



THE CITY OF POUGHKEEPSIE NEW YORK

COMMON COUNCIL MEETING MINUTES

Monday, July 11, 2022, 6:30 p.m.

Common Council Chambers

Welcome to the regularly scheduled Meeting of the City of Poughkeepsie Common Council the date is July 11, 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: 5 present, 4 absent at the time attendance was taken:
(Councilmembers Cherry, Long and Menist were absent. Councilmember Johnson arrived at 6:45pm)**

II. REVIEW OF MINUTES:

NONE

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

ADD:

XI. ACTION AGENDA: MOTIONS AND RESOLUTIONS:

3. R-22-54, Resolution approving an easement over City owned property by Dutchess County for the purpose of connecting the Dutchess Rail Trail to the new Urban Rail Trail

IV. PUBLIC PARTICIPATION

1. Tina Taffe – Wilbur Court (submitted notes for the minutes)

July 11, 2022

I (or we) LANCE AND KATHLEEN KOURI living
at 41 EDEN TERRACE OVER 40 YEARS

would like to express my (or our) concerns to the Common Council
about THE SERVICE ROADS TO THE THREE TERRACES
ARE SADLY NEGLECTED AND REQUIRE SOME UPKEEP.
I WAS TOLD BY THE CITY ASSESSOR THAT OUR
NEIGHBORHOOD WAS THE PRIME ONE IN THE CITY THIS,
WHICH ACCOUNTS FOR THE ASSESSMENTS AND CONSEQUENT
TAXES. WE ASK THE COMMON COUNCIL AND MR. NELSON TO
SUPPORT US IN INITIATE THESE REPAIRS. WE ARE PROUD
TO LIVE IN POUCHKEEPIE AND ASK THAT YOU
US IN OUR REQUEST FOR MAINTENANCE (WHICH HAS BEEN
CONSISTENTLY PERFORMED BY PREVIOUS ADMINISTRATIONS
FOR THE PAST FOUR DECADES) OF OUR RESIDENCES HERE. I
WAS BORN HERE EDUCATED HERE RAN A BUSINESS HERE AND
WILL BE LAID TO REST HERE. MUCH HAS CHANGED IN SEVENTY
YEARS BUT HONORING OUR COMMITMENTS TO FAULTIER SHOULD BE
RESPECTED. Thank you for your audience, Olga Kouri
Kathleen Kouri

July 11, 2022

I (or we) Margaret Tallman living
at 122 Livingston St.

would like to express my (or our) concerns to the Common Council
about the extreme disrepair of the service drive
behind Ivy, Eden, & Wilbur. Currently, it is
not drivable, and is creating unsafe access
conditions relative to both driving and walking.
This road was completely torn up during the
garage replacement in 2020 and conditions worsen
with each passing winter. Without complete repairs,
the road will not be useable.

July 11, 2022

I (or we) David Manner and Lorraine Pickers living
at 7 Eden Terrace

would like to express my (or our) concerns to the Common Council
about the service alley in our neighborhood. The service
alley along the north side of the Springside preserve and
at the ends of Ivy Terrace and Wilbur Court is in
atrocious shape, with many potholes that make both driving
and walking that route hazardous. Also, the entry
ramp to Eden Terrace from Livingstone street is also
in very poor condition.

July 11, 2022

I (or we) TREVOR MESSESMITH & STEVE GNOVENS living
at 3 EDEN TERRACE

would like to express my (or our) concerns to the Common Council
about THE POTHOLES AND POOR CONDITION OF
THE SHARED ACCESS ROADS AROUND EDEN
AND IVY TERRACE AND WILBUR COURT. ALSO
CONCERNED ABOUT THE CONDITION OF EDEN
TERRACE'S ENTRANCE (ALSO IN BAD SHAPE/
NEEDS TO BE REPAIRED.)

July 11, 2022

I (or we) Patricia B-Lloyd living
at 1 Ivy Terrace

would like to express my (or our) concerns to the Common Council

about The condition of the roadway on Ivy Terrace and Springside. The condition worsened after the work was done for the new Gas lines and Central Hudson's work a couple of years ago with the wiring. Large machinery compromised the road. Although patching and some repairing was done, holes appeared after the winter season.
2nd concern, when will the stop sign on Ivy and Livingston

be replaced. I have called several times ~~since~~
April 25th and May 5th the Urban tree division.
I was told the pole is on the sign is not.

