



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, April 1, 2019 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL- All Present

Chairwoman Finney changed the order of the meeting to allow for the presentation for Helen Clawson.

II. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

2. FROM COUNCILMEMBER PETSAS, recognizing Helen Clawson.

III. REVIEW OF MINUTES:

Organizational Mtg 1-2-19 and CCM 1-2-19						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

ADD:

VII. MOTIONS AND RESOLUTIONS:

3. **RESOLUTION R19-44**, scheduling a Special Meeting on Policing, Crime Reduction and Policing-Community Relations in the City of Poughkeepsie

REMOVE:

VII. MOTIONS AND RESOLUTIONS:

1. **RESOLUTION R19-42**, approving a lease with Verizon for the lease of rooftop space at Hooker Avenue Firehouse and DPW Compound for small cell antennas.
- V. **PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.**

Warren Jones 32 North Clover Street

Constantine Kazolias 47 Noxon Street

Earl Brown 5 Merrick Road

Darrett Roberts 148 Franklin Street

Laurie Sandow South Grand Avenue

Jeff Domanski Catherine Street, Beacon NY (Hudson Valley Energy)

Mike Gordon-Joule Assets

Shelia Drew 66 Washington Street

VI. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Finney-So I was going to say that Sheila's comments were a tough act to follow but Mr. Gordon took care of that for me. Yes, I remember working with Helen on the bus, buses, and every time we had a meeting we were all worked up about how we're going to decide the that and the other thing and Helen would say, but or no. And we always had to work much harder. And of course the results were a lot better. So I join you we all wish her Godspeed and a peaceful passing. Okay, I think at this point I will reserve my comments till we get to the resolutions

VII. MAYOR'S COMMENTS:

Mayor Rolison- I want to thank everyone who had the opportunity to come out to the State of the City this past Thursday. I want to special thank you to Councilperson Johnson for the various shout outs during the State of the City that got me reenergized. Thank you very much for that. As we know the state budget was adopted over the weekend and received an update today from New York Conference of Mayors on some of the particular things. I know we've been sort of interested in here and I'm going to highlight them. The AME funding, which was not cut out of the original proposal from the Governor for cities, but was cut to villages and towns has been restored, but however apparently what is going to happen is the AME funding for villages and towns is going to come out of County Sales Tax. That's where that money is going to come from. And my understanding would be is that that could impact the growth part of the sales tax formula for counties that have it that way where the growth which is shared specifically by the City of Poughkeepsie and the City of Beacon and the county and the towns and villages could be

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reduced because part of that sales tax monies are going to go to AME which before this came into the general fund budget for from the state. There was an Internet sales tax which is going to help with the MTA and their Capital Plan. Some more details will be coming out about that. Transportation Aid, which obviously all municipalities were concerned about it. It remains to be seen because apparently they're going to enact a supplemental capital projects bill later this month, which I don't think has ever been done before. What whatever what is hearing is that that's where any increase in chips, our material maintenance reimbursement, and the extreme winter recovery funding will come from Tax Cap was made permanent. The one thing that we were really obviously concerned about here was the additional money that was pledged by the Governor, and has stayed in in the budget bill is an additional 500 Million, made available for drinking water and wastewater infrastructure. Probably primarily through EFC. It already will supplement the 2.5 Billion dollars with the clean water infrastructure act, which we have taken part in. There also is the "Plastic Bag Ban" which has some exceptions which will come into effect in 2020. And what I understand is that counties and cities will have the ability to impose a five cent fee on carry out paper bags, which 40 percent of those proceeds can go back to the county or the city to be used for the purchase of purchasing and distributing reusable bags and the rest of the 60 percent goes to the State Environmental Protection Fund. Those are some of the highlights that came out today from NYCOM and as we continue to get them and as the bill is now really analyzed by NYCOM staff, New York State Association of Counties, Association of the Towns and Villages, they'll be coming out with lots of information on the ramifications of the budget for the rest of the state.

