



COMMON COUNCIL MEETING

Monday, June 6, 2022
Common Council Chambers

6:30 p.m.

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Meeting – May 23, 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

Presentation from Ellie Charwat on "Oaxaca in Poughkeepsie"

VI. MAYOR'S COMMENTS

VII. NEW & UNFINISHED BUSINESS:

VIII. REPORTS OF COMMITTEES AND BOARDS:

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

1. **R-22-40**, SEQRA Resolution Approving the R-4A Zoning Amendment
2. **R-22-41**, Resolution Reporting the Standard Work Day
3. **R-22-42**, Resolution to set a Public Hearing for the PK4Keeps Comprehensive Plan

X. ORDINANCES AND LOCAL LAWS:

1. **O-22-04**, Ordinance Amending Chapter 19, Section 19-3.19 of The City of Poughkeepsie Code of Ordinances Entitled "Central Urban Density Residence District (R-4a)"

ACTION AGENDA:

XI. MOTIONS AND RESOLUTIONS:

XII. ORDINANCES AND LOCAL LAWS:

XIII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. A COMMUNICATION FROM CITY ADMINISTRATOR NELSON & CHIEF PAPE**, Regarding a Proposed Memorandum of Agreement between the City and the PBA.
- 2. A COMMUNICATION FROM COUNCILMEMBER MENIST**, Regarding a Proposed Sale of City Owned Property of 171 Union St.
- 3. A COMMUNICATION FROM COUNCILMEMBER FLOWERS**, Regarding an Ordinance Amending §13-126 Of Chapter 13 Of The City Of Poughkeepsie Code Of Ordinances Entitled "Motor Vehicles And Traffic"- Bement Residential District Parking.

XIV. EXECUTIVE SESSION:

XV. ANNOUNCEMENTS:

XVI. ADJOURNMENT:

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW
ACT (SEQRA) RESOLUTION REGARDING A PROPOSED ORDINANCE AMENDING
CHAPTER 19, SECTION 19-3.19 OF THE CITY OF POUGHKEEPSIE CODE OF
ORDINANCES ENTITLED "Central Urban Density Residence District (R-4A)"
(R-22-40)**

BY COUNCILMEMBER MENIST _____ :

WHEREAS, the Common Council of the City of Poughkeepsie is considering the adoption of an ordinance to amend the permitted uses in the R-4A zoning district; and

WHEREAS, the Common Council considers the proposed action to be an Unlisted Action under Title 6 NYCRR, Section 617.2 of the SEQRA regulations; and

WHEREAS, the Common Council considers itself to be the only "involved agency" with respect to this ordinance; and

WHEREAS, the Common Council has reviewed the proposed ordinance in accordance with Title 6 NYCRR, Section 617.11; and

WHEREAS, the Common Council has considered the hereto attached Long Environmental Assessment Form (EAF)

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and
4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. The Common Council officially makes a determination of non-significance in that the proposed ordinance is not expected to result in a significant adverse impact on the

environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and

6. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
7. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

SECONDED BY COUNCILMEMBER _____ .

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Text Amendment to City of Poughkeepsie "Central Urban Density Residence District (R-4A)"			
Name of Action or Project:			
Project Location (describe, and attach a location map): City of Poughkeepsie, R-4A Zoning District			
Brief Description of Proposed Action: The Planning Department proposes seven additions to the list of permitted uses, special permitted uses, and accessory uses within the city's R-4A Zoning District, which largely coincides with the boundaries of the Union Street Historic District. The objective of these additions is to foster a walkable community by allowing for a greater variety of commercial amenities in the neighborhood and to encourage the preservation of existing historic storefronts. Proposed Additions: (1) Standard restaurants, cafes and coffee shops, provided such businesses are located in existing buildings and close by 11pm. Drive-through facilities are prohibited. (2) Retail establishments. (3) Convenience stores, provided that a variety of fresh produce is available for purchase. (4) Personal service establishments. (5) Artisanal uses offering a trade or handcrafted service or product, such as but not limited to butchers, cheese shops, fish markets, and candy shops. (6) [Special Permit Use] Rooftop and courtyard seating areas for standard restaurants and coffee shops. and (7) [Accessory Use] Sidewalk seating areas for standard restaurants and coffee shops pursuant to Section 15-14 of the code.			
Name of Applicant or Sponsor:		Telephone: 845-451-4047	
City of Poughkeepsie Planning Department		E-Mail: nquinn@cityofpoughkeepsie.com	
Address: 62 Civic Center Plaza			
City/PO: Poughkeepsie		State: NY	Zip Code: 12601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		☐	☒
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		☐	☐
3. 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			
4. Check all land uses that occur on, are adjoining or near the proposed action: ☐ Urban ☐ Rural (non-agriculture) ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other(Specify): ☐ Parkland			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: ☐ Shoreline ☐ Forest ☐ Agricultural/grasslands ☐ Early mid-successional ☐ Wetland ☐ Urban ☐ Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	☐	☐
16. Is the project site located in the 100-year flood plan?	NO	YES
	☐	☐
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	☐	☐
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	☐	☐
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
_____ _____	☐	☐
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
_____ _____	☐	☐
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
_____ _____	☐	☐
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Natalie Quinn</u> Date: <u>11/30/20</u> Signature: <u>Natalie Quinn</u> Title: <u>Planning Director</u>		

Proposed R-4A District Text Amendment

Description: The Planning Department proposes five additions to the list of permitted uses, one addition to the list of special permitted uses, and one addition to the list of permitted accessory uses within the city's R-4A Zoning District. The R-4A District coincides with the boundaries of the Union Street Historic District. The objective of these additions is to allow for a greater variety of commercial amenities in the neighborhood and to facilitate the renovation and preservation of existing storefronts. No environmental resource impacts are anticipated by the zoning text amendment.

The Union Street area was historically home to a diversity of uses including residential and small-scale neighborhood commercial uses

Below is a list of businesses located in the district in 1927, which was the year that zoning was first enacted in the City of Poughkeepsie.

