind folks that we moved our Pattern for Progress presentation on the recent housing assessment to May 2nd. And then I did want to address the 36 North Clover comments as far as I could. I, you know, we have been talking about as a council this issue in caucus. We weren't aware of the sale prior to the sale occurring. We are in pending litigation with those developers on the decisioning of the historic commission in the decisioning about on the appeal by the council right now. So there's not too much we can say in that area.

However, I can assure you we are talking about this in caucus and hearing these comments helps to lend to our decisioning and us figuring out what steps we can take moving forward. So you're heard, I hear you and you know, I hope, I hope that, you know, in our next caucus, we'll have a little bit more time to take this on as a discussion because it's not just folks coming out and commenting at the council meeting, it's people getting phone calls and emails. And you know, and to, you know, Brenda, I want to thank you for coming in and bringing Mr. Sorry, your name completely. Thank you. I really appreciate it.

And you know, I think the situation that you've been dealing with, I remember you coming in to us prior and I'd been kind of peeping along Liberty Street and checking out and seeing how your space was, and I noticed you weren't there anymore. So, you know, I think all of us care about the situation that we see up and down Main and throughout the rest of the city. And we know it's a complex issue and we're going to take all of that as it comes. I think there are a lot of things that have to happen in order to come to a solution. And as you said, there's no easy solution.

But I actually appreciate you kind of taking it on your own to kind of bring folks in who wouldn't traditionally have an opportunity to lend a voice to this discussion. It's good for all of us. I know I feel I learned a little bit more tonight, so I thank you for that. And that concludes my comment. So we'll move to Mayor's comments.

VI. MAYOR'S COMMENTS

Thank you, chair. I'm happy to report that the work has started at Pershing Park. This has been an ongoing project that started two years ago with the Urban Farm, with new City Park, scenic Hudson and the Pershing Park partnership. Nubian Directions is also involved with other community partners, so the construction is started.

Official Minutes of the Common Council Meeting of April 18, 2022

The Park Farm will continue to be open and accessible throughout the project. This is a \$1.3 million park improvement project at Pershing should be hopefully finished in the fall of 2022. And then, as we've spoken here on several occasions, is that once the Pershing Avenue project is done, then Malcolm X will start.

We had a really I know I said this before, but I just want to give a follow up to the council, we had a really good response where youth grant application process, where the 30 organizations have applied for the grants, we've been looking at them and also to obviously with 30 applications, and there could be a couple more, a little bit less.

The original grant funding is one hundred and forty thousand dollars, and as we start to see what the requests are, also what the scope of the programs are, we'll be talking obviously to the council because if we want to and I know we will, we've spoken about this through the formulation of the budget that ARPA funding is eligible for programs for youth, and we would have to come obviously and discuss with the council about the use of ARPA Funds for Youth Program, which we all know is a priority for all of us.

And one of those lines, one of the things that's important that we spend a lot of time in discussing with you here, with the partners within the community school district specifically and other nonprofit organizations is how we get the greatest impact for the moneys that we have based on data and outcomes.

And we had a conversation and a visit in October from Geoffrey Canada, who was the president and founder of the Harlem Children's Zone, which has transformed Harlem into a different place when it came to the delivery of services to families and children. And we were excited that Mr. Canada came here.

It was essentially an all day visit where we were in the city of Poughkeepsie. We were talking to Nubian directions. We were down at the former Y site where you park were at the library. We had a meeting with Jeffrey and his team at Quiet Cove with the county and the school district, and I can tell you that that was a really exciting time in October to have Mr. Canada here, who certainly is an unbelievable individual and the work that the children zone has done. One of the things that was spoken about at the October get together was that the Children's Zone and their Institute for Funding is looking at opportunities throughout the country now, both in smaller cities like the city of Poughkeepsie and actually rural areas where Mr. Canada is right now, I believe in Kentucky talking to a school district and county out there on the issues that affect children, families, poor rural communities.

The good news is that we have agreed along with the county in the zone to form a partnership and we're signing. We signed and we formalized a memorandum of opportunity with them. We're going to be traveling, I believe, to Harlem at some point in time and obviously everybody know. But this is a really this is a really good thing for the city.