Note there was a memo that was distributed to the Council that came from the City Administrator that came from the County Commissioner of Human Resources, Steve Rector on the qualifications for police officer. We have reached out to them to set up a meeting. I know myself, Councilperson Cherry, Flowers, the Chief, Regina Sweat, our new H.R. Director, I believe, Legislator Randy Johnson from the County we're working on a date now to talk to them about our concerns. They want to hear from municipalities throughout the county on how the exam is currently qualified and there was I had a conversation today as a follow up one of the other things not only does the 60 college credits as we've said and have gone on the record saying definitely inhibits our ability to recruit individuals to take the test. There also is now that we're actually seeing transfers coming in from other jobs that the exam qualifications for all of the counties come into play. Where if you have say an officer from Ulster County who wants to transfer to the city of Poughkeepsie, our minimum qualifications on the exam announcement state you have to have 60 college credits. From what I'm being told, is Ulster County, which did have 60, is dropping down to the high school diploma requirement which would then prohibit them from transferring here. You can go up but you can't go down. And we are now seeing some increased activity and transfers and reinstatements. And that also goes to what we're trying to do with diversifying the ranks because you know you're able to recruit and hire the people that you want to hire in a transfer situation.

So that's just another part of it. And then one final comment Madam Chair just a little bit of information. We have been waiting for and it came out today and I put a copy on everybody's desk and will send electronically as well. The GIVE jurisdictions throughout the state, there are 20 of them. They have the tenure report on crime in those jurisdictions and it's and give is the former project impact which the city has participated in for since impact and now give started

many years ago. And that's called the "Gun Involved Elimination Initiative". And the statistics are very encouraging for all the communities across the state. Crime is down throughout the state of New York and I think that's a bit of a national trend as well and that that's listed in the packet. It's very comprehensive with data. But specifically to the City of Poughkeepsie the total index crimes which are the major categories of crimes since 2009 are down fifty point nine percent. Violent crimes in the city of Poughkeepsie since 2009 are down forty eight point two percent. Robbery is down 71 percent. Assault is down 35 percent. Burglaries are down 69 percent. Larcenies 45. Motor vehicle theft 46. So we're obviously going to be looking into these numbers a little bit a little bit deeper. But this shows a trend that is very encouraging for the city. Also to firearm related crimes are down fifty two point two percent over those same ten years and then you've got all the rest of the statistics here. But I wanted to make sure that you saw that tonight because that came out today.

Thank you Madam Chair.

VIII. MOTIONS AND RESOLUTIONS:

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

Councilmember Salem made a motion to suspend the rules to allow for questions from Mike Gordon, **Councilmember Brannen** seconded the motion.

RESOLUTION

R19-43

RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH JOULE ASSETS, INC. REGARDING COMMUNITY CHOICE AGGREGATION PROGRAM

INTRODUCED BY COUNCILMEMBER SALEM

WHEREAS, pursuant to Local Law LL-18-2 adopted on March 19, 2018, the City of Poughkeepsie Common Council enacted a local law to establish a Community Choice Aggregation Program (the, "CCA Program"); and

WHEREAS, the City issued a Request for Proposal ("RFP") seeking a qualified Municipal Program Administrator and based on the results has selected Joule Assets, Inc. ("Joule"); and

WHEREAS, the City is desirous of entering into a Municipal Energy Services Agreement with Joule with respect to the CCA Program which would allow the City to participate in a program to procure energy supply for residents within the City from energy services companies for the residents of the City, with Joule Assets, Inc. as Program Manager; and

WHEREAS, to launch the CCA Program, the City and Joule seek to obtain competitive electricity supply bids from electricity suppliers that will lead to the execution of an Electricity Supply Agreement (the “Supply Agreement”) with a bidder selected in accordance with the terms and conditions of a Memorandum of Understanding between the City and Joule (the “MOU”); and

WHEREAS, the City and Joule are seeking to enter into the MOU to: (i) confirm that Joule will serve as Program Administrator for the CCA Program in relation to the Supply Agreement; (ii) authorizing the execution of a Program Administrator Agreement; and (iii) obtain the parties’ agreement that each will execute a Supply Agreement with a selected bidder, subject to the terms and conditions in the MOU.

NOW THEREFORE, BE IT RESOLVED, that, the Mayor of the City of Poughkeepsie or the City Administrator is authorized to execute the attached MOU and take other actions necessary in furtherance of the City’s participation in the CCA Program; and

BE IT FURTHER RESOLVED, that the Mayor or City Administrator is authorized to execute an Electricity Supply Agreement, in the form attached as Exhibit “1” to the Memorandum of Understanding, subject to further review and revision by the City Corporation Counsel, which Electricity Supply Agreement authorizes Joule to accept bids for energy services for the City so long as the minimum requirements set forth in the MOU and Electricity Supply Agreement are satisfied; and

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BE IT FURTHER RESOLVED, that the Mayor or City Administrator is authorized to execute a Program Administrator Agreement with Joule in form and substance that is consistent with the Request for Proposal issued by the City and acceptable to the Corporation Counsel.