Drivers are speeding down Livingston.. I am fearful someone may get hit crossing the street. There is more foot traffic with the pool open at the tennis club and residents walking their dogs. I am also fearful of someone crashing into my landscape wall, which has happened twice several years ago.

I (or we) LARRY living
at 3 WILBUR CT

would like to express my (or our) concerns to the Common Council
about _____

I WON'T BE THERE THAT NIGHT,
BUT THE CARNIVAL IS
CLEARLY VISIBLE.

THANKS FOR YOUR
FAVORABLE

IN FORK, NY

PS, IT'S NOT TEXAS
IT'S TAXES!

Re: Potholes on road along Springside. Organized by Tina Taffe

Moses Finnerman at 7 Ivy Terrace:

I've witnessed delivery trucks enter Ivy Terrace from the corner of Livingston St and South Hamilton St by driving backwards. I've seen this on many occasions. They are driving backwards to avoid driving along the section of the road along Springside because of two main reasons. Mainly because of the potholes. But also because the prickler bushes on Springside have been overgrown and intruding onto that section of the road. Trying to avoid scratching a vehicle on the prickler bushes makes it even more difficult to avoid the potholes. It's probably near impossible for a larger delivery truck to avoid both of them. The delivery trucks driving backwards is dangerous for many reasons. For example, many people walk across the road of Ivy Terrace from the public access path that connects from the end of Adniance Ave. Many of those people are walking their dog or pushing a baby carriage.

Sam, Adriaan and Noah Finnerman at 7 Ivy Terrace. Ivy Terrace, Wilber and Eden along with the service drives are public access roads. We are not a gated restricted community, never have been and nor will ever be. The City maintains the roads, the utilities of water and sewage essentially what is below the surface and what is on the surface.

The public and City residents use these roads every day for walks and access to Spring Side.

2. Michael Phillips – Wilbur Court
3. Gus Kazolias – 47 Noxon St
4. Laurie Sandow – S. Grande Ave

Laurie Sandow comments, City of Poughkeepsie Common Council meeting, July 11, 2022, Page 1 of 4

Before I get to the heart of my comments, I'd like an update regarding Flores Taqueria and the Ice House, as well as an update regarding Baxter's misuse of the N. Hamilton site. As brought to the Council's attention when Baxter used this body for rezoning, he's applying for variances at tomorrow night's ZBA meeting. The ZBA needs to be aware of his current abuse. And need I note another Common Council "special", a last-minute addition to tonight's agenda that's lingered since first introduced in May.

I will have to leave at some point to attend the County's legislative meeting to comment about their FOIL denial of their own alleged 26 Oakley documents—documents for which the City claims to have no record of receipt. Those comments are attached. I hope to return while tonight's Council meeting is still in session.

I've said before, and am saying again, the machinations of both the City of Poughkeepsie Administration as well as the Common Council could make a lot of easy money for a sitcom scriptwriter. The net result for this City, though, is tragedy, not comedy.

Let's start with Council Chair Salem, whose resumé promotes himself as a strategist and "thought leader". Yeah, Salem's the brilliant strategist who moved a lengthy presentation to the front of a Council meeting while, as usual, one after another councilmember slipped out early, defeating attempts to schedule a public hearing. It's my understanding that Mayor Rolison has let certain HDLPC vacancy applications linger for months. Lingering vacancies is irresponsible behavior the Council shares with the Administration. I'm also aware that the Administration picks and chooses between committee members they target for having a conflict of interest—most recently, members of the IDA and HDLPC—while other board members—Levine, Saylor, Reifler, and Mallory among them—escape scrutiny altogether.

[Laurie Sandow comments, City of Poughkeepsie Common Council meeting, July 11, 2022, Page 2 of 4]

Let's also take a look at Corporation Counsel Valk, City Administrator Marc Nelson and others who write privately to the Council, or launch verbal attacks on the floor of Council meetings, claiming the public was wrong, without having the spine to provide those they've accused with the opportunity to respond and refute.

Secrecy and lack of transparency also arise in relation to the recent Council / Bonura litigation settlement. Why does this Council think it's entitled to spend taxpayer money, yet withhold the actual settlement agreement from the public? I'd also like to know what part of the settlement funds are being paid by Hudson Pointe residents whose campaign contributions to Brannen, Menist and Salem, led those councilmembers to act in Hudson Pointe's interest.