Poughkeepsie to have the zone, the Harlem Children's Zone and their expertise to

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come to Poughkeepsie to help advise on certain things with that data is so important. And they're also going to be working on the youth project as well as that moves forward. So I want to brief everyone on that that really just came up last week. We had a meeting with Jeffrey and his team on Wednesday. I'll be participating.

And you know, this was a meeting from last week that was postponed on gun violence at Newburgh Armory at 2:15, and the head of D.C.J.S. will be there Rossana Risotto and this is a roundtable discussion on gun violence tonight.

Chief Pape and the command staff are here to update us on issues revolving, involving the police reform efforts and crime and public safety here in the city of Poughkeepsie and look forward to that because a lot of work has been done since this council and community leaders helped craft that executive order 203, and we have made a lot of progress in that area.

Finally, I want to address a topic that obviously everyone is concerned about, including myself and the administration of the city, and that's 26 Oakley Street in the proposal for a 24 hour emergency shelter there. I attended the presentation at the county legislature at their committee day meetings and heard from the individuals from Hackensack and the Bergen County model know that we're working on a site visit to that location within the next two weeks. I want to say this is that they asked the county of for more time for the city, for the Council for Community Leaders to do more due diligence on this project. It also asked to understand how the site selection went. What areas were looked at. The reasons that they were not selected based on various components of being able to deliver services to our individuals who have housing challenges and other types of challenges. We heard from Andrew O'Grady for Mental Health America, who was partner not only within that system, but also a partner in our mental health outreach, which we'll hear tonight from the command staff of what we've done to deliver services to individuals who are in crisis, individuals who have challenges in housing.

And I'll end with this is that we all have a responsibility to help one another. That's undeniable how that happens and where it happens is something that we're going to discuss. But the one thing I just want to make clear is that we need to treat everyone with dignity, whether they have a roof over their head, whether they have substance abuse, mental health issues, alcohol addiction challenges.

That and I know that people in this room and the members of this council are not walking around these folks. They're concerned about these folks, and that's why this city has done a lot more than other communities in this state, especially for cities our size in and we just been asked to present to the Conference of Mayors with the City of Albany and our model because our model is being recognized as something that it does make a difference. Do we need more? Yes, we do.

Do we need a place for folks? That is the right place with the right environment to change people's lives? Absolutely. Now how we get there is something that we're going to work on together. But I just want to make sure that individuals understand this, that this is not we're not rubber stamping anything, that there are

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genuine concerns both within our community, within the legislative bodies, both here at the City Council and the county legislature.

What I want to everyone know that we're partners in this. We're not sitting on the sidelines. And I think because at the end of this process, it's about helping people and they are here. They are here. These are our friends. These are these are family members, these are people that we don't even know that we care about and we have to make sure that they feel that they're not just being pushed aside.

Thank you, chair.

VII. NEW & UNFINISHED BUSINESS

Councilmember Menist walked on Resolution R-22-34.

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

**R E S O L U T I O N
(R-22-34)**

INTRODUCED BY MAJORITY LEADER MENIST, CHAIRPERSON SALEM, VICE CHAIR CHERRY, COUNCILMEMBER LONG, COUNCILMEMBER SHOOK, COUNCILMEMBER FLOWERS, COUNCILMEMBER THOMPSON:

WHEREAS, Dutchess County has proposed the construction of a campus complex, at 26 Oakley St, proposing to serve hundreds of unhoused and high risk populations, in both a residential setting of 100 beds as well as on site services for the mentally ill, as well as active and recovering persons with substance use disorders; and,

WHEREAS, Dutchess County Executive Marc Molinaro has proposed to use federal American Rescue Plan funds to pay for the construction of this complex; and,

WHEREAS, Dutchess County has not identified the source or scope of funding for related services associated with this complex, including but not limited to a failure to quantify a fiscal impact on the City of Poughkeepsie, such as diversion of municipal resources both financial and municipal staff; and,

WHEREAS, Dutchess County has referred to Bergen County, NJ, as a successful model for similar single campus provider of services to unhoused, high risk, and/or substance-dependent populations; and,