SECONDED BY COUNCILMEMBER RANDALL JOHNSON

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Community Choice Aggregation Memorandum of Understanding (revised March 7, 2019)

This Community Choice Aggregation Memorandum of Understanding ("**MOU**") is entered into by and between Joule Assets, Inc., a Delaware corporation ("**Joule**" or "**Program Administrator**"), and the City of Poughkeepsie ("**Municipality**") as of the ____ day of ____, 2018 (the "**Effective Date**").

1. Background:

- a. Effective April 21, 2016, the New York State Public Service Commission ("**Commission**") issued an "Order Authorizing Framework for Community Choice Aggregation Opt-Out Program" in Case #14-M-0224 "authoriz[ing] the establishment of CCA programs by municipalities statewide" (the "**CCA Framework Order**").
- b. Effective March 16, 2018, the Commission issued an Order Approving Joule Assets' Community Choice Aggregation Program with Modifications" (the "**Joule Plan**") in Case #14-M-0224 "approv[ing] Joule's proposed CCA program, with modifications" (the "**Joule Order**").
- c. On March 19, 2018, the Municipality has adopted Local Law# 2 of 2018 entitled, Local Law Authorizing the Establishment of a Community Choice Aggregation Program (the "**Municipal Program**").
- d. After the issuance of a Request for Proposals, the City of Poughkeepsie has selected Joule to act as Municipality's program administrator and the Municipality intends to engage the services of Joule as Program Administrator for the Program (the "**Program Administrator Agreement**").
- e. As Program Administrator, Joule will perform a variety of functions for Municipality including: (i) preparing, submitting and obtaining approval by the Commission of the Joule Plan; (ii) obtaining anonymized aggregate consumption data from the Distribution Utility (as defined herein) as needed to solicit electricity supply bids; (iii) prequalifying of, and obtaining soliciting indicative pricing from, Competitive Suppliers (as defined herein); and (iv) with the assistance of Joule's local organizer, organizing and executing a broad public outreach and education campaign in the Municipality, and reporting such efforts to the Commission.
- f. To launch the Municipal Program, Municipality and Joule seek to obtain competitive electricity supply bids from electricity suppliers that will lead to an Electricity Supply Agreement (in the form attached as Exhibit 1) ("**Supply Agreement**") with a bidder selected in accordance with this MOU.
- g. Municipality and Joule enter into this MOU to (i) confirm that Joule will serve as Program Administrator for the Program in relation to the Supply Agreement; (ii) authorize the execution of a Program Administrator Agreement; and to (iii) obtain the parties' agreement that each will execute a Supply Agreement with a selected bidder subject to the terms and condition of this MOU.

2. Definitions: Defined terms have the meanings ascribed elsewhere in this MOU or as follows:

- a. **Bid Review:** An assessment by Joule of each Competitive Supplier's response to be performed by, or paid for, by Joule. For each Competitive Supplier's response, such assessment will include a determination of (i) the creditworthiness of the Competitive

Supplier or adequate documentation of alternative credit arrangement that is at least as secure as a credit-worthy Competitive Supplier, and (ii) whether such supplier has provided a Compliant Bid.

- b. **Community Choice Aggregation Program:** A municipal energy procurement program that replaces the incumbent Distribution Utility as the default supplier for Default Consumers within the Municipality.
- c. **Competitive Supplier:** An entity duly authorized to conduct business in the State of New York as an energy service company (ESCO) that procures electricity for customers located in the Municipality in connection with this Program.
- d. **Compliant Bid:** An electricity supply bid from a Competitive Supplier that meets the requirements specified in this MOU and the Supply Agreement. A Compliant Bid price must be inclusive of fees due to Program Administrator. Compliant Bids must meet one of the following criteria:
 - i. the default bid price is guaranteed to be not less than \$.0005 below the Distribution Utility price for the specified customer class, within the specified utility defined zone, in each calendar month or monthly billing period; or
 - ii. the default price is fixed at a level that is less than the average Distribution Utility price for the same customer class, within the same utility defined zone, over the Preceding Twelve-Month Period (as defined below).
- e. **Default Consumers:** Residential and non-demand commercial customers of electricity who are purchasing electricity from the Distribution Utility at the time immediately prior to the execution of the Supply Agreement, and will be enrolled in the Municipal Program unless they opt-out.
- f. **Distribution Utility:** Central Hudson Gas & Electric Corp.
- g. **Preceding Twelve-Month Period:** For purposes of evaluating a Compliant Bid, the most recent twelve-month period for which the applicable information is available.