UNION STREET	SOUTH BRIDGE STREET	SOUTH CLOVER STREET
131 - Saverio Ciano, Shoemaker	2 - Helman Delicatessan	7 - Selden Meats
135 - Nestler Grocers	3 - Levinson Jeweler	10 - VanOppens Grocer
137 - Knauss Bros Inc. Pork Packers	5 - Staffa Antiques	14 - Antoinetta Guglielmo dressmaker
143 - Peck Grocers	6 - VanNorstrand Confectioner	44 - Helen Andrus music teacher
147 - Niessen Bakery	11 - Mavilla Shoe Repair	65 - Dzuiban Restaurant
149 - Florian Hall Grocers	22 - Agnes Rieser Music Teacher	71 - Sutcliffe Grocers
150 - Dieterich & Martin Meat	50 - Yager Grocer	72 - Haupt Confectioner
151 - Hempe Cigars		
152 - Wassenmuller Grocers		
159 - Volles Barber		
169 - Guiseppe Benigno Grocers		
173 - Noll & Sons Plumber		
195 - Guinta Grocers		

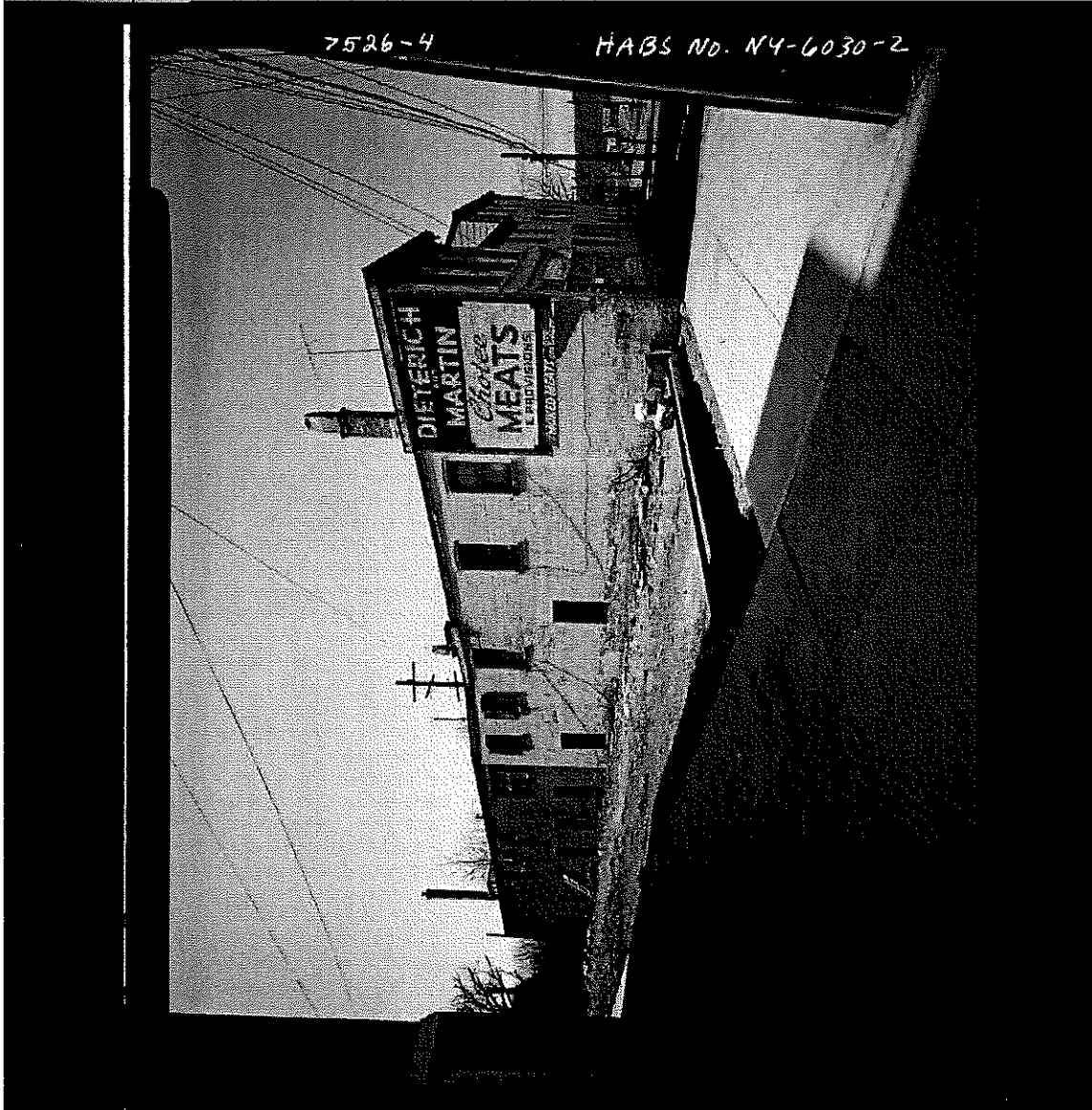
7526-2

HABS NO. NY-6030-1



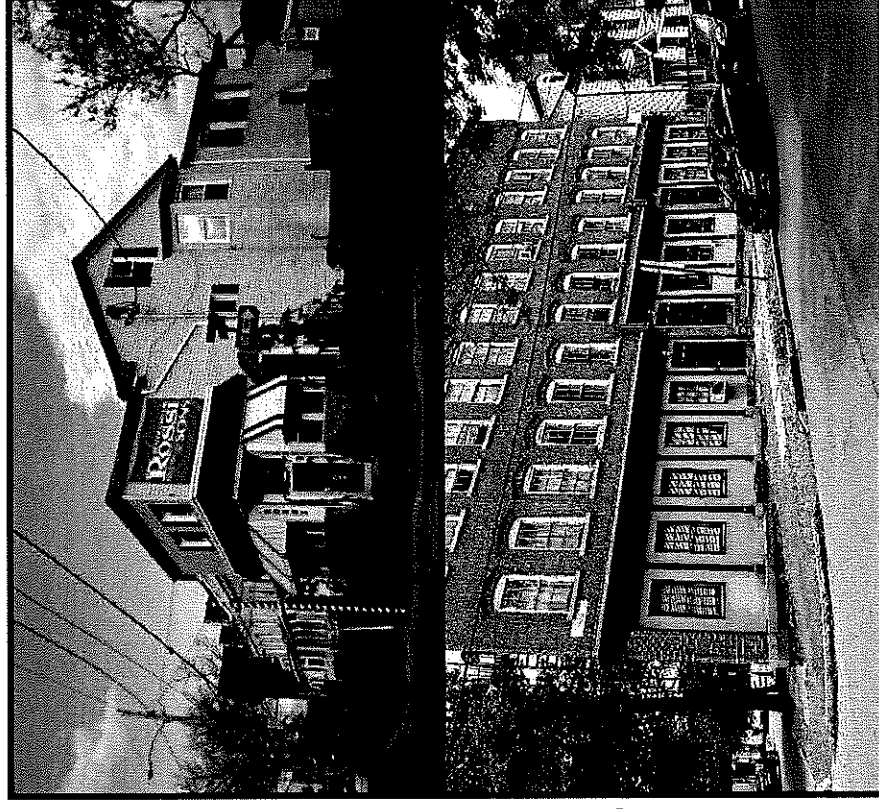
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HABS NO. NY-6030-2



The current R-4A text permits a limited variety of commercial uses, which is prohibiting the district's historic fabric from being re-established.

