



COMMON COUNCIL MEETING

Common Council Chambers

Monday, May 20, 2019

6:30 p.m.

I. ROLL CALL

II. REVIEW OF MINUTES:

Common Council Meeting of January 22, 2019

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

IV. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda item.

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Presentation by Scenic Hudson

VI. MAYOR'S COMMENTS:

VII. MOTIONS AND RESOLUTIONS:

1. Resolution R19-49, approving the bond resolution for the UV Disinfection Equipment Replacement.
2. Resolution R19-51, setting a public hearing for the proposed rezoning of 504-514 Main Street.
3. Resolution R19-52, declaring the Common Council's intent to be lead agency for the proposed rezoning of 504-514 Main Street.

4. Resolution R19-53, approving the adoption of a Climate Smart Communities Pledge in the City of Poughkeepsie.

VIII. ORDINANCES AND LOCAL LAWS:

1. Ordinance O-19-5, converting Vernon Terrace from two-way traffic to one-way traffic.
2. Ordinance O-19-6, amending on-street parking on North Hamilton at Parker Avenue and High Street by requiring Residential Parking Permits.
3. Ordinance O-19-7, amending Section 195-1 of the Motor Vehicle and Traffic schedule regarding Jewett Avenue.
4. Ordinance O-19-8, amending Section 8-7 of Chapter 8 "Fire Prevention", requiring an operating permit for public establishments.
5. Ordinance O-19-9, §13-269 of Chapter 13 of the City of Poughkeepsie Code of Ordinances entitled "Motor Vehicles and Traffic" to provide for a handicapped parked spot on Winnkee Avenue.

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM MARY LINGE OF HUDSON RIVER HOUSING**, a presentation regarding the proposed rezoning of 504-514 Main Street.
2. **FROM CORPORATION COUNSEL ACKERMANN AND VERIZON WIRELESS**, regarding the adoption of a municipal small cell master license agreement
3. **FROM PAMELA HARDY AND LANCE HARDY**, a notice of damages sustained on February 8, 2019.

X. UNFINISHED BUSINESS:

XI. NEW BUSINESS:

XII. ADJOURNMENT:

RESOLUTION
R19-49

EXTRACT OF MINUTES
(Poughkeepsies' Water Treatment Facility—UV Disinfection Equipment Replacement)

A regular meeting of the Common Council of the City of Poughkeepsie, Dutchess County, New York was convened in public session at the Council Chambers, City Hall, Poughkeepsie, New York on May 20, 2019 at 6:30 o'clock p.m., local time.

The meeting was called to order by _____, and, upon roll being called, the following members were:

PRESENT:

Council Chair Ann Finney
Councilmember Sarah Brannen
Councilmember Natasha Cherry
Councilmember Yvonne Flowers
Councilmember Lorraine Johnson
Councilmember Randall A. Johnson II
Councilmember Matthew McNamara
Councilmember Christopher D. Petsas
Councilmember Sarah A. Salem

ABSENT:

The following persons were ALSO PRESENT:

Commissioner of Finance William Brady

The following resolution was offered by Councilmember Cherry, seconded by Councilmember _____, to wit;

BOND RESOLUTION DATED MAY 20, 2019

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,702,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CITY'S SHARE OF THE COST OF THE POUGHKEEPSIES' WATER TREATMENT FACILITY UV DISINFECTION EQUIPMENT REPLACEMENT AND AUTHORIZING THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

WHEREAS, the Poughkeepsies' Water Treatment Facility is owned and operated as a joint project of the City of Poughkeepsie and Town of Poughkeepsie pursuant to an inter-municipal agreement

dated August 3, 1995, as amended (the "Inter-municipal Agreement"), entered into pursuant to Article 5-G of the General Municipal Law, and the Poughkeepsie Joint Water Board has recommended certain improvements to the Poughkeepsie Water Treatment Facility including replacement of UV Disinfection equipment, the cost of which is to be allocated between the City of Poughkeepsie and the Town of Poughkeepsie pursuant to the Inter-municipal Agreement;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of Poughkeepsie, Dutchess County, New York (the "City") (by the favorable vote of not less than two-thirds of all of the members of the Common Council) as follows:

SECTION 1. The improvement of the Poughkeepsie's Water Treatment Facility, consisting of the planning, design, construction and installation of equipment, machinery, apparatus, appurtenances, and incidental site and other improvements and expenses in connection with the replacement of UV Disinfection equipment, is hereby authorized at an estimated maximum joint project cost of \$4,921,000. The City's share of such estimated maximum joint cost of \$4,921,000 has been determined to be \$2,702,000, hereby appropriated for such purpose. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph a of Section 11 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty years.

SECTION 2. It has been determined that the aforesaid purpose constitutes a Type II action as defined under the State Environmental Quality Review Regulations, 6 NYCRR Part 617, which has been determined under SEQRA not to have a significant impact on the environment.

SECTION 3. The City plans to finance the City's share of the cost of said purpose by the issuance of the serial bonds in an amount not to exceed \$2,702,000, hereby authorized to be issued therefor pursuant to the Local Finance Law. The City plans to provide for amounts equal to annual debt service costs with respect to obligations issued hereunder from its Water Fund revenues. The remaining \$2,219,000 of the total joint project cost is to be paid by the Town of Poughkeepsie pursuant to the Inter-municipal Agreement.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of said bonds.

SECTION 5. The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the City for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. This resolution shall constitute a statement of official intent for purposes of Section 1.150-2 of the Treasury Regulations.

SECTION 6. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds, shall contain the recital of validity prescribed by Section 52.00 of the Local Finance Law. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on said bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on said bonds becoming due and payable in such year. To the extent not paid from other

sources, there shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on said bonds as the same become due and payable.

SECTION 7. Subject to the terms and contents of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 30.00, 50.00 and 56.00 to 63.00, inclusive, of said Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewals of said notes and the power to prescribe the terms, form and contents of said serial bonds and said bond anticipation notes (including without limitation the date, denominations, maturities, interest payment dates, consolidation with other issues, and redemption rights), the power to determine to issue said bonds providing for substantially level or declining debt service, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, is hereby delegated to the Commissioner of Finance, the Chief Fiscal Officer of the City. The Commissioner of Finance is hereby authorized to sign any serial bonds issued pursuant to this resolution and any bond anticipation notes issued in anticipation of the issuance of said serial bonds, and the Chamberlain is hereby authorized to affix the corporate seal of the City to any of said serial bonds or any bond anticipation notes and to attest such seal.

SECTION 8. The Commissioner of Finance is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and, to the extent applicable, to designate the bonds authorized by this resolution and any notes issued in anticipation thereof as "qualified tax-exempt bonds" for purposes of Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The Commissioner of Finance is further authorized, in his discretion, to execute a project financing and loan agreement and any other agreements with the New York State Environmental Facilities Corporation and/or the New York State Department of Environmental Conservation and/or the New York State Department of Health, and amendments thereto, and to take such actions and execute such documents as may be necessary to provide for the financing or refinancing of the specific object or purpose set forth herein, or a portion thereof, by one or more notes or bond issues of the City and the sale of such issues to the New York State Environmental Facilities Corporation or its designee pursuant to the New York State Revolving Fund Program.

SECTION 10. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (2) The provisions of law which should be complied with at the date of the publication of this resolution are not substantially complied with; and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or
- (3) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 11. The Chamberlain is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in the Poughkeepsie Journal, a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 12. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Council Chair Ann Finney	VOTING ____
Councilmember Sarah Brannen	VOTING ____
Councilmember Natasha Cherry	VOTING ____
Councilmember Yvonne Flowers	VOTING ____
Councilmember Lorraine Johnson	VOTING ____
Councilmember Randall A. Johnson II	VOTING ____
Councilmember Matthew McNamara	VOTING ____
Councilmember Christopher D. Petsas	VOTING ____
Councilmember Sarah A. Salem	VOTING ____

The foregoing resolution was thereupon declared duly adopted.