WHEREAS, Bergen County, NJ has a population in excess of 900,000 residents, served by a 90 bed single campus, and Dutchess County proposes a 100 bed single campus to serve a population of less than 300,000 Dutchess County residents; and,

WHEREAS, the City of Poughkeepsie, and in particular the historically-Black "Northside" neighborhood of the City, have been disproportionately affected by discriminatory government policies at all levels for over a century, including but not limited to the policy of "redlining", the demolition of over 400 buildings and separation of neighborhoods during the "Urban Renewal" program, the "warehousing of poverty" through high-concentrations of low-income public

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housing developments, the continuous struggles with the “war on drugs” and subsequent system of mass incarceration, and racially-segregated and under-invested public schools; and, **WHEREAS**, the City of Poughkeepsie, and in particular the historically-Black “Northside” neighborhood of the City, are already overburdened by the disproportionate externalities of Dutchess County facilities including but not limited to an exponential expansion of the Dutchess County Jail, as well as the creation and placement of a temporary shelter for the unhoused population referred to as the “PODS”, which have led to the aggregation of persons in need of services and encouraged the creation of encampments of unhoused persons across the Northside, as well as an increase in reports of persons struggling with mental illness defecating and using intravenous and other substances on the properties of nearby residents; and, **WHEREAS**, the Common Council are clients of the City of Poughkeepsie Corporation Counsel, pursuant to the Corporate Charter and the Code of the City of Poughkeepsie; and, **WHEREAS**, The Common Council, upon information and belief that Dutchess County is imminently prepared to undertake the plans provided by Dutchess County regarding the campus proposed for 26 Oakley St, wish to reserve all legal remedies and rights in order to remediate any possible disparate impacts to residents of the City of Poughkeepsie from actions taken by Dutchess County; and, **WHEREAS**, The Common Council understands that time is of the essence, and the office of the Corporation Counsel lacks the necessary human resources to devote the time necessary to handle the work required of this case in a timely manner;

NOW THEREFORE, BE IT RESOLVED

1. The Common Council, in reviewing the information and plans provided by Dutchess County regarding the campus proposed for 26 Oakley St, have identified an immediate need for extensive legal research; litigation planning, discovery and other legal services; in preparation for possible adversarial proceedings against Dutchess County and one or more John Doe parties, including but not limited to both litigation and regulatory proceedings; as well as an immediate need for related reports to the Common Council, regarding, but not limited to the following issues:

- Civil rights
- SEQRA
- False Claims Act concerns regarding social services contractors and best practices
- Breach of contract by current social services contractors
- Environmental Justice
- ARP spending requirements
- Legal relevance of Bergen County, NJ data, given the different population numbers and composition, median incomes, per capita number of homeless in Dutchess and Bergen County
- General Municipal Law of New York State,
- Government Contractor proceedings and qualifications, state, municipal and federal
- Fiduciary responsibilities and gross negligence as affecting qualified immunity from proceedings for officials, as well as contractors

2. The Corporation Counsel shall advise the Common Council forthwith, in no more than 5 business days, whether the Corporation Counsel will be able to act on behalf of the Common Council, and the Corporation Counsel will make every reasonable attempt to provide a written

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waiver by the Mayor of any objections to the Common Council's retention of Counsel, either the Corporation Counsel or outside counsel.

If the Corporation Counsel determines that they can act on behalf of the Common Council, because the Mayor has indicated no objection to the Common Council's objectives, views, decisions and interests as a client, then, the Corporation Counsel will provide a detailed preliminary outline of the scope of legal services required by the findings in this Resolution, and with the approval of the Chair of the Common Council, contract outside legal counsel which is appropriately equipped to handle this matter to provide all necessary assistance to Corporation Counsel. The Corporation Counsel is subsequently directed to execute a contract with outside legal counsel to address the aforementioned scope of extensive legal research; litigation planning, discovery and other legal services.

If the Corporation Counsel determines that they are unable to act for the Common Council, they are directed to provide a written explanation of their determination within 5 business days and to assist the Chair of the Common Council in identifying outside legal counsel which is appropriately equipped to handle this matter independently on behalf of the Common Council. The Chair of the Common Council is empowered to execute a contract with outside legal counsel to address the aforementioned scope of extensive legal research; litigation planning, discovery and other legal services.