3. Roles and Responsibilities of Joule:

- a. Joule reaffirms its obligations under the Program Administrator Agreement.
- b. Prior to execution of the Supply Agreement, Joule will manage the energy procurement bidding process including:
 - i. the notification of prequalified firms seeking to be the Competitive Supplier;
 - ii. the Request for Proposals ("RFP") process from preparation of the content, to publication of the RFP, to management of firms responding to the RFP;
 - iii. the final preparation of the Supply Agreement that will be included in the RFP;
 - iv. the acceptance and secure opening of the responses to the RFP; and
 - v. the Bid Review.
- c. Joule agrees to fulfill other responsibilities as may reasonably adhere to implementation of the Municipal Program, subject to the Program Administrator's contractual or other legal obligation to act at the direction, and in best interests, of the Municipality.

4. Roles and Responsibilities of the Municipality:

- a. Municipality abide by its obligations under the Program Administrator Agreement.

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- b. Municipality agrees to establish participation by Municipality in a Community Choice Aggregation Program that will be managed on its behalf by Joule under the terms set for in this MOU, the Program Administrator Agreement, and in the Supply Agreement, if and as executed.

5. Roles and Responsibilities of each Party:

a. Each Party agrees to execute the Supply Agreement subject to the conditions of review and approval described in this MOU in a timely fashion subject to the condition that:

- i. the Competitive Supplier is deemed creditworthy for the duration of the Supply Agreement as determined by the Bid Review, or the Competitive Supplier arranges alternative credit terms that are, at a minimum, as secure as those provided by a creditworthy Competitive Supplier as defined in this MOU, by the Bid Review, and
- ii. the Competitive Supplier's response to the RFP is deemed a Compliant Bid in accordance with this MOU by the Bid Review.

b. Each Party agrees to perform its obligations under and otherwise comply with the Supply Agreement if and when executed.

- 6. **Term and Termination:** Memorandum of Understanding shall expire on the earlier of May 31, 2019 or the date on which the Supply Agreement is signed by all three counterparties to the Supply Agreement (i.e., the parties hereto and the chosen Competitive Supplier). Municipality shall have the right to terminate this Memorandum of Understanding for any of the reasons set forth in the Termination section of the Supply Agreement attached hereto as Exhibit 1.

- 7. **Miscellaneous:** The undersigned represents and warrants that he/she has the authority to enter into this MOU on behalf of the applicable party.

IN WITNESS WHEREOF, the parties hereto have executed this MEMORANDUM OF UNDERSTANDING as of the Effective Date.

CITY OF POUGHKEEPSIE

Signature of Authorized Individual

By: _____

Name of Authorized Individual

ROBERT G. ROLISON

Title of Authorized Individual

MAYOR

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Address: 62 Civic Center Plaza
Poughkeepsie, New York 12601

Telephone(s): (845) 451-4200

Email: mayor@cityofpoughkeepsie.com

JOULE ASSETS INC.

Signature of Authorized Individual By: _____

Name of Authorized Individual _____

Title of Authorized Individual _____

Address: _____

Telephone(s): _____

Email: _____

Address for Notices (if different):

Attachments:
Exhibit 1, Electricity Supply Agreement

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R 19-43						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

Chairwoman Finney: First for the record and for the public at our last meeting the council was presented with many comments, questions and criticisms as to how we were going to respond to a very painful and shocking incident involving two teenagers and allegations of excessive police brutality. I do want to be sure that the public understands, I'm going to go out on a limb here, but I do think it's important to understand that as painful as this specific incident is the public needs to understand that regardless we will be left with doubts and anxieties. There will be unanswered questions, because the information is under the control of, or the protection of, the family court as to the rights of the young girls and their family, the police officers collective bargaining agreements, and not least, the city's insurance carriers. So the Council is not able to address the public's concerns about this specific incident. Much as we would like to as individuals, as members of the community. That is one of the great sorrows of this event. However, there are things that the council can do, and this resolution, as Ms Flowers has pointed out it's one of a series of public and private responses beginning last year with Ms. Flowers initiatives in her ward for neighborhood meetings about crime and we are planning and are continuing activities that will improve the accountability and public engagement, that will address and resolve appropriate budget and program changes and also very important to begin to rethink our civic priorities. In my opinion we should be shifting away from commercial investment incentives and even deficit reduction and shifting to adequately funded youth services and adequately funded, increase funding for youth services and policing programs. So with that I'm going to turn this over to the nominal sponsor Miss. Flowers, but actually we are all committed to this activity. It's named for Ms. Flowers because I referred to it as Yvonne's Resolution, but it reflects all of our thinking