Approved: _____, 2019

Robert G. Rolison
Mayor

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that:

(1) She is the duly qualified and acting Chamberlain of the City of Poughkeepsie, Dutchess County, New York (hereinafter called the "City") and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and is duly authorized to execute this certificate.

(2) Attached hereto is a true and correct copy of a resolution duly adopted at a meeting of the Common Council held on the 6th of May, 2019 and entitled:

BOND RESOLUTION DATED MAY 20, 2019

A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF POUGHKEEPSIE, DUTCHESS COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,702,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE CITY'S SHARE OF THE COST OF THE POUGHKEEPSIES' WATER TREATMENT FACILITY UV DISINFECTION EQUIPMENT REPLACEMENT AND AUTHORIZING THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE COMMISSIONER OF FINANCE

(3) Said meeting was duly convened and held and said resolution was duly adopted in all respects in accordance with law and the regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (two-thirds of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, said regulations or otherwise incident to said meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

(4) The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand this ____ day of May, 2019.

-SEAL-

Deanne Flynn
City Chamberlain

Executive Summary—Not a part of the Resolution

This New Resolution for the **Poughkeepsies' Water Treatment Facility—Replacement of UV Disinfection Equipment** includes:

<u>Purpose</u>	<u>Capital Budget Items</u>	<u>PPU (Max. Period for Financing)</u>	<u>Total Project Cost</u>	<u>Other Funds (Town of Poughkeepsie's share)</u>	<u>Bonds Authorized</u>
Section 1: City's share of the Poughkeepsies' Water Treatment Facility UV Disinfection Equipment Replacement	Joint Water UV Disinfection Equipment Replacement	40 years	\$4,921,000	\$2,219,000	\$2,702,000
Grand Total			\$4,921,000	\$2,219,000	<u>\$2,702,000</u>

**RESOLUTION INTRODUCING ORDINANCE
AND PROVIDING FOR PUBLIC NOTICE AND HEARING
(R19-51)**

INTRODUCED BY COUNCILMEMBER CHERRY:

BE IT RESOLVED, that an introductory Zoning Ordinance, entitled “The 2019 Zoning Amendment for Hudson River Housing- 504 to 514 Main Street” and be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED, that the Common Council hereby appoints and declares its intent to be “Lead Agency” for purpose of SEQRA; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o’clock P.M., on June 3, 2019; and

BE IT FURTHER RESOLVED, that a copy of this introductory local law shall be forwarded by the Clerk to the Planning Board, Zoning Board of Appeals and the Dutchess County Planning Department for their comments; and

BE IT FURTHER RESOLVED, that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least ten (10) days prior thereto.

SECONDED BY COUNCILMEMBER MCNAMARA



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING DEPARTMENT
62 CIVIC CENTER PLAZA
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4010 Fax: (845) 451-4006**

APPLICATION FOR REZONING

PROJECT INFORMATION

ADDRESS: 504, 506-508, 510, 512 & 514 Main Street, Poughkeepsie, NY 12601

CURRENT ZONING: C-3

PROPOSED ZONING: C-1

DESCRIBE THE PROJECT FOR WHICH THE REZONING IS REQUESTED: _____

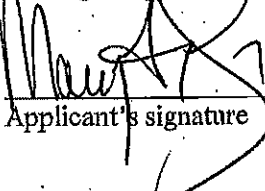
New construction of 54 units of affordable housing.