- Commercial uses are currently restricted to the following:
 - Places of worship
 - Nursery or preschool
 - Libraries or museums
 - Daycares
 - Physician or dentist office
 - Membership clubs
 - Professional or business offices
- Rossi's Deli is currently a non-conforming use within the district.
- Existing ground floor commercial spaces have been converted to residential.

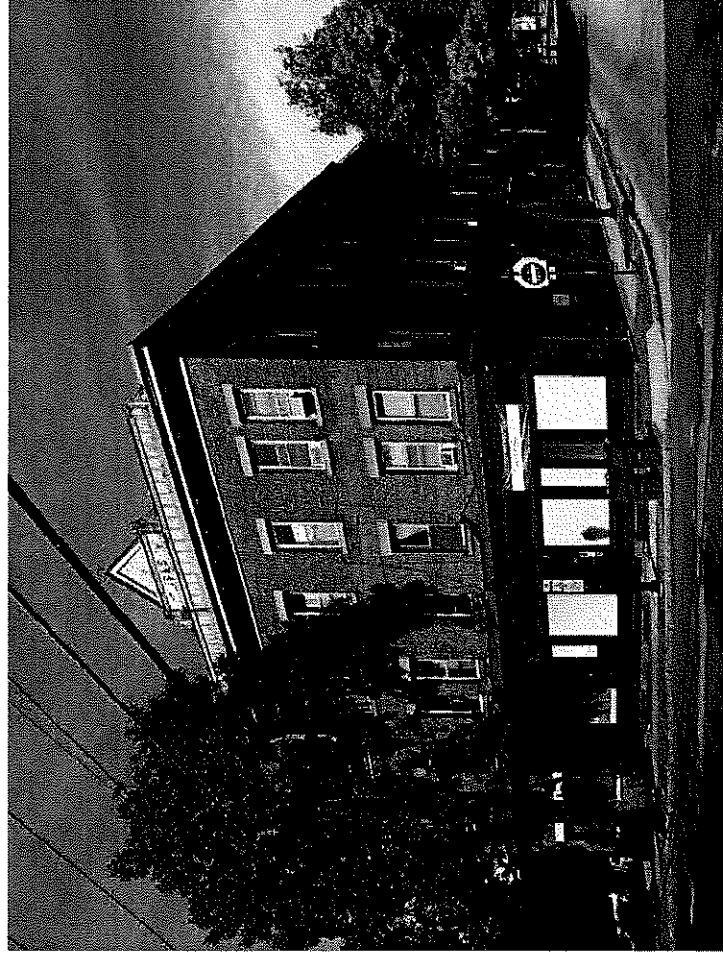
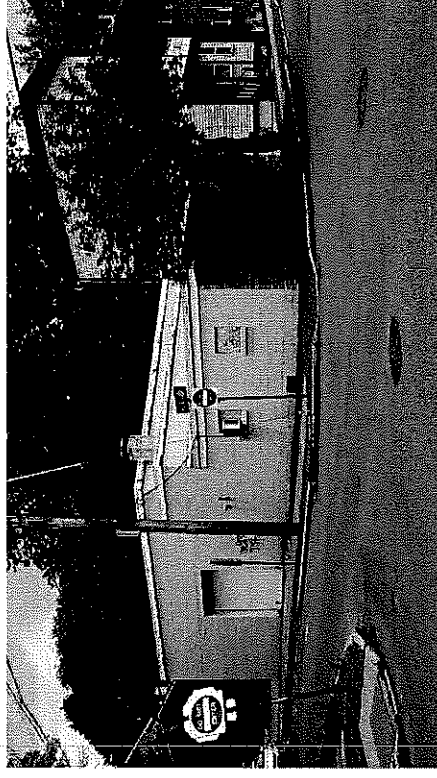


Proposed Additions to R-4A Text

- **Standard restaurants, cafes and coffee shops**, provided such businesses are located in existing buildings and close by 11pm. Drive-through facilities are prohibited.
- **Retail establishments.**
- **Convenience stores**, provided that a variety of fresh produce is available for purchase.
- **Personal service establishments.**
- **Artisanal uses** offering a trade or handcrafted service or product, such as but not limited to butchers, cheese shops, fish markets, and candy shops.
- Rooftop, courtyard and sidewalk seating areas for standard restaurants and coffee shops. [Permitted by special permit]
- Sidewalk seating areas for standard restaurants and coffee shops pursuant to Section 15-14 of the code. [Accessory Use]



Examples of existing commercial storefronts that could benefit from this text amendment



Project:

Date:

Short Environmental Assessment Form
Part 2 - Impact Assessment

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	☒	☐
2. Will the proposed action result in a change in the use or intensity of use of land?	☒	☐
3. Will the proposed action impair the character or quality of the existing community?	☒	☐
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	☒	☐
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	☒	☐
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	☒	☐
7. Will the proposed action impact existing:	☒	☐
a. public / private water supplies?	☒	☐
b. public / private wastewater treatment utilities?	☒	☐
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	☒	☐
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	☒	☐
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	☒	☐
11. Will the proposed action create a hazard to environmental resources or human health?	☒	☐

Project:

Date:

Short Environmental Assessment Form

Part 3 Determination of Significance

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

See attached.

- ☐ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- ☒ Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

City of Poughkeepsie Common Council

6/6/22

Name of Lead Agency

Date

Sarah Salem

Chair of the Common Council

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

SEAF Part III

1. The proposed text amendment will not create a material conflict with the city's comprehensive plan. The proposed additions to the permitted uses in the district are intended to be neighborhood-scale commercial uses, in keeping with the historic character of the district.
2. The proposed action may result in the change in use or intensity of use of land, but given the neighborhood-scale of potential future uses, these changes are anticipated to have small or no impact on the surrounding community and environment.
3. The proposed action will not impair the character or quality of the existing community. As discussed in the project narrative, these additional permitted uses bring some existing non-conforming uses into conformance and allow for future uses that would be in line with the historic nature of the neighborhood, which once contained many small-scale retail and commercial uses.
4. N/A. Subject area is not within a CEA nor will the proposed action cause the establishment of a CEA.
5. The proposed action will not result in an adverse change in auto traffic, parking, transit, biking or walking resources. The intent of small, neighborhood-scale retail and commercial uses is for the benefit of neighborhood residents who would likely walk to such establishments. Parking and traffic are not anticipated to have a negative impact on the neighborhood. While zoning codes typically assume a single demand level in a 24 hour period for things like parking, often reality demonstrates that demand for such resources differs depending on the user and the time of day. Daytime and early evening commercial uses put demand on parking while residents of the neighborhood are out of for the day. When residents return in the early evening, non-residential uses are beginning to close, freeing up parking resources. These are the dynamics of typical urban, mixed-use districts.
6. The proposed action will not cause an increase in energy usage. This is a small neighborhood district, and the new land uses being considered are not intended to be large scale with large energy needs.
7. The proposed action will not negatively impact water and wastewater resources. These are small scale, neighborhood establishments that will not have extraordinary demands and pressures on existing community resources. The city's water and wastewater systems have the ability to handle any change in land use or new land uses in the neighborhood.
8. The proposed action will not impair historic, archaeological, architectural or aesthetic resources in the neighborhood. In fact, the proposed action is intended to re-introduce the type of land uses that occurred in this neighborhood throughout the majority of its history.
9. The proposed action will have no negative effect on natural resources. This is an existing, built-up neighborhood in a dense, urban area of the city. People have been living and doing business in this neighborhood since the 18th century.
10. The proposed action will not result in increased potential for erosion, flooding or drainage. Any new land uses resulting from this action are anticipated to occur within existing buildings or otherwise be small in scale.
11. The proposed action will not create a hazard to environmental resources or human health. The new permitted uses are not industrial in nature or involve the processing or trafficking of hazardous materials.