Also worth a look is an article in today's Poughkeepsie Journal, where Salem is quoted as saying that: "What happened in Albany sets a dangerous precedent for Good Cause Eviction and, actually, for the will and the voice of the people".

Umm, “the will and the voice of the people”?!?!? Wasn’t it Salem, Brannen and Finney who fabricated a Council rule in order to have me silenced and arrested? And Matt McNamara who pulled the plug on the meeting sound system? Were those not dangerous precedents? does my voice not count as a voice of the people? The same question applies to both Administration and Councilmembers who are now so keen to obstruct a public hearing. Whether you agree with people’s voices and opinions or not, are your delicate sensibilities so offended and threatened that you don’t even want to provide the opportunity of a hearing?

Life and government in the City of Poughkeepsie is tragic, not comic—neither amusing, nor acceptable, actually defeating rather than serving the interests of an informed public and citywide revitalization.

[Laurie Sandow comments, City of Poughkeepsie Common Council meeting, July 11, 2022, Page 3 of 4]

Laurie Sandow comments, DC Legislature meeting, 26 Oakley vote, July 11, 2022, Pg. 1 of 2

It is sad to observe a Legislature that seems guided by the principle of “out of sight, out of mind”. However, the process and consequences surrounding 26 Oakley are not the least bit off the minds of City of Poughkeepsie residents.

The County’s own page on Transparency reads: “Dutchess County Government is committed to effective and open government and encourages all citizens to be engaged and informed.”

As my comments will show, the County government does not walk its talk.

On May 18th, I submitted a FOIL for two items, including the SEQRA lead agency letter Bob Balkind claimed to have sent to Poughkeepsie Mayor Rolison. On June 14th, one day after this Legislature voted in favor of 26 Oakley, I received a denial for the FOIL of Balkind’s letter reading: “This request is denied for the following reason:

Correspondence between the County and City of Poughkeepsie is non-final, inter-agency material.” I promptly submitted an appeal, which the County has willfully ignored, apparently with intent to burden me into filing an Article 78.

At the same time as my County FOIL, I also filed a City FOIL for the same Bob Balkind letter. The City of Poughkeepsie replied, and I quote: “There is no record that the City actually received the alleged correspondence from Bob Balkind re: lead agency.” The City also replied with a copy of a letter from County attorney Blackburn to City Corporation Counsel Valk, which letter makes clear the County’s last few months of negotiation in bad faith.

For those not already familiar with Ms. Blackburn’s 4-page, March 8th letter, an excerpt from the opening paragraph reads (quote): “I write to formally advise you that the County

of Dutchess is purchasing the property located at 26 Oakley Street in the City of Poughkeepsie for the proposed purpose of developing an emergency housing facility for single adult individuals experiencing homelessness (the “Project”). Please be advised that the County of Dutchess takes the position that, pursuant to Matter of County of Monroe (City of Rochester), it is immune from the application of City of Poughkeepsie planning and zoning rules and regulations. More specifically, the County of Dutchess asserts its immunity from any regulatory authority of the City of Poughkeepsie, including but not limited to its site plan and zoning requirements, regarding this Project. ...”

Laurie Sandow comments, City of Poughkeepsie Common Council meeting, July 11, 2022, Page 4 of 4

Laurie Sandow comments, DC Legislature meeting, 26 Oakley vote, July 11, 2022, Pg. 2 of 2

The County’s bad faith extends further than three minutes allows to cover. However, the County’s intent to flood Poughkeepsie’s streets with homeless has become clear in a far more sinister way, with the County relying on partners to build developments that profit from New York State’s Empire State Supportive Housing Initiative (ESSHI) grants, placing supportive units under the same roof as affordable units, compelling those who seek affordable housing to automatically reconcile themselves to sharing a roof with supportive housing.

Quoting an excerpt from the July 8, 2014, Criminal Justice Council minutes, I close with this last bit of County bad faith and empty promises, wherein County Executive Molinaro, speaking about the PODs, declares “... as Dutchess County is looking to invest millions of dollars on North Hamilton Street in the City of Poughkeepsie. We are committed to ensuring that our investment is as much about a transition center as it is to the revitalization of a neighborhood.”

Is there any proof of County revitalization efforts on North Hamilton since 2014? Am I supposed to believe that the misery of the PODs foisted by the County and its non-profit partners on the residents of N. Hamilton over the last two years—which misery the County intends to continue for at least another year—represents the County’s best efforts and commitment to revitalization?