Will the project require any of the following approvals after rezoning? Please check all that apply:

- ☒ Site Plan from the Planning Board
- ☐ Special Permit from the Planning Board
- ☐ Subdivision (lot line adjustment)
- ☐ Use variance from the Zoning Board of Appeals
- ☒ Area variance(s) from the Zoning Board of Appeals

APPLICANT'S CERTIFICATION

By his/her signature, the applicant vows that: 1) He/She has read this application and is familiar with its contents and that the information provided herein is complete and true to the best of the applicant's knowledge; 2) He/She has read, is familiar with, and understands the requirements of the City of Poughkeepsie provision(s) affecting and/or regulating the project for which this application is made; 3) He/She agrees to comply with the requirements of the City of Poughkeepsie affecting and/or regulating the project for which this application is made, including any general or special conditions of permits or approvals granted by any board, agency or department of the City of Poughkeepsie; and, 4) He/She has read this statement and understands its meaning and terms.


Applicant's signature

3/14/19
Date



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING DEPARTMENT
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4010 Fax: (845) 451-4006**

OFFICE USE ONLY

CODE: _____

ID # _____

FEES: \$1,000.00

APPLICATION FOR REZONING

PROJECT ADDRESS(ES): 504, 506-508, 510, 512 & 514 Main Street

GRID #(s): 6161-23-316981, 6161-23-313982, 6161-23-309983, 6161-23-306985, 6161-23-304986

(ADD ADDITIONAL SHEETS IF NECESSARY)

APPLICANT: Hudson River Housing, Inc.

Street: 313 Mill Street

Town/Zip: Poughkeepsie, NY 12601

Phone: 845-454-5176

Email: mlinge@hudsonriverhousing.org

Applicant is: ☒ Owner ☐ Contract Vendee

If Applicant is a Corporation, LLC, LP, PC, D/B/A or Partnership, provide the name of the principal(s) who will be representing the rezoning application: _____

If applicant is a Corporation, LLC, LP, PC, D/B/A or Partnership, provide names of all shareholders, members, partners and/or officers: _____

Date that Corporation, LLC, LP, PC D/B/A or Partnership was formed or registered to do business in New York State: _____

IF THE APPLICANT IS NOT THE OWNER, DOCUMENTATION AUTHORIZING THE APPLICANT TO PURSUE APPROVALS, SUCH AS AN EXECUTED CONTRACT OF SALE OR OPTION TO PURCHASE, MUST BE SUBMITTED.

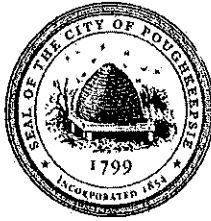
OWNER (If not applicant): _____
(If not applicant)

Street: _____

Town/Zip: _____

Phone: _____

Email: _____



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006**

MEMORANDUM OF TRANSMITTAL

To: Common Council
From: Natalie Quinn, Director of Planning
Date: April 10, 2019
Re: Rezoning Application for 504-514 Main Street

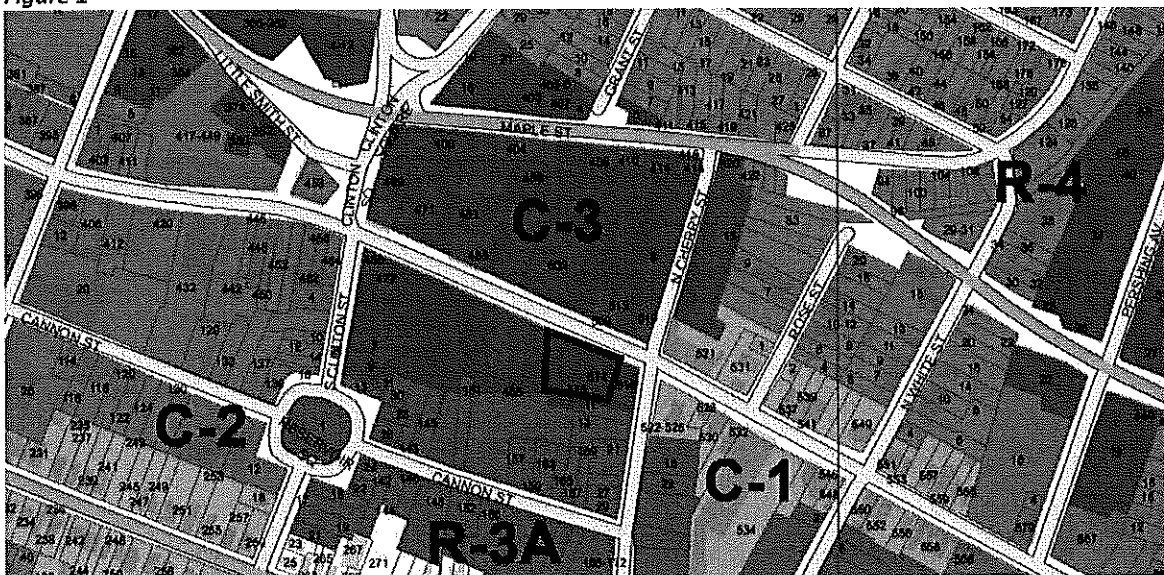
The contiguous properties of 504-514 Main Street are currently zoned as General Commercial (C-3). The applicant requests that the properties be rezoned to Neighborhood Commercial (C-1) in order to facilitate the development of *Las Ventanas on Main*, a multi-family housing development.