SECONDED BY COUNCILMEMBER _____.

R-22-34						
☒ 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	☒	☐	☐	☐

VIII. REPORTS OF COMMITTEES AND BOARDS:

-NONE-

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

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

1. R-22-32, Resolution Approving an Agreement With Dutchess County To Conduct Community Development Block Grant (CDBG) Environmental Reviews

RESOLUTION

(R-22-32)

**RESOLUTION APPROVING AN AGREEMENT WITH DUTCHESS COUNTY TO
CONDUCT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
ENVIRONMENTAL REVIEWS**

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the City of Poughkeepsie administers a Community Development Block Grant (CDBG) that is a federally funded formula-based grant allocated by the U.S. Department of Housing and Urban Development (HUD) to eligible cities; and

WHEREAS, periodically a program to be administered under the CDBG grant will require environmental review under the National Environmental Protection Act (NEPA); and

WHEREAS, the Director of Social Development, Jaclyn Greenwald, Esq. has requested County of Dutchess Planning and Development Department perform the environmental reviews in accordance with the Agreement annexed hereto as Exhibit A; and

WHEREAS, the attached Agreement required approval pursuant to General Municipal Law Section 119-o "Performance of Municipal Cooperative Activities."

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby finds and determines that it is in the best interest of the City to enter into an agreement with the County of Dutchess to perform environmental reviews for the CDBG grant program upon the terms and conditions annexed hereto as Exhibit A and made a part hereof; and

BE IT FURTHER RESOLVED, that the Mayor, City Administrator and Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution including but not limited to the execution of the attached Agreement and any other documents as necessary to give effect to the terms of this resolution.

SECONDED BY COUNCILMEMBER _____.

R-22-32						
☒ 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	☒	☐	☐	☐

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

2. R-22-33, Resolution Setting A Public Hearing For The R4-A Text Amendment

**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-22-33)**

INTRODUCED BY COUNCILMEMBER MENIST:

BE IT RESOLVED that an introductory ordinance amending Section 19-3.19 of the City of Poughkeepsie Code of Ordinances, entitled “Central Urban Density Residence District (R-4A)”; 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 will be held at 6:00 o’clock P.M., on Monday, May 2, 2022 and such hearing will be held in person at City Hall, 62 Civic Center Plaza, 3rd Floor, Poughkeepsie, NY 12601; 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.

SECONDED BY COUNCILMEMBER _____.

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R-22-33						
☒ 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:

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

XII. ORDINANCES AND LOCAL LAWS:

XIII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **FROM CITY ADMINISTRATOR MARC NELSON,** A Communication on Gas Regulator Easement Request from Central Hudson

A motion to suspend the rules was made by Councilmember Menist and seconded by Councilmember Johnson to allow Central Hudson employees Maggie Matson, Kwame Hayle & Brian Finn to address the Council regarding the Gas Regulator Easement Request.

A motion was made by Councilmember Cherry to resume the rules.

2. **FROM COUNCILMEMBER MENIST,** A Communication on Relocating a Loading Zone on Main St.
3. **FROM CITY OF POUGHKEEPSIE POLICE DEPARTMENT,** Update and Presentation on Public Safety Improvement Efforts.

A motion was made to defer the below communication to Corporation Counsel by Councilmember Menist and seconded by Councilmember Thompson.

4. **FROM SUSHI GINZA & CAJUN SEAFOOD INC.,** A Notice of Intent to File a NYS Liquor License.

A motion was made to enter into Executive Session by Councilmember Long and seconded by Councilmember Menist.

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XIV. EXECUTIVE SESSION – LICENSE AGREEMENT RE. ICEHOUSE. ATTORNEY-CLIENT DISCUSSION

A motion was made by Councilmember Menist and seconded by Councilmember Long to end the Executive Session and to resume the regular meeting.

XV. ANNOUNCEMENTS:

XVI. ADJOURNMENT:

A motion was made by Councilmember Thompson and seconded by Councilmember Menist to adjourn the meeting at 10:19pm.

Dated: April 26, 2022

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, April 18, 2022.

Respectfully submitted,

**Jasmin Nicole Davis
City Chamberlain**