Councilmember Flowers: So the resolution came about as everyone know that the last meeting I wasn't feel uncomfortable with the wording of the last Resolution. And so I asked for it to be tabled and so that we can revisit it to look at the wording of it. I was not comfortable with the fact that it was considered an oversight hearing, and I was not comfortable with some of the wording. The undertone of the wording of the resolution. So, I had reached out to other Councilmembers, and reached out and talked to our city administration, and came up with this particular wording for this Resolution, which basically is the same thing we're going to have a meeting on April 29th, actually discussing, the police are going to in my mind to come up before us and do a presentation. And also we had the opportunity to have answering questions and also to get the community engaged. Considering the fact of everything that's going on at this particular point. And even with my own relationships in dealing with the police department I felt that by calling it an oversight hearing in the tone that it was in the other Resolution. I just felt it caused a little bit more attention than I would like to see. And that was my own personal feeling about it and came to find out that there were some other Councilmembers that feel the same way.

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So that's the reason why this came about. And when I put it forward I asked the Councilmembers to review it to see what they felt about it. I didn't realize that my name was going to be placed as the major sponsor of it but it was the majority of Councilmembers that are on this council that actually agreed with this. So I'm just bringing this forward as being able to have this Special Meeting on April 29th again to talk with the Police Department so they can give us their dialogue and give us talk to us about their operations and how their insurance safety. Councilmember Salem has also been holding meetings in her particular ward. I was able to attend there and there was quite a few people that were concerned about some challenges that were coming up and how the police were handling. I hold meetings for the past four or five months with the police department. We've been working very well on some initiatives that some things happening in our ward. So we decided back in February, that we wanted to have a meeting in regards to the police operations, and how to improve the safety in the city of Poughkeepsie. And we all agreed to have a meeting and have it held at some place in the community. And at that particular time we agreed that there wasn't going to be a Resolution, from what I understand. And then after this incident happened a Resolution came about stating about an oversight hearing. But in the meanwhile the police department had already decided that they were going to have this meeting that we originally were going to have in March. So it got a little bit confusing to what was going on here. And I just wanted to bring it back to what we originally decided we were going to do back in February and that was to have this meeting to engage with the police department to have the community involved so we can all be on the same page of what we need to ensure safety in the city of Poughkeepsie. So this is what came out of that.

Chairwoman Finney: I would like to add that for my own purposes I'm looking at the fourth whereas where the meeting will include comments or questions of executive non-governmental experts from members of the community. I would like to, I plan to use that that authorization to bring up some specific proposals for change for additional funding, after I get some input from the city as to whether those ideas are feasible or not, how expensive they would be. So I'm looking and expecting a fairly wide ranging discussion at this meeting.

Councilmember Petsas: So at some point this council is going to have to get our act together. So just a month ago we voted on a new rule that said any last minute additions to our agenda need to be posted to the city's website for the public to be able to comment on them at this meeting And now again after voting on that rule change that most of us agreed to we have a Resolution that wasn't posted to the to the website as required by the vote that we took a month ago and now it's on our agenda to vote on. And I'm deeply concerned that we make rules a month ago and now tonight we're breaking the rules. The rules that we voted on Ms. Finney said that it had to be posted at least five days prior to this council voting on it to allow the public to comment on it. That's the motion that I made. That was that was a comment by one of the residents that it needed to be posted so that they had an opportunity to talk about it and discuss it. And so you're breaking the rules that we voted on a month ago. So I'm just I just at some point we really have to get ourselves together because you can't go make rules a month ago and break them tonight.

Councilmember Cherry: Do we need a public input on having this special meeting.

Chairwoman Finney: Replied “No”. Mr. Petsas quibbling. You're really you're quibbling this a petty objection. We're trying to address a very serious issue and one of the reasons it was delayed was because of the time that Ms. Cherry and Ms. Flowers spent last week meeting with various parties and interests in order to present the resolution that they felt best moved it forward. And it was distributed to the Council on Friday giving everybody the weekend to provide their comments.