STANDARD WORK DAY AND REPORTING RESOLUTION

RESOLUTION

R-22-41

INTRODUCED BY CHAIR SALEM:

BE IT RESOLVED, that the City of Poughkeepsie hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Registration Number	Standard Work Day (hrs/day)	Term Begins/ Ends	Participates in Employee's Time Keeping System (Y/N)	Days/ Month (based on Record of Activities)
Elected Officials						
Councilmember 5TH Ward	Yvonne Flowers	N/A	7.0	1/1/20-12/31/23	N	12.6
Appointed Officials						
Commissioner of Finance	Dr. Brian Martinez	R12913868	7.0	1/1/20-12/31/23	N	22.3
Commissioner of Public Works	Chris Gent	R11394657	8.0	1/1/20 – 12/31/23	N	23.4

SECONDED BY _____

I, JASMIN DAVIS, clerk of the governing board of the City of Poughkeepsie of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 6TH day of June, 2022, on file as part of the minutes of such meetings, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of NINE (9) members, and that _____ of such members were present at such meeting and that _____ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the

CITY OF POUGHKEEPSIE

RESOLUTION

(R-22-42)

**RESOLUTION SETTING A PUBLIC HEARING ON THE DRAFT CITY OF
POUGHKEEPSIE COMPREHENSIVE PLAN**

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 has previously declared itself lead agency for the SEQRA review of the draft comprehensive plan; and

WHEREAS, the draft Comprehensive Plan has been referred to the Dutchess County Department of Planning and Development pursuant to GML §239-m; and

WHEREAS, a public hearing is required pursuant to General City Law §28-a (7)(a).

NOW, THEREFORE, BE IT RESOLVED that the City of Poughkeepsie Common Council sets a public hearing on the draft Comprehensive Plan to be held on June 21, 2022 at 6pm.

BE IT FURTHER RESOLVED, that the City Chamberlain shall cause notice of the public hearing to be published in a newspaper of general circulation in the city at least ten calendar days in advance of the hearing.

SECONDED BY COUNCILMEMBER _____.

**O-R-D-I-N-A-N-C-E
(O-22-04)**

**ORDINANCE AMENDING CHAPTER 19, SECTION 19-3.19 OF THE CITY OF
POUGHKEEPSIE CODE OF ORDINANCES ENTITLED “Central Urban Density
Residence District (R-4A)”**

INTRODUCED BY COUNCILMEMBER SALEM:

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

SECTION 1: Section 19-3.19 of the Code of Ordinances of the City of Poughkeepsie is hereby amended by the following additions so as to read in pertinent part as follows:

Section 19-3.19 **Central Urban Density Residence District (R-4A).**

[Ord. of 4-1-1991, § 2; Ord. of 11-21-1996, § 9]

(1) Purpose of district. The purpose of this district is to provide areas for a broad range of housing types with opportunity for appropriate nonresidential uses at a fairly high density commensurate with the scale and characteristics of the city's older neighborhoods; these are areas with access to major transportation arteries and a range of community services.

(2) Permitted uses. No building or premises shall be used, in whole or in part, for any purpose except those listed below:

(a) Uses permitted by right:

1. Single-family detached dwellings.
2. Two-family dwellings.
3. Townhouses.
4. Multifamily dwellings.
5. Home occupations, subject to the requirements of Section **19-4.1** of this Chapter or professional offices, subject to the requirements of Section **19-4.2** of this Chapter.
6. Municipal parks and recreational facilities, including refreshments and service buildings accessory thereto and any other governmental uses and structures of the City of Poughkeepsie, the County of Dutchess or the state or federal governments or agencies thereof.
7. Public, private and parochial schools as regulated in Section 19-3.12(2)(a)4 herein.
8. Cemeteries.
9. Renting of not more than two rooms by the resident family, provided that no sign advertising the availability of such rooms shall be displayed.
10. Student home, subject to the requirements of Section 19-4.22 of this chapter.

11. Standard restaurants, cafes and coffee shops, provided such businesses are located in existing buildings and close by 11pm. Drive-through facilities are prohibited.

12. Retail establishments.

13. Convenience stores, provided that a variety of fresh produce is available for purchase.

14. Personal service establishments.

15. Artisanal uses offering a trade or handcrafted service or product, such as but not limited to butchers, cheese shops, fish markets, and candy shops.

(b) Uses subject to issuance of a special permit by the Planning Board in accordance with the requirements of Section 19-6.2 herein:

1. Places of worship, including parish houses, religious schools, meeting rooms and recreation facilities and customarily accessory thereto, subject to the following requirements:

(i) The site shall have an area of not less than 20,000 square feet.

(ii) Except as set forth hereinafter, no building or part thereof or parking or loading area shall be located nearer than 25 feet to any street line or property line in any R-1 through R-6 District. A parish house, rectory or parsonage shall comply with the requirements for a single-family dwelling.

(iii) Lot coverage shall not exceed 50%.

2. Cluster development, in accordance with the requirements of Section 19-4.16 of this Chapter.

3. Nursery or preschool educational establishments or day-care centers, subject to the requirements of Section 19-3.12(2)(b)3 of this Chapter.

4. Libraries, museums and/or art galleries on lots having an area of not less than 20,000 square feet.

5. Golf, tennis and swimming clubs, subject to the requirements of Section 19-3.12(2)(b)6 of this Chapter.

6. Family day-care homes.

7. Agency group homes, agency community residences or family care homes, subject to the requirements of Section 19-3.12(2)(b)8 of this Chapter.

8. Conversion and remodeling of buildings in existence on the effective date of this Chapter for use by practicing physicians or dentists, either singly or in groups.