LOCATION COMPATIBILITY

Hudson River Housing is requesting the rezoning of approximately 0.53 acres along Main Street, tax parcels 6161-23-304986, 6161-23-306985, 6161-23-309983, 6161-23-313982 & 6161-23-316981. The subject properties are currently vacant unimproved land.

As illustrated in the map below, the properties bordering the proposed site to the north and west are zoned as General Commercial (C-3). Properties to the south are zoned as Central Medium Density Residential (R-3A), and properties to the east are zoned as Neighborhood Commercial (C-1).

Figure 1



INTENT AND OBJECTIVES OF THE PROPOSED REZONE DISTRICT

The purpose of the existing C-3 District is to provide for a wide range of commercial and limited industrial uses. The uses permitted by right include: wholesale businesses, warehouses and building material storage and sale, building, plumbing and electrical contractors, cold storage plants, beverage distributor, baking and other food processing plant, automobile repair (heavy and light) and motor vehicle service stations and gasoline pumps as part of another use, animal hospitals and boarding and/or breeding of animals, and printing plants. All of these uses have the potential to negatively impact the quality of life for any adjacent residential uses. Some less intense uses are also permitted by-right in a C-3 District, such as retail stores, restaurants, hotels, arts and craft studios, and mixed use buildings.

The purpose of the C-1 District, on the other hand, is to provide areas within residential neighborhoods for local commerce with a range of retail stores and services that cater to regular needs of nearby residents. Unlike the C-3 District, permitted uses within a C-1 District include single-family and two-family dwellings, townhouses, and multifamily dwellings by right. The C-1 District, and the range of uses permitted, is eminently more compatible with the surrounding zoning districts and existing uses, with the potential for a more mutually beneficial relationship than currently exists.

COMPREHENSIVE PLAN

The proposed parcels are included within the Main Street Economic Development Area within the City's 1998 Comprehensive Plan. The Upper Main Street section, Clinton Street to Grand Avenue, is identified as one of the three target areas along Main Street. With regards to potential uses and strategies for this portion of the Main Street, the Comprehensive Plan is relatively silent on uses, and instead focuses on the need for a building analysis and code enforcement to reduce the number of vacant and potentially dangerous structures on the 500 block. The Comprehensive Plan also recommends "streetscape improvements to complement that found on the 200 and 300 blocks and a façade improvement program" (Section 5.0, Page 5-10).

It should be noted that the City of Poughkeepsie Comprehensive Plan is now 20 years old. Best practices within the planning field recommend that a Comprehensive Plan be updated every 10 to 15 years. The Planning Department has every intention of updating the Comprehensive Plan in the future to better reflect the city's vision and speak more directly to proposals currently coming before the Common Council, Planning Board, Zoning Board of Appeals, and the city's other advisory boards and commissions.