Or, instead, just another bad faith and empty promise?

“9. COUNTY EXECUTIVE addressed the CJC with an update on the status of the Justice and Transition project

County Executive Mark Molinaro began stating that the topic of the jail has been an important one that has gone on for almost 30 years.

Bob Mallory has been a smart and optimistic critic, as Dutchess County is looking to invest millions of dollars on North Hamilton Street in the City of Poughkeepsie. We are committed to ensuring that our investment is as much about a transition center as it is to the revitalization of a neighborhood. There are models from throughout the country that show community revitalization happening along with this kind of investment.”

5. **Doug Nobiletti – Liberty St**
6. **Ilyne Peters-Weinberg**
7. **Zachiya Roberts**
8. **Austin Watts**
9. **Sam Finnerman – 7 Ivy Terrace**
10. **Arianne Kurz – 5 Ivy Terrace**
11. **Scott Kurz – 5 Ivy Terrace**

V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:

So we'll move to Chairperson's Comments. Mark or Nate, can you update us as to the status of that area? [referring to Ivy Terrace, Wilbur Court, Eaton Terrace all off of Livingston St.]

City Administrator Nelson: I could take the mayor's comments after you and address that if that's alright with you?

Chair Salem: If you can do it now..

City Administrator Nelson: Sure, it just may take a little while, that's all. Is that alright? Okay, so thanks everybody for coming. The Chair asked me to address some of the issues about the service drives and and Sam, it's good to see you. And many of you I know. I'll introduce myself for those watching from home.

I'm Mark Nelson. I'm the city administrator. I've been in that role since 2017. The issue of the service drives is one of three or four legacy issues that are probably one of the most difficult things that are on my desk and soon to be everybody's desk.

And I think - I first of all, I want to thank you all for coming. I want to thank everybody who signed the petition and got it to councilmember Shook and I.

I have had the pleasure of speaking to a number of you, particularly John McDonald. Is John here in the audience today? Hi, John. Nice to see you.

And you know, I have shared with the mayor all the photographs and the hard work that everybody there has done. And of course, I've driven and walked the area -more walked than not - to get around the potholes myself. So I certainly understand the problems that we face.

I think as Sam told the council, many of you probably know that the city doesn't own the property and it's at one, the beginning of the conversation that is fundamental due to the

trepidation we have about fixing it. So, yes, on the one hand, historically, the city has done some work on the service drives, particularly fixing potholes. But under general municipal law, a city cannot repair personal property, private property, we simply can't do it.

And so, I'm faced with the conflict between what might have been done in the past to fix problems that, as you say, create public safety issues and the reality that, because it's privately owned, I'm constrained by state law from authorizing DPW to go in and do it. Prior city administrators have done I can't speak for them, but I suspect that they did the expedient thing and said, you know, fix a pothole. I think we need a bigger conversation than that here because my goal is to solve the problem for all time so that it doesn't continue to come up again, right? And that requires us to stop for a minute. Listen to everybody's concerns.

The way I was going to respond to this after I talked to the mayor was, I was going to suggest that everybody who's interested in joining a Zoom meeting on this and we could all get together on a Zoom meeting. We need to get our corporation council who's here, Becky Valk, involved in this conversation and kind of have a conversation amongst all the property owners.

I will just take a couple of minutes and tell you that, you know, in my mind there are two solutions to this. One, the city can say we don't own it, we don't want to own it. And this is, unfortunately, the problem of private property.

There's also a mechanism by which the city could take ownership of it and then thereby forever resolve this. It becomes the city's problems. We fix it. We maintain it. Everything else.

I have been told over the last couple of years by some colleagues and other municipalities that face these types of situations, that it would require the acquiescence or the agreement of every single property owner, all of them that are affected in order to for the city to even if it wanted to. And that would be a decision for this council. Right? The council has the authority to sell city property and it has the authority to accept property. That's not something that the mayor or the administration can do. It's not within our power to do it. Our goal and our role is to recommend to the policymakers, to your common council – “Well, here are the choices”

And we need our corporation council's guidance on this. And we'd also like to hear from members of the public that haven't spoken yet, and we plan on reaching out to every single property owner.

Everybody will receive the same letter, inviting them to the same meeting.

That should happen at some point before Labor Day and then we can have a wider conversation. Listen to everybody's concerns.