Councilmember Cherry: So just some background. So after the incident that that happened Council member Flowers and I have been part of a larger meeting with the clergy, the police department and the mayor's office. We've had three meetings so far. Those meetings are still confidential until the police chief makes a determination. However our most recent meeting didn't occur until the Wednesday after the last council meeting. However our most recent meeting didn't occur until the Wednesday after the last council meeting. So after our first meeting we didn't have any information to share. I believe by the time this this community forum happens we'll have information for the public and again this is not just coming from us it's coming from the clergy, the police department, and the council. And I don't think this special meeting is taking away from any of the things everyone wanted to do to discuss to ask questions. All that's going to be available is just we believe that maybe this is a better format by having a meeting as a as opposed to a hearing now. If this council decides we have a hearing so be it. But I think this meeting is important and it will be the sort of completion of several talks and a means for the community to express their concerns in a productive matter and a means for the police to also relay any information that they can now disclose to the public. So I think we're talking about apples and oranges.

I don't think this is taken away from anything else but this was something that was already in the works and council member Flowers I responded to you Councilmember Brannen's email, and again I'm looking at both and I don't see a huge difference. On top of it this is just requesting a special meaning. On top of it when a council member table votes to table someone to vote Roberts Rules everyone should know this. Someone that votes in a negative can bring back on a resolution at the next meeting and we don't need to have public participation or knowledge. Someone that votes in a negative can bring back on a resolution at the next meeting and we don't need to have public participation or knowledge. So I think this is just a mutation of the last resolution. Paul, would you view it the same that this is a similar this is similar to that it's the same date. It's all we did was change the name from hearing to special meeting.

Councilmember McNamara: My concern with that point that you're making is because this is a very serious issue and concern. I would have been much more comfortable voting on this resolution had it been the same sponsors because what we said at the last meeting matters. People were concerned people on the Council concerned about language. People were concerned people on the Council concerned about language. So we voted to table. I started the conversation during the interim between the last meeting and this meeting. What I would have liked to because we tabled the resolution so we should be voting on it this week that it would have the same sponsors at least some of the sponsors.

Councilmember Cherry: Replied, I agree, it should have been the same sponsors.

Councilmember McNamara: Understands that there could be conflict. But what this is doing is disregarding what we did last week last week. And what I just said earlier

Councilmember Cherry: And what I just said earlier. No. I just want to rebut that and then it's because I just I just said exactly the same thing that you said. I don't think this is taken away from the last resolution. I ask that we can amend it in. Wait we can do that but council member Flowers initially said she didn't know that she was going to be the sponsor.

Councilmember Flowers: I'm sorry I didn't mean to cut you off but in the e-mail you would state that I asked and I said it can be something that's presented from all of us as councilmembers. I did not realize that my name was on it until I got here.

Chairwoman Finney: I'd like to address. That really is a clerical thing because. I referred to when I asked Miss Flynn, I pointed out I said Yvonne text or Yvonne's email.

Councilmember McNamara: I would have been more comfortable had it been the original sponsors of the resolution and add Ms. Flowers to. And therefore I would be comfortable to voting on a table resolution instead of introducing a new resolution.

Councilmember Brannen: I appreciate all the comments that have been made so far and I do want to thank Yvonne for your advocacy on this issue. And also before I dive into this the substance of it I would say I don't believe that publishing something in advance of the meeting is a small issue. And I also don't think sponsorship is a small issue. So respectfully I disagree on those two points. I do understand why the chair did put Ms. Flowers as the sponsor because you were the one who drafted this language and proposed it. So that makes sense to me that you're listed as the sponsor. This resolution is a different number so legislatively it's a totally different resolution. In addition to having a different sponsor it's a totally different resolution legislatively. I'm seeing our city Chamberlain nod. Is that true.

City Chamberlain Flynn: Yeah I did do a new number because it seemed potentially different.

Councilmember Brannen: This is a new resolution because it has a new legislative number. So according to state law and our local law and our own rules is a different piece of legislation than last time. So this is not taking action on the last resolution that was tabled.

Additionally. So I'm fine with the earlier language, the whereas clauses. The two pieces that I am not in agreement on are first the format that this is a special meeting. So I was one of the sponsors on the last resolution and we put forward a hearing instead of a special meeting because they have a different format and a different legislative purpose from one another. So for those two substantive reasons I would not be in support of this resolution. Now all that said I don't know that these things are even mutually exclusive.