9. Membership clubs, catering exclusively to members and their guests, provided that the following are prohibited:

(i) Outdoor entertainment, live or mechanical,

(ii) Use of outdoor public address systems.

(iii) Exterior lighting other than that which is essential for the safety of users of the premises.

(iv) Location of any part of the building nearer than 30 feet to any street or property line in an R-1 through R-6 District.

10. Professional or business offices as part of a multifamily dwelling, subject to the following requirements:

- (i) Office uses shall be limited to the first floor.
- (ii) Office uses shall be primarily to serve residents of the immediate neighborhood.
- (iii) Such office space shall be limited to 800 square feet for each 10 dwelling units or major fraction thereof.
- (iv) Entrances and exits to office shall be separate front the residential portion of the building.

11. **Rooftop and courtyard seating areas for standard restaurants and coffee shops.**

(3) *Accessory uses.* Accessory uses shall be as follows:

- (a) Off-street parking.
- (b) Buildings for housing pets; playhouses.
- (c) Garden houses, greenhouses.
- (d) Signs, subject to the requirements of Section 19-4.9 of this Chapter.
- (e) Swimming pools and/or tennis courts and related recreational facilities, subject to the applicable requirements of Sections 19-4.7 and/or 19-4.8 of this Chapter.
- (f) Keeping of not more than three customary household pets over six months old. The commercial breeding or boarding of pets shall be prohibited.

(g) Sidewalk seating areas for standard restaurants and coffee shops pursuant to Section 15-14 of the code.

(4) *Lot and bulk requirements.* Lot and bulk requirements shall be as follows:

(a) Minimum required lot area for one- and two-family dwellings and townhouses:

- 1. One-family dwellings, townhouses: 2,000 square feet per DU.
- 2. Two-family dwellings: 2,250 square feet.

(b) Minimum required lot area per dwelling unit for multifamily dwellings shall be as follows, except in buildings with offices on the first floor, no additional lot area shall be required specifically for that use:

- 1. Efficiency or studio unit: 750 square feet.
- 2. One-bedroom unit: 900 square feet.
- 3. Two-bedroom unit: 1,050 square feet.
- 4. Three-or-more-bedroom unit: 1,200 square feet.

(c) Minimum required lot area for all uses except one-family and two-family dwellings and townhouses: same as R-3 Districts [Section 19-3.14(4)].

(d) Minimum required lot width:

- 1. Townhouse: 18 feet.
- 2. All other uses: 30 feet.

(e) Minimum required side yards: six feet.

- (f) Minimum required rear yards: 1/2 the height of the principal structure closest to the rear property line or 15 feet, whichever is greater.
- (g) Minimum distance between principal buildings on one site: 2/3 of the height of the taller principal building or 25 feet, whichever is greater.
- (h) Minimum required front yard: none; provided, however, that in cases where the mean front yard setback of residential properties located on the same street line and wholly or partly located within 100 feet of the subject property exceeds 2 1/2 feet, said mean front yard setback shall be the minimum front yard required for the subject property.
- (i) Maximum height: three stories or 40 feet. Maximum F.A.R.: 1.0.
- (j) Maximum lot coverage: 40%.
- (k) Required open space: same as R-4 [Section 19-3.15(4)(i)].

(5) *Parking and loading.* Off-street parking and loading spaces shall be provided in accordance with Section 19-4.3 herein.

(6) *Landscaping and screening.* Landscaping and screening shall be provided, subject to the requirements of Section 19-4.11 of this Chapter.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____

Submitted to Council: Council Action: Roll call vote taken: Yes _____ No _____ Ayes Nays Abstain Absent Approved by Mayor on _____ Mayor's Signature _____	I hereby certify the foregoing to be a true and correct copy of a Ordinance duly adopted at a regular meeting of the Common Council held _____ _____ City Chamberlain
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MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT IS ENTERED INTO this ____ day of May, 2022, between the City of Poughkeepsie (hereinafter "City") and the City of Poughkeepsie Police Benevolent Association, Inc. (hereinafter "PBA"), hereinafter collectively referred to as the "parties."

WHEREAS, the Employer and the PBA are parties to a collective bargaining agreement ("Agreement") for the period January 1, 2021 through December 31, 2024; and

WHEREAS, pursuant to Article 8, Section 5 of the Agreement, entitled Residency, an employee shall reside in the City, or within a twenty (20) mile radius; and

WHEREAS, the City of Poughkeepsie has engaged in active efforts to recruit and hire police officers and retain police officers currently employed by the City; and

NOW, THEREFORE, IT IS HEREBY AGREED TO as follows:

The parties agree to amend Article 8 (Employees' Rights), Section 5 (Residency), to read as follows: "An employee shall reside in the City, or within a thirty (30) mile radius."

FOR THE CITY OF POUGHKEEPSIE

**CITY OF POUGHKEEPSIE POLICE
BENEVOLENT ASSOCIATION, INC.**

Rob Rolison, Mayor

Officer Kevin VanWagner, President

Dated: _____

Dated: _____

RESOLUTION
(R-22-XX)

INTRODUCED BY COUNCILMEMBER _____:

WHEREAS, the City of Poughkeepsie has previously taken title to a vacant lot known as 171 Union Street (Tax Map No. 6062-84-928094), in the City of Poughkeepsie by reason of a Treasurer's Deed; and

WHEREAS, the above mentioned properties have been offered for sale by the City in accordance with the policy for the sale of City owned property; and

WHEREAS, an offer has been received from South Bridge Street LLC to purchase this property for the sum of \$25,527.00; and

WHEREAS, the Property Acquisition and Disposition Committee, having considered the mission of the Committee and the policies of the City, one of which is to return properties to the tax rolls, has recommended that the City of Poughkeepsie accept this offer; and

WHEREAS, the Common Council hereby finds that the offer from South Bridge Street LLC is in the best interests of the City of Poughkeepsie; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for this property, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance; and be it further

RESOLVED, that the offer from South Bridge Street LLC to purchase premises known as unnumbered Morgan Avenue (Tax Map No. 6062-84-928094), in the City of Poughkeepsie for the sum of \$25,527.00 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

RESOLVED, that this sale is approved subject to the following conditions:

- A. The conveyance of title and the payment of the purchase price shall take place within thirty (30) days of the date of approval by the Common Council, unless the Property Acquisition & Disposition Committee shall grant an extension as it deems appropriate.
- B. The transfer of title and Purchaser's use of the Property shall be subject to all state, federal and local regulations, including the City of Poughkeepsie and New York State

Building Codes and the City of Poughkeepsie Zoning Ordinance, and real property taxes coming due pursuant to law on and after the date of transfer of title.