The way I was going to respond to this after I talked to the mayor was I was going to suggest that everybody who's interested in joining a Zoom meeting on this and we could all get together on a Zoom meeting.

We need to get our corporation council who's here, Becky Valk, and involved in this conversation and kind of have a conversation amongst all the property owners.

And so I'm faced with the conflict between what might have been done in the past to fix problems that, as you say. I can tell you that if the majority of property owners wanted to deed the property to the city, then it becomes a question for the council. Will the city accept it? But what do you do if 80% of the property owners want to and 20% don't? Then the city has the difficult task of having to decide. And I'm not a lawyer, but we get the legal department involved. Do we do we want to take it by eminent domain from those of your neighbors who don't agree that they want to give it to the city? So as I said at the beginning, I'm sorry, my comments went long on this particular one, because it's, as I said, one of the most difficult challenges. It was on my desk when I became city administrator. I don't want to leave it on my desk for the next administrator, but it's really going to be up to everybody here to decide what we're going to do.

Thank you, Chair.

Chair Salem: Great. Thank you. So I'm looking forward to hearing the results of that Zoom meeting because, you know, if the majority, if not all of the neighbors in that area want the city to take care of that, you know, second street.

City Administrator Nelson: Let me just say from your perspective, Chair Salem, I would also caution that it's obviously a risk mitigation issue for the city. And, if that is what the property owners want en masse, I would think that we then want to have a conversation with risk and finance about it

Chair Salem: Of course. And, you know, but honestly, I mean, I hear the concerns, yes, I hear the concerns.

I enjoy that street myself. I like to go back [there]. I think it's one of the City of Poughkeepsie's best kept secrets, that little path through Springside. I'm just, you know, looking forward to seeing where we can go in order to come to a conclusion that works for all of you so that there's less, you know, damage to your vehicles, risk to your children, and risk to other people driving through that area. Plus DPW, as you said, the garbage trucks in the service trucks and all the other things that go through there. So keep me posted.

And Nate, you'll be on that team as well.

Corporation Counsel Valk: Chair. I would just suggest we should have city engineering on that Zoom as well.

Councilmember Shook: And just to clarify timing, Mr. Nelson, when do you suspect notices might be going out? Definitely this summer.

City Administrator Nelson: We're going to try to get it done before Labor Day, because things get we get into the budget season for next year, which is, you know, so September, we have to have our budget to the council by October 15th. So we've got a little bit of a window where, you know, we'd like to address this. So a letter should go out within a couple of weeks.

Chair Salem: So just keeping it brief. I just want to notify everyone that we won't be having a council meeting for the next four weeks, our next meeting won't be until August 22nd, Monday, August 22nd.

And then to Councilmember Menist isn't here. He wanted me to share with you all that he has COVID. Although he is vaccinated, he is boosted. He has mild symptoms. He's still feeling symptoms. And so, you know, stressing that the BA 5 variant is incredibly contagious. And even if you are vaxxed, boosted, boosted twice, boosted three times, there's still a risk. So, you know, it's best to use those precautions that had been working. And if you're not vaccinated yet, there's vaccines. You can go get vaccinated. If you need a booster, go get a booster.

And, you know, I've been trying to remember to wear a mask inside, although I'm not wearing one now, knowing that, you know, the risk is still out there and it's better to be safe than sorry.

And we really hope that Councilmember Menist feels better soon.

And that concludes my comments.

VI. MAYOR'S COMMENTS

-NONE-

VII. NEW & UNFINISHED BUSINESS

VIII. REPORTS OF COMMITTEES AND BOARDS

-NONE-

CONSENT AGENDA:

IX. MOTIONS AND RESOLUTIONS:

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

1. **R-22-48**, Resolution Amending the 2022 Budget to add certain full time positions

**RESOLUTION
(R-22-48)**

A Resolution Amending the 2022 Budget to Add New Full-Time Positions to the Fire Department, the Building Division and to Section 8 Administration.