And I wonder I heard Mrs. Cherry refer to this special meeting as a community forum and I wonder if the two approaches could work in tandem with one another. We could have a hearing which would be part of a legislative process and we could have a meeting in the community off site somewhere that will be an opportunity for members of the clergy and members of the public to take on a leadership role on this issue. To my mind, again having worked in two previous

legislatures as a staff person, there is a very special role for a hearing that is different than a regular meeting, and that takes time to prepare for. And it also allows us more time to go in-depth on an issue and it's a fact-finding endeavor, and it doesn't have to be contentious. It's just part of the routine business of the city council. All councils have these kinds of things. State Legislature has hearings in that sort of thing on topics that we care about and its part of us educating ourselves before we move forward on a particular policy. And I would just add one thing. We had a town hall meeting on the land bank issue last Monday. That was not an official council meeting. It was not a hearing. It was a town hall meeting and it was mostly to give the members of the public an opportunity to ask questions of people we had invited to participate.

So I could envision if people are feeling willing to compromise today that we could have maybe some of the original thoughts for the first resolution that council member Salem brought up was for a hearing and then we decided maybe we need a community meeting so it seems like we keep going back and forth on this question of format and maybe some of the Councilmembers will be willing to have a community forum in the community but then we could also have a hearing which would serve a different purpose and take on a different format.

Councilmember Cherry: It's my understanding that your resolution wasn't going to be ready until the next Council Meeting. Is that correct. That's from the e-mail chain.

Councilmember Brannen: I wanted to give everyone ample time to respond and I only heard back from two council members so I didn't think it was prudent to put it on today's agenda because we hadn't come to consensus. And I was trying to work in the spirit of consensus.

Councilmember Cherry: So one of the issues that I have with including data is because in our meetings in our conversations with Chief P. the data that was requested chief said he may supply to Councilmember Salem.

Councilmember Salem: That's true. However that doesn't mean it couldn't be.

Councilmember Cherry: No but it was not shared with us or even offered to be shared with us so I was concerned that we were going to pass a resolution and ask for information that one of the members of this body already had. It didn't really make sense to me. So that's one of the reasons why that's taken out.

Councilmember Salem: So that data though requested in the last resolution wasn't the same as the data that I requested in the previous resolution.

Councilmember Cherry: I'm telling you what the Chief has told me. I don't know what you have.

Councilmember Salem: Ok, so just to be clear though for the record the last resolution wasn't requesting the same data that I referred.

Councilmember Cherry: The ten years of data. So we'll have to get the chief here to the next meeting because that's what council member Flowers and I both were told that you were given

the data that was requested in the resolution. And I just sat back and I waited I said OK if she has this data then when is she going to share it or even offer let us know that you have it. So you don't have it I apologize but if you do I have I take issue with you withholding information.

Councilmember Salem: So the data that I have and I hold which anyone is you know anyone can request and ask for no one's requested it off me and I had made it known that I had received that data was the data that I requested the 10 year comparative data from the crime data statistics report a couple of months ago now. The data that was requested in the resolution that we brought to the last council meeting that was tabled that still lies on the table was completely different data and that's what doesn't appear in this resolution. However that being said I'm in favor of having a public meeting out in the community in addition to having a hearing here in the council chambers.

Councilmember Brannen: Mr. Ackermann, I have a technical question for you. A special meeting, I recall in the charter and in our rules can be called by any three Councilmembers. So that would indicate it does not need a vote of the council or a resolution in order to call a special meeting.

Corporation Counsel Ackermann: Responded, that is correct.

Councilmember Brannen: I would like to motion to table this because any special meeting could be held on the 29th anyway and then we could revisit the other Resolution from last time to explore a potential hearing which would have a more official tone. So I will motion to table this resolution.

Councilmember Salem: Second

Motion Failed 4 (Ayes) 5 (Nayes)

Councilmember Cherry: Like the motion to amend to add my name as a cosponsor and Chairwoman Finney and Councilwoman Johnson and Councilmember McNamara.

Councilmember McNamara: And I would also ask the other two councilmen Brannen and Salem to join this resolution. You can still do the other resolution next week but I would really because this is such a serious issue I really wish we could all just be on this resolution so that we have the meeting and we focus on the issues that we need to focus on regarding this situation.

Councilmember Salem: I feel like we've been playing a game of I'll say pickle ball.

Councilmember Cherry: Stated that there is a motion to amend on the floor. Councilmember McNamara seconded the motion.

Councilmember Randall Johnson: Stated that he think that the content is the more important part of the Resolution, and that is what we are missing. And I don't need my name on the Resolution.