- C. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by Quitclaim deed subject to any defects or encumbrances as are of record.
- D. Purchaser shall commence an Article 15 bar claim action promptly after closing. In the event that this action takes more than sixty (60) days, purchaser shall request an extension from the Property Acquisition & Disposition Committee.
- E. Purchaser agrees that they shall not use the purchase price agreed to as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation.
- F. Purchaser agrees that once the Article 15 bar claim action is completed, they will promptly apply for any necessary building permits. Further, they will commence work on the project, by first abating all code violations, if any, within sixty (60) days of completion of the Article 15.
- G. Purchaser shall, to the extent practical, utilize local labor with preference given to residents of the City of Poughkeepsie, for any construction/renovation of the proposed project.
- H. Purchaser agrees to complete the project and obtain a certificate of occupancy within twelve (12) months of the issuance of the building permit (the "Completion Date"). In the event the project cannot be accomplished by the Completion Date at no fault of Purchaser, a reasonable extension may be granted by the Property Acquisition and Disposition Committee upon the written request of Purchaser.
- I. Promptly after the closing of title, Purchaser shall apply for and obtain the approval from the Planning Board and/or the Zoning Board of Appeals of any site plan approval or zoning variances required by law.
- J. Purchaser agrees at its sole cost and expense to complete the project within twelve (12) months of the issuance of the building permit (the "Completion Date"). In the event the project cannot be accomplished by the Completion Date at no fault of Purchaser, a reasonable extension may be granted by the Property Acquisition and Disposition Committee upon the written request of Purchaser.
- K. Purchaser shall have six (6) months from the date of this agreement to submit all preliminary plans and specifications to the Building Department to obtain all approvals necessary to make the Improvements required hereunder. Once plans and specifications have been accepted by the Building Department, the Purchaser will promptly obtain a building permit. If Purchaser is unable to obtain such approvals, complete construction, and obtain a certificate of occupancy within twelve (12) months of the issuance of the

building permit, the Property shall revert to and thereafter become fee simple real estate owned by the City and the Purchaser shall be entitled to payment of XXX AND NO/100 (\$##.00) Dollars.

- L. In the event the Improvements are not completed by the Completion Date, and the Property reverts back to the City, upon the request of the City, the Purchaser/Grantor will provide a general warranty deed to the Property in form and substance acceptable to the City evidencing the reconveyance of the Property.
- M. During the construction of the Improvements, Purchaser will not place any additional liens or encumbrances on the Property except as consented to by the City. In that regard, the City agrees not to unreasonably withhold its consent to any construction loan financed with a commercial bank or similar lender intended to fund the construction and development of the Improvements. In such an event, the City will enter into a Subordination Agreement in form satisfactory to such lender. Upon completion of the Improvements satisfactory to the City, the City agrees to issue a letter acknowledging the release of the reverter rights described herein.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into an Agreement for Sale of Land for the above mentioned transaction provided such agreement contains the terms contained herein together with such other terms and conditions which the Mayor and the Corporation Counsel shall deem appropriate, and the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

SECONDED BY COUNCIL MEMBER _____.

The City of Poughkeepsie

New York

John Taylor
Assessor



62 Civic Center Plaza
Poughkeepsie, N. Y. 12601
845-451-4039
Fax: 845-451-4181

April 8, 2022

Mr Marc Nelson
City Administrator
City of Poughkeepsie

Re: 171 Union Street – 6062-84-928094

Mr. Nelson,

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

The property is located at 171 Union Street, City of Poughkeepsie and consists of one unimproved parcel, totaling 0.8 acres. At present, the property is classified as a city owned Parking Lot (NYS Class 438) but has limited use as parking and is not paved. For the purpose of valuation, a Hypothetical Condition is assumed that the subject is vacant land (NYS Class 311). A visual inspection of the property has been performed. Additionally, it must be understood that no plans/survey have been reviewed, there are no known deed restrictions, zoning restrictions or other legal restrictions that would have an adverse effect on the establishment of market value.

To establish an opinion of market value, a Sales Approach was utilized based on sales of similar properties, within the subject's general market area. In this approach, value is based on the transfer of properties considered to be similar in use and condition. Recent sales within the subject's immediate neighborhood similar in general use and functional utility were utilized. Any and all data, reasoning and/or analysis used to develop the opinion of value has been retained and any depth of discussion is specific to the needs of the intended user.

After careful consideration, I have concluded an estimated Market Value of the subject property to be \$20,000.

Respectfully,

John Taylor
Assessor

**ORDINANCE AMENDING §13-126
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED “MOTOR VEHICLES
AND TRAFFIC”**

(O-22-##)

INTRODUCED BY COUNCILMEMBER FLOWERS:

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

SECTION 1: §13-126 is hereby amended by the following addition:

Section 13-126(C)(2) District 4 - -Permits for public parking permit system.

Upon the erection of signs giving due notice thereof, the following areas shall be designated as a public parking permit area and is to be utilized only for the purpose set forth in this Article:

Bement Ave, Both sides, between Cottage St. and Mansion St. Permit Parking Only. No Time Regulation.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by Underlining and Bold



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, May 23, 2022, 6:30 p.m.

Virtual

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

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is May 23, 2022, and the time is 6:30 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: (6 present, 3 absent: Councilmember Thompson, Councilmember Flowers & Councilmember Johnson marked absent). Councilmembers Thompson and Johnson logged on after roll call at 6:40pm and 6:47pm respectively.

II. REVIEW OF MINUTES:

**Public Hearing – May 2, 2022
Common Council Meeting – May 2, 2022**

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

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

-YES-

Adding Resolution R-22-39, Resolution Authorizing the Commencement of Litigation against Columbia Utilities, LLC to the consent agenda

IV. PUBLIC PARTICIPATION

1. **Peter Van Aken**
2. **John Rath – Mill St**
3. **Naomi Brooks – S. Grand Ave (submitted comments in writing)**

May 23, 2022

Naomi Brooks, S. Grand Avenue

Good evening. I have been watching numerous projects and initiatives in Poughkeepsie for a decade now, and have clearly seen what a difficult process it can be to move things along. Even when we agree on a common goal, a singular point of view can narrow one's vision. Many variables need to be considered, and at times the sheer number of them creates the strong possibility that some get little or no attention.

To combat this, our government wisely divides up many of its tasks, relying on expertise in specific areas for input to offset the pitfalls of narrow vision or inattention to certain variables. We have citizens voting to fill some of these positions, like yours, and the mayor's, so that the will of the people can be represented. Many other positions are filled differently, though, with our elected officials making the choices.

I am here tonight to ask that you introduce legislation that modifies our city code to ensure positions in our boards and commissions are filled by an alliance of city administration and Common Council members and not just by the Mayor, as is currently the case.

In the best-case scenario, having more voices weigh in on these boards and commissions appointments can help find and assess the best candidates. The brainpower and perspectives from multiple sources can accomplish this. It is always good to have more than one pair of eyes evaluate important choices.