INTRODUCED BY CHAIR SALEM:

WHEREAS, The City Administrator and Human Resources Director, in consultation with the department heads, have identified the need to amend certain budgeted positions in the various departments to make City Government more efficient and ensure necessary functions of government continue; and

WHEREAS, the administration is requesting that the Common Council amend the 2022 budget as proposed in the attached Schedule “A”, to wit:

Creating two new full time firefighter positions within the Fire Department; and

Adding a position of Deputy Zoning Administrator in the Building Division; and

Adding a position of Section 8 Housing Account Specialist; and

WHEREAS, the Common Council of the City of Poughkeepsie has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality review Act and 6 NYCRR Part 617; and

BE IT RESOLVED, that the 2022 budget is hereby amended as provided in Schedule “A”, and be it further

RESOLVED, that the Commissioner of Finance be, and he hereby is, authorized to make such technical adjustments and corrections he deems necessary to this resolution to carry out the intent of this Council.

SECONDED BY COUNCILMEMBER _____.

R-22-48						
☒ 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 to receive and print was made by Councilmember Thompson and seconded by Councilmember Flowers.

2. **R-22-49**, Resolution approving the Annual Adjusted Base Proportion

RESOLUTION (R 22-49)

INTRODUCED BY CHAIR SALEM

BE IT RESOLVED, that the attached certificates of Base Percentages, Current Percentage, Base proportions and Certificate of Adjusted Base Proportions for the levy of taxes on the 2022 Assessment roll are hereby approved in accordance with Article 19 of the Real Property Tax Law.

SECONDED BY COUNCILMEMBER _____

R-22-49						
☒ 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 to receive and print was made by Councilmember Thompson and seconded by Councilmember Diechler.

3. R-22-50, Resolution supporting CFA applications made by local not-for-profits.

**R-E-S-O-L-U-T-I-O-N
(R-22-50)**

INTRODUCED BY CHAIR SALEM:

WHEREAS, the City of Poughkeepsie has received several requests to support and endorse applications of several Not-for-Profit organization under the Consolidated Funding Application (CFA) ; and

WHEREAS, the City of Poughkeepsie has reviewed these request in conjunction with its overall goal of advancing its Comprehensive Plan, Main Street Economic Development Strategy, Waterfront Revitalization Strategy and increasing the sustainability of its community resources needed to support such strategies; and

WHEREAS, the City of Poughkeepsie is committed to advancing its economic development strategy through ongoing collaboration with other governmental units and private partners; and

WHEREAS, an important component of any economic development strategy is the simultaneous strengthening of the City's Not-for-Profit organizations that provide the local economy with public goods that generate positive externalities; and

WHEREAS, the Common Council of the City of Poughkeepsie is desirous of lending its support and endorsement to applicants that have been deemed to support its underlying mission; and

NOW, THEREFORE,

BE IT RESOLVED, that the Mayor and the Common Council of the City of Poughkeepsie wholeheartedly support and endorse the following applications under the Consolidated Funding Application (CFA) and make a finding that such applications advance the city's approved economic development strategies:

1. Hudson River Housing and The Art Effect – New York State Homes and Community Renewal NY Main Street Anchor Program for the continued renovation of Poughkeepsie's historic Trolley Barn into an arts and community hub.

2. Nubian Directions II, Inc. and Kirchner Realty, Inc.– New York State Homes and Community Renewal NY Main Street Anchor Program for renovation of 278 Main Street (former Up To Date department store) into a mixed use building with 11,000 sq. feet of commercial space and 24 residential units.
3. 47 Cannon Street, LLC – New York State Homes and Community Renewal NY Main Street Anchor Program for renovation of 47 Cannon Street (former Board of Elections) into a mixed use building with 10,000 sq. feet of commercial space for a restaurant with distillery / brewery and 66 residential units.
4. Scenic Hudson - New York State Homes and Community Renewal NY Main Street Anchor Program for adaptive reuse of 58 Parker Avenue into the organization's offices, workspace for local businesses, meeting and community events, and publically accessible outdoor open space.

BE IT FURTHER RESOLVED, that the Mayor is and hereby shall do all things necessary to give effect to the resolution including but not limited signing any document needed for submission or acceptance.

SECONDED BY COUNCILMEMBER _____.