ECONOMIC FUNCTIONALITY

The site's potential functionality in the future as a General Commercial (C-3) parcel is difficult to predict. The parcel has sat vacant for a number of years while zoned C-3. The current development proposal requires that the parcels be rezoned as C-1 since new multi-family

buildings are not permitted in the existing C-3 District, and it is not likely that the project would meet the criteria required for the granting of a use variance.

ANALYSIS & CONCLUSION

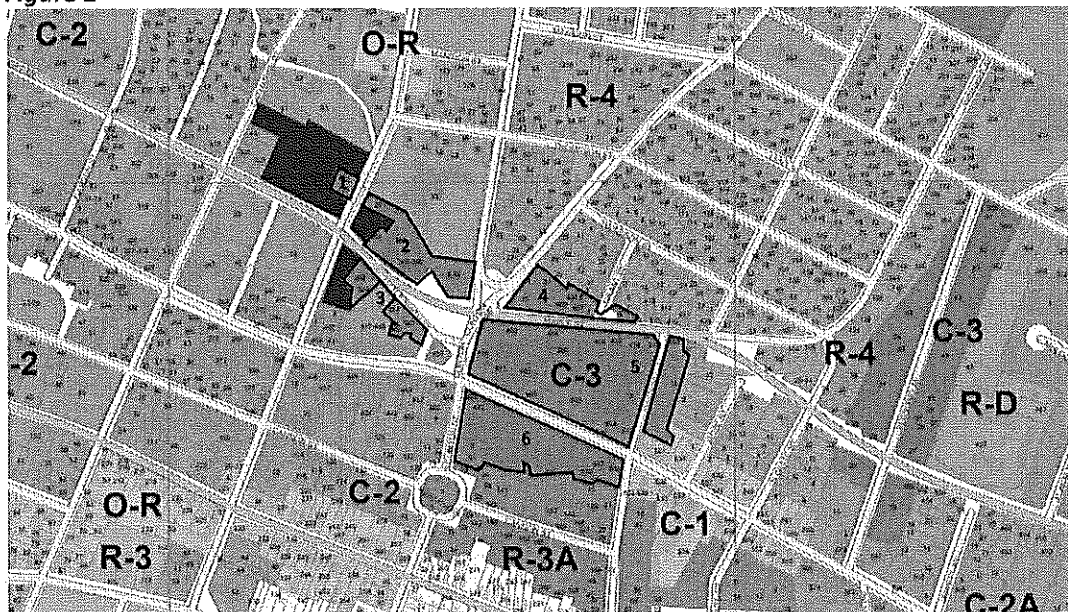
With regards to the question before the Common Council – whether the property is more appropriately zoned as C-3 General Commercial or C-1 Neighborhood Commercial – it is the opinion of the Planning Department that the site is more appropriately zoned as a C-1 District.

Due to the existing residential neighborhood to the south, utilization of the site as residential, especially multi-family residential, will provide a beneficial transition between higher intensity commercial uses to the north and the R-3A residential area to the south. Overall, use of the site for any of the uses permitted in a C-1 will be less harmful to the existing residential neighborhoods to the south.

It is the opinion of the Planning Department that there are two options for rezoning. If the Common Council agrees that the proposed parcels of 504-514 Main Street are better suited as C-1, it would make sense for additional parcels to be included since they are also subject to the same neighborhood compatibility factors. Inclusion of additional parcels will also maintain a logical transition of districts on the zoning map, avoiding the isolation of a small number of C-1 zoned parcels in an otherwise C-3 District.

Referencing the map below, the Planning Department believes that the Common Council should consider either (A) rezoning all of section 6 to extend the neighboring C-1 District west or (B) rezoning the entire C-3 District (Sections 1-6) to C-1.