In the less than best-case scenario, if there are disagreements about appointments, this revised system could serve as a checks and balances feature, an essential part of American government. Checks and balances help prevent an imbalance of power.

In a May 12 article by the New York Times titled How Preservationists are Losing the Battle Against Luxury Real Estate, reference was made to Poughkeepsie and the ongoing disagreements about the 36 N. Clover Street project. One sentence jumped out at me: "With five of the seven seats (on the historic commission) up for grabs, it would be easy for the mayor to replace them with commissioners more sympathetic to the plan." Having you - Common Council members - weigh in on the selection of commissioners based on the criteria in the city charter that you vote into law, such a scenario could be avoided. We need to populate positions that offer expert information, advice, and opinions with the most highly qualified candidates, and having a collaborative system can help do that. Please support this goal by modifying section 19.4-5 items 3a and 3b, and by considering modifying the parallel sections appointing Zoning Board of Appeals and Planning Board members. Thank you.

4. **Jamie Fleishman**

5. Laurie Sandow – S. Grand Ave (submitted comments in writing)

Laurie Sandow comments, City of Poughkeepsie Common Council meeting, May 23, 2022, Page 1 of 2

A few weeks ago, a councilmember said they'd rather be working on substantial City issues, than dealing with walk-ons, vetoes and overrides. But what's on tonight's Council agenda? A Loading Zone Ordinance, a last-minute addendum, and two presentations that prevent the public from interacting with the presenters – where the last time these same presenters showed up, most Councilmembers were entirely unfamiliar with the material, had not bothered to educate themselves prior to the meeting, and asked little to no questions.

There's not a single long-talked about resolution on tonight's agenda: not inclusionary housing; not City-specific home repair programs; no resolution or public hearing about the secretive sale of Wheaton Park; no explanation, other than secrecy, for the City Administrator to order a Wheaton appraisal by phone, rather than on paper, or to have craftily led the Council into agreeing that they (quote): "think about an action of this council that was not abided by some subsequent mayor or administration" (unquote). A ridiculous declaration, when both Corporation Counsel, Administration AND Common Council had the opportunity and should have overturned and terminated a contract, decision and process riddled with blatant fiduciary breach, and which, to this day, runs contrary to the City of Poughkeepsie's interest.

Let's compare and contrast just one current sales example: the County is on the verge of paying \$2.1 million for a 1-1/2-acre property at 26 Oakley, while the just City sold the larger 2-1/4-acre Wheaton property for approximately \$600,000—about one-third the sales price for a property that is nearly one-half larger. Fiscal responsibility much? Disconnect much? How is it that I submitted a Freedom of Information request six weeks ago for the Wheaton closing agreement, but still haven't received it? Is this Administration misleading the Council behind the scenes, as well as in front? Sending communications from the Administration aimed at further undermining and contradicting public comments yet—unlike the public—made by people who don't have the spine to come forward, put their comments on tape and subject them to similar scrutiny and challenge?

[Laurie Sandow comments, City of Poughkeepsie Common Council meeting, May 23, 2022, Page 2 of 2]

There's so much else that's NOT on tonight's agenda: in particular, no reports from Committees and Boards—a line item added to the agenda more than two years ago, but which has yet to be activated. Does this Council even pay attention to all the far-reaching applications before the ZBA, Planning

Board, IDA, HDLPC and others? Or only lament the absence of these reports after the fact?

One presentation tonight is from Natalie Quinn and PK4Keeps consultant Peter Lombardi from czb.org. Four members of this Council—Sarah Salem, Evan Menist, Yvonne Flowers and Debra Long—all sit on the PK4Keeps steering committee. Despite that—whether individually, or together—they’ve never made their own presentations and answered questions about their own experience at PK4Keeps closed door steering committee meetings. There’s no reason for the public to believe they’ve been fairly represented at meetings from which they’ve been explicitly barred. Why haven’t these councilmembers demanded the committee hold “open houses” where the public’s inquiries and feedback is captured on tape, as opposed to phony “open house” one-on-one conversations that willfully prevent the entire community from becoming aware of shared concerns. How is it that the Town of Poughkeepsie created a 200-page, fully narrative Comprehensive Plan, while PK4Keeps has produced only a pathetic 47-page draft plan, comprised of nothing more than squibs, crackers and splotches of color, a plan devoid of narrative and commitment.

I have much more to say but, as usual, three minutes is too short for substantial public input. And that’s just the way this Council and Administration like it—driving the public away from attendance and involvement altogether, because public comment is too short for substantial public input.

6. **Sean Janelle**
7. **Eugene Fleishman**
8. **Ken Stier – Verrazano Blvd**
9. **John Mylod – Beechwood Ave (submitted comments in writing)**

Official Minutes of the Common Council Meeting of May 23, 2022

John Mylod
P.O. Box 1169
Beechwood Ave.
Poughkeepsie, NY 12602

Comments Before the Common Council
May 23, 2022

Members of the Common Council,

My name is John Mylod, I live on Beechwood Avenue

At a Council meeting a few weeks ago, a city official was aghast that the current Common Council would consider overturning a decision and contract that a previous Council had made on the theory that this Council wouldn't want to be second guessed and overturned in the future, now would it.

However, the shockingly one sided contract in favor of the developer in the case of Wheaton Park that the Council approved at the end of 2015 speaks to just how corrupt the process was that led to the agreement and should be challenged by the current Council.

It was indeed a sweetheart deal that allowed the developer to tell the City what he would do and wouldn't do in the process, rather than the City taking charge. At every turn the city bowed to the developer, constantly extending the agreement without performance. Early on, and as stipulation in his agreement with the City, in 2014 the developer said flatly that he would not do an environmental impact statement. And the City said, OK. Worse, it meant that the Common Council could not call for the preparation of such a document despite of public pressure to do so.

And the subterfuge continues with the current administration pulling a double secret closing and new closing statement without giving the Common Council meaningful notice that it was scheduled or what the Closing Statement required the City and the Common Council to do in the future

Not surprising in this whole squalid deal is that the people of the city, and I'm sure the Council, have no idea what the "fair market value" of the property really is.

An appraisal in 2008 certainly would be different in 2014 when the City did the RFP for 2.4 acres of city parkland with views of the Hudson River, the bridges and West shore mountains. Certainly, with the increase in property values in those years the number would be much higher than in 2008. And it was required by State Legislation in 2015, but to date, there is no number

Now, the Council has been given a letter contract dated May 5, 2022 to have a new appraisal done and, like the last one, there is no written record of what was asked of the appraiser because it was done by phone. If the Council has

to approve all contracts, I urge you to get to the bottom of this one before agreeing to move ahead.