R-22-50			Yes/Aye	No/Nay	Abstain	Absent
☒ 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	☒	☐	☐

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

4. **R-22-51**, Resolution approving the acceptance of a donation from the US soccer Foundation

R E S O L U T I O N (R-22-51)

INTRODUCED BY COUNCILMEMBER LONG:

WHEREAS, the United States Soccer Foundation, Inc. (the “Foundation”) wishes to award a Grant to the City of Poughkeepsie in the form of two acrylic mini pitch surfaces with goal and lighting installation (“Mini Pitches”) valued at up to \$200,000.00 (the “Grant Project”); and

WHEREAS, the Foundation has requested that the City commit \$100,000.00 in funding for the Grant Project; and

WHEREAS, pursuant to section 2.05(j) of the Administrative Code of the City of Poughkeepsie the Common Council is authorized to accept gifts on behalf of the City of Poughkeepsie; and

WHEREAS, the Common Council is desirous of accepting such Grant Project on behalf of the City of Poughkeepsie and to commit up to \$100,000.00 in funding for the Grant.

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby accepts the Grant Project; and

RESOLVED, that the City’s \$100,000.00 funding commitment shall come \$50,000.00 from the County of Dutchess and \$50,000 from ARPA funds; and

RESOLVED, that the Mayor and City Administrator are authorized to execute the attached Donation Agreement in the same or substantially the same form as attached hereto as Exhibit A or other documents necessary to give effect to this resolution and take all steps necessary to process and receive such donation.

R-22-51						
☒ 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	☒	☐	☐	☐

SECONDED BY COUNCILMEMBER_____.

ACTION AGENDA:

IX: MOTIONS AND RESOLUTIONS:

A motion to receive and print was made by Councilmember Johnson and seconded by Councilmember Flowers.

1. **R-22-52**, Resolution setting a public hearing regarding a proposed Local Law amending Chapters 2 and 19 of the Code of the City of Poughkeepsie.

**RESOLUTION
R-22-52**

**RESOLUTION OF THE CITY OF POUGHKEEPSIE COMMON COUNCIL SETTING A PUBLIC HEARING REGARDING THE PROPOSED LOCAL LAW AMENDING CHAPTERS 2 AND 19 OF THE CODE OF THE CITY OF POUGHKEEPSIE TO PROVIDE FOR COMMON COUNCIL CONFIRMATION OF APPOINTMENTS TO THE PLANNING BOARD, ZONING BOARD OF APPEALS AND THE HISTORIC DISTRICT AND LANDMARK PRESERVATION COMMISSION AND, IN THE EVENT THE MAYOR FAILS TO FILL A VACANCY WITHIN 6 MONTHS, TO PERMIT THE COMMON COUNCIL TO FILL SUCH VACANCY BY 2/3 VOTE
INTRODUCED BY COUNCILMEMBER MENIST:**

WHEREAS, the Common Council is considering amendments to Chapters 2 and 19 of the Code of the City of Poughkeepsie to provide for Common Council confirmation of appointments to the Planning Board, Zoning Board of Appeals and the Historic District and Landmark Preservation Commission and, in the event the Mayor fails to fill a vacancy within 6 months, to permit the Common Council to fill such vacancy by 2/3 vote; and

WHEREAS, the Common Council seeks to hold a public hearing in order to gather public input and comment regarding the proposed local law; and

NOW THEREFORE,

BE IT RESOLVED, that the Common Council shall call a public hearing on the proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at _____ o'clock P.M., on _____, 2022; and

BE IT RESOLVED, that the City Chamberlain is authorized and directed to publish or cause to be published a Notice of Public Hearing in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5) days prior thereto.

SECONDED BY COUNCILMEMBER _____

R-22-52						
☐ Accepted ☒ Defeated ☐ Tabled	Councilmember Long	Voter	☐	☐	☐	☒
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☐	☒	☐	☐
	Councilmember Diechler	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Johnson	Voter	☐	☒	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Chair Salem	Voter	☒	☐	☐	☐

A motion to receive and print was made by Councilmember Johnson and seconded by Councilmember Diechler.

2. **R-22-53**, Resolution Approving the Memorandum of Agreement between the City of Poughkeepsie and the City of Poughkeepsie PBA

**RESOLUTION
(R-22-53)**

INTRODUCED BY COUNCIL MEMBERS JOHNSON, SHOOK & LONG

WHEREAS, the City of Poughkeepsie (the “City”) and the POLICE BENEVOLENT ASSOCIATION (“PBA”) are parties to a Collective Bargaining Agreement for the period ending December 31, 2024; and

WHEREAS, Pursuant to Article 8 Section 5 of the agreement, a member of the bargaining group must reside within the City of Poughkeepsie or within a twenty mile radius thereof; and

WHEREAS, the Police Chief and the City Administrator have informed the Common Council that more than twenty department employees will become newly eligible to retire in the near future;