Councilmember Petsas: belief is that this resolution should not again be on the agenda. We make rules. I'm not going to answer to a yes or no question but I'm going to say that when we make rules and then we break rules. How do you expect anybody else in the city of Poughkeepsie to follow the rules when we make rules and break them in front of a public forum in front of cameras? When we say you know how do you expect anybody else in the city of Poughkeepsie to follow the rules when we make rules and break them in front of a public forum in front of cameras. When we say you know what has to be posted five days ahead of time so the public gets a chance to read it and then we just say you know what we're going to scrap that rule and who cares and the public has a chance to read it. We're going to pull it out and vote on it and shut it down people's throats. No, No, No!

Chairwoman Finney: I repeat, you're quibbling. This is a very important issue and we're all we were doing is setting a meeting date one month in advance. Mrs. Johnson would you like your name.

Councilmember Petsas: It was very important two weeks ago too and we tabled it.

Chairwoman Finney: I have Chairwoman Finney, Councilwoman Johnson, Councilmember McNamara and Councilmember Cherry.

Vote on adding names. Motion Carried: 7 (Ayes) 2 (Nayes)

Ms. Brannen. I would like to make a motion to change the language from special meeting to hearing and then that the notification would have to be changed to ten days, **Councilmember Salem** seconded the motion.

Councilmember Flowers: In the original or in the original resolution it mentioned five days. Why does it change a ten days now?

Councilmember Brannen: It's a law that a hearing has to be noticed 10 days I believe.

Councilmember Flowers: Well the original Resolution that you put forward you put is five days. So that was not.

Corporation Counsel Ackermann: A public hearing has to be noticed ten days in advance. A special meeting only needs five days.

Councilmember Brannen: So we have a motion and a second to change it to a hearing which would then mean it has to be published in advance.

Councilmember Cherry: The motion to table failed and we never voted on this resolution. But a special changing a special meeting to a hearing changes the Resolution. After this I'm making a motion to call the question because I'm not and it's on the table already because I'm not gonna keep playing games.

Official Minutes of the Common Council Meeting of April 1, 2019

Motion to amend the language from special meeting to hearing and then that the notification would have to be changed to ten days, **Councilmember Salem** seconded the motion.

Motion Failed: 4 (Ayes) 5 (Nayes)

R E S O L U T I O N
(R19-44)

INTRODUCED BY COUNCILMEMBERS FLOWERS, LORRAINE JOHNSON, MCNAMARA, CHERRY AND CHAIRWOMAN FINNEY

WHEREAS, the City of Poughkeepsie Common Council recently approved an agreement with the City of Poughkeepsie Police Benevolent Associations, Inc. designed to improve police retention and recruitment; and

WHEREAS, part of the program included other public safety initiatives such as body-worn police cameras, an improved civilian complaint reporting process, re-establishment of community based policing; and

WHEREAS, the Common Council is desirous of receiving an update, during a Special Meeting, from the Police Chief and Police Command with regard to the police department's efforts on staff retention, crime reduction, diversifying the police force, procuring body cameras, improving upon complaint handling processes, and community relation initiatives; and

WHEREAS, the special meeting will include comments and/or questions of executive, non-governmental experts, and members of the community; and

NOW, THEREFORE, BE IT

RESOLVED, that the City of Poughkeepsie Common Council shall hold a special meeting on Policing, Crime Reduction, and Police Community Relations at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York 12601 at 6:00 p.m. on Monday, April 29, 2019; and be it further

RESOLVED, that the City Chamberlain publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said special meeting at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER RANDALL JOHNSON

R 19-44						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☐	☒	☐	☐
	Councilmember Brannen	Voter	☐	☒	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☐	☒	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

IX. ORDINANCES AND LOCAL LAWS:

X. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

- 1. FROM COUNCILMEMBER PETSAS**, a communication regarding the Ice House.
- 2. FROM COUNCILMEMBER PETSAS**, recognizing Helen Clawson.
- 3. FROM ANDREW COSTA**, a notice of property damage sustained on March 25, 2019. **Referred to Corporation Counsel**
- 4. FROM ARIANA PETERMAN**, a notice of property damage sustained on February 19, 2019. **Referred to Corporation Counsel**
- 5. FROM SEAN P. DORRIAN**, a notice of property damage sustained on March 10, 2019. **Referred to Corporation Counsel**

X. NEW BUSINESS:

XI. OLD BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Cherry and Councilmember Petsas to adjourn the meeting at 8:40 p.m.

Dated: August 13, 2019

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on April 1, 2019

Respectfully submitted,

Deanne L. Flynn
City Chamberlain