10. Johanna Fallert -

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS

First of all, thank you for the members of the public speaking on behalf of your city. I don't think your comments ever fall on deaf ears with this council, I can assure you of that. And I also can assure you that this council is taking up hard issues. You know, we're dealing with a number of issues that are not just relevant to the city, but that will help to, you know, propel the city of Poughkeepsie forward in perpetuity for its success, honestly. And so, you know, between Pelton, between 26, Oakley, between, you know, the former DeLaval site on the southern waterfront, composting [it's a] great idea.

You know, we're.. I have members on this council talking about how to get more recycling receptacles for folks in the city, understanding how critical it is, parks improvements. You know, we hear you. We're listening and we're going at a pace that makes sense for this legislative body.

But to say that we're not taking up the hard issues, taking up the issues, having to do with our unhoused population, the affordable housing crisis is just wrong. We are and you know, each of these members on this screen or if not on the screen, are working hard on behalf of the city. And I can say that confidently. And we have, you know, some issues, unfortunately, are attorney client privilege because of the way that they've unfolded. So they're not all going to come out here during the meeting. And a lot of, you know, issues and ideas and discussions we hold in caucus so that we can have a more streamlined and productive dialogue during our common council meetings. And so I just wanted to make that very, very clear.

In addition to saying that, you know, a quick update on 26 Oakley and I'm sure, you know, other colleagues of mine can provide information on this during their new and unfinished business. But at the last county legislature meeting in early May, there was a 30 day hold placed on the vote for the purchase of that property. And so the project and in that period, the county has agreed to take on more public outreach and to be able to come up with a plan and an approach and a location that makes sense for the city of Poughkeepsie.

After hearing each of you, anyone that commented on this specific project in the specific location, influenced that decision to then extend the timeline of that vote. However, there's still a lot of work to be done in 30 days which has already started, just isn't a lot of time. Understanding the gravity of the proposed project in the plan and what that location might mean for the City of Poughkeepsie in the future.

Additionally, I want to make an announcement that I will be posting a call for resumes and cover letters for folks interested in serving on the Land Bank Board, the Ethics Committee, the Industrial Development Agency and the Arts Commission.

Official Minutes of the Common Council Meeting of May 23, 2022

So those will be posted. Or [rather] that call for resumes and cover letters will be posted on the City of Poughkeepsie website www.cityofpoughkeepsie.com in the next few days.

And so again, if you're interested, it'll have an email contact for myself where you can send a resume and a cover letter. And then following that, we will host some interviews so we can get people who are interested on that, on those bodies.

And so now, without further ado, I am going to promote Development Director Quinn and consultant Peter Lombardi from the PK4Keeps Comprehensive Plan Project onto our panel site so they can give us an update and a presentation on that.

1. **FROM DEVELOPMENT DIRECTOR QUINN & CZB, INC**, a presentation of the Comprehensive plan for Poughkeepsie.

VI. MAYOR'S COMMENTS

NOT PRESENT

VII. NEW & UNFINISHED BUSINESS

VIII. REPORTS OF COMMITTEES AND BOARDS

NONE

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS: added by addendum

1. **R-22-39**, Resolution Authorizing The Commencement of Litigation against Columbia Utilities, LLC

A motion was made by Councilmember Cherry and seconded by Councilmember Long to move this resolution to ACTION AGENDA

XI. ORDINANCES AND LOCAL LAWS:

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

**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**

O-22-03						
☒ 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 Long to receive and print.

ACTION AGENDA:

IX: MOTIONS AND RESOLUTIONS:

- 1. R-22-39, Resolution Authorizing the Commencement of Litigation Against Columbia Utilities, LLC.**

R-22-39

INTRODUCED BY CHAIR SALEM:

WHEREAS, Columbia Utilities, LLC, including any subsidiaries and affiliates, (herein collectively "Columbia") is an independent retail energy supply company; and

WHEREAS, the City of Poughkeepsie entered into a Community Choice Aggregation Electricity Supply Agreement ("Supply Agreement") with Columbia and Joule Assets Inc. ("Joule"), with Joule acting as Community Choice Aggregation Administrator, to provide energy benefits to residents and small non-residential customers within the City of Poughkeepsie ("Residents"); and

WHEREAS, on April 19, 2022, Columbia notified the Public Service Commission that that it intends to transfer these Residents to the utility, which transfer would constitute a breach of the Supply Agreement by terminating service without cause or in accordance with the terms of the Contract; and

WHEREAS, the City of Poughkeepsie desires to retain Hodgson Russ LLP as counsel for the purpose of joining Joule and other municipalities who also entered into the Supply Agreement in commencing litigation on behalf of the City of Poughkeepsie to enforce the Supply Agreement;

NOW THEREFORE, BE IT RESOLVED by the City of Poughkeepsie that:

Commencement and prosecution of a civil action against Columbia, and any other appropriate party, for the purpose of enforcing the Supply Agreement and protecting the interests of the Residents, including but not limited to preventing any breach, and/or recovery of damages from any responsible party on behalf of the City of Poughkeepsie and its residents and small non-residential customers, is hereby authorized and approved.

The Mayor and staff are authorized to take all appropriate steps to support the successful prosecution of the proceeding.

The retention of Hodgson Russ LLP as outside counsel is hereby authorized for the purpose of commencing and prosecuting this action. Nothing in this Resolution authorizes the expenditure of funds for such purpose.

This Resolution shall be effective immediately upon its adoption.

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SECONDED BY COUNCILMEMBER _____.

R-22-39						
☒ Accepted ☐ Defeated ☐ Tabled	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:

XI. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

1. **A PRESENTATION FROM DEVELOPMENT DIRECTOR QUINN & CZB, INC.,** regarding the posted draft of PK4Keeps: A Comprehensive Plan for Poughkeepsie (www.pk4keeps.org)
2. **A COMMUNICATION FROM COMMUNITY DEVELOPMENT COORDINATOR PAUL HESSE AND DUTCHESS COUNTY DIRECTOR OF ENGINEERING MATT DUTCAVICH,** Regarding a Proposed Easement on City-Owned Property on Taylor Avenue.

A motion was made to defer the below communications/petitions to Corporation Counsel by Councilmember Cherry and was seconded by Councilmember Long.

3. **FROM JOSEPH ROBB,** a notice of personal injury sustained on or around September 20, 2015.

XII. ANNOUNCEMENTS:

XIII. ADJOURNMENT:

A motion was made by Councilmember Cherry and seconded by Councilmember Johnson to adjourn the meeting at 8:42pm.

Dated: May 24, 2022

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, May 23, 2022.

Official Minutes of the Common Council Meeting of May 23, 2022

Respectfully submitted,

Donna M. DeLuca
Deputy City Chamberlain