WHEREAS, the department has demonstrated success at increasing its recruitment efforts and its outreach to city residents, in an effort to increase the number of officers who are City residents; and

WHEREAS, the Administration and the PBA have agreed that the residency radius should be temporarily increased from twenty miles to thirty miles in order to assure an adequate pool of potential new hires sufficient to mitigate the negative impacts of the projected increase in upcoming retirements from duty; and

WHEREAS, the agreement to extend the residency radius shall sunset five years after the adoption of this Resolution; and

WHEREAS, the Common Council has determined that this resolution constitutes a Type II action as defined by the New York State Environmental Quality Review Act and 6 NYCRR Part 617,

NOW THEREFORE,

BE IT RESOLVED, that the Common Council of the City of Poughkeepsie hereby approves and ratifies the Memorandum of Agreement between the City of Poughkeepsie and the City of Poughkeepsie PBA, executed by the parties on July 1st, 2022 and attached hereto; and be it further

RESOLVED, that the Mayor, City Administrator and the Chief of Police are authorized to give effect to the Memorandum of Agreement and that the terms contained in the Memorandum of Agreement shall supersede any inconsistent provisions in the Collective Bargaining Agreement currently in effect between the parties thereto to the extent that there is a conflict.

SECONDED BY COUNCILMEMBER _____

R-22-53						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Long	Voter	☐	☐	☐	☒
	Councilmember Thompson	Voter	☒	☐	☐	☐
	Councilmember Shook	Voter	☒	☐	☐	☐
	Councilmember Diechler	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Menist	Voter	☐	☐	☐	☒
	Councilmember Johnson	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☐	☐	☐	☒
	Chair Salem	Voter	☒	☐	☐	☐

A motion to receive and print was made by Councilmember Diechler and seconded by Councilmember Johnson.

3. **R-22-54**, Resolution Approving an easement over City owned property by Dutchess County for the purpose of connecting the Dutchess Rail Trail to the new Urban Rail Trail.

**RESOLUTION
(R22-54)**

INTRODUCED BY COUNCILMEMBER JOHNSON:

WHEREAS, the City is the owner certain plot, piece or parcel of land, situate, lying and being in the City of Poughkeepsie, County of Dutchess, State of New York, known as tax grid # 131300-6162-54-176458 (the “Property”) and,

WHEREAS, Dutchess County is in the process of constructing the Urban Rail Trail intended to function simultaneously as a greenway and a transportation facility, offering access to nature for a wide range of activities, while expanding transportation options to residents who live, go to school and/or work nearby; and

WHEREAS, the County has requested an easement over the Property for the purpose of connecting the Dutchess Rail Trail to the new Urban Trail as shown on Map 6, Parcel 9, annexed hereto; and

WHEREAS, the County also request two temporary constructions easements over the Property, shown on Map 5, Parcel 8 (annexed hereto) as well as an adjoining lot also owned by the City, known as tax grid #131300-6162-54-165446 and shown on Map 4, Parcel 7 (annexed hereto)

WHEREAS, the City is desirous of granting the proposed Permanent Easement, in the form attached hereto as Exhibit A and made a part hereof, and the Temporary Construction Easements to the County as set forth in the documents attached hereto as Exhibit B and made a part hereof.

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby authorizes the Mayor to execute the proposed Permanent Easement, in the form attached hereto as Exhibit A and the Temporary Construction Easements to the County as set forth in the documents attached hereto as Exhibit B and all necessary forms to record the same with the Dutchess County Clerk.

SECONDED BY COUNCILMEMBER _____

R-22-54						
☒ 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	☒	☐	☐	☐

XII. ORDINANCES AND LOCAL LAWS:

XIII. PRESENTATIONS OF PETITIONS AND COMMUNICATIONS:

- 1. FROM EMILY SVENSON AND DEVELOPMENT DIRECTOR QUINN,** a communication regarding revised draft of LWRP update.
- 2. FROM KENDRA SMITH,** a Notice of Claim for personal injury sustained on April 6, 2022

X. ANNOUNCEMENTS:

XI. ADJOURNMENT:

A motion was made by Councilmember Diechler and seconded by Councilmember Thompson to adjourn the meeting at 8:04 pm.

Dated: July 19, 2022

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, July 11, 2022.

Respectfully submitted,

Donna M. DeLuca
Deputy City Chamberlain