Figure 2



(A) Rezone all of Section 6 to C-1

Section	Address	Current Use	Conforming (C-3)	Conforming (C-1)
6	11 S. Clinton St	Single-Family Residence	N	Y
6	9 S. Clinton St	Multi-family	SP*	Y
6	7 S. Clinton St	Vacant / Restaurant	Y	Y
6	472 Main St	Fast Food Restaurant	SP	SP
6	468 Main St	Mixed Use (Resi & Comm)	Y	SP
6	488 Main St	Retail	Y	Y
6	508-514 Main St	Proposed: New Multifamily	N	Y
6	516 Main St	Auto Wash	Y	N

*Special permit only permits the development of multi-family housing in existing structures.

Section 6 refers to the block on the southern side of Main Street between S. Clinton Street and S. Cherry Street. If the parcels in section 6 were to be rezoned from C-3 to C-1, the number of non-conforming uses would be reduced from two to one.

(B) Rezone the entire C-3 District (Sections 1-6) to C-1 and PID-CE.

If the Common Council were to consider a larger, more comprehensive rezoning, it is the recommendation of planning staff that 27, 28, and 32 N. Hamilton Street be rezoned to Creative Edge (PID-CE) and the remainder of the parcels in the existing C-3 District be rezoned to C-1 Neighborhood Commercial.

Rezoning the existing C-3 District (sections 1-6) to Neighborhood Commercial (C-1) would bring the district more in line with surrounding districts on all sides:

- In the area immediately adjacent to Section 6, the zoning district is Central Medium Density Residence (R-3A) District, where the maximum number of dwelling units is four. The overwhelming majority of buildings in the surrounding neighborhoods are one, two and three family dwellings.
- In the area immediately to the east of Section 5 the zoning district is Medium High Density (R-4) District. There is a major residential development, also by Hudson River Housing, currently taking place in this neighborhood.
- In the area immediately adjacent to Section 4, the zoning district is Medium High Density (R-4) District. The overwhelming majority of buildings in the surrounding neighborhoods are one, two and three family dwellings.
- In the area immediately adjacent to Section 3, the zoning district is PID (shown in grey in Figure 2), with the majority of buildings containing mixed uses which include significant residential components.
- In the area immediately adjacent to Section 2, the zoning district is Medium High Density (R-4) District. The only lot bordering this section is the Poughkeepsie Family Partnership Center.

- In the area immediately adjacent to Section 1, the zoning district is Medium High Density (R-4) District to the north and PID to the west and south. These areas contain office buildings, a church, and a mix of residential uses including two and three family dwellings, and apartment buildings with four or more units.

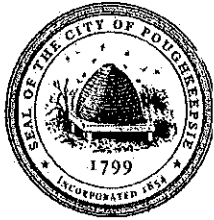
As illustrated in the table below, non-conforming uses would be reduced from 13 to 9. Furthermore, uses such as two-family and three-family residences would become permitted uses, whereas uses such as warehousing, car washes, and automobile sales would become nonconforming uses. Heavy auto-repair uses would become special permit uses, subject to additional requirements to protect public safety and reduce traffic hazards.

Section	Address	Current Use	Conforming (C-3)	Conforming (C-1)
1	28 N. Hamilton St	Multi-family	SP*	Y (Conforms to PID-CE)
1	32 N. Hamilton St	Multi-family	SP*	Y (Conforms to PID-CE)
2	27 N. Hamilton St	Multi-family	SP*	Y (Conforms to PID-CE)
2	355 Mill St	Storage/Warehouse/Distrib.	Y	N
2	359 Mill St	Mixed Use (Resi & Comm)	Y	SP
2	365-369 Mill St	Auto Washes	Y	N
2	4-12 N. Clinton St	Auto Repair	Y	SP**
3	362 Mill St	Storage/Warehouse/Distrib.	Y	N
3	364 Mill St	Storage/Warehouse/Distrib.	Y	N
3	374 Little Smith St	Auto Repair	Y	SP**
3	380 Little Smith St	Auto Repair	Y	SP**
3	382 Little Smith St	Auto Sales	SP	N
4	15 Smith St	Place of Worship	Y	SP
4	19 Smith St	Three-Family Residence	N	Y
4	21 Smith St	Multi-family	SP*	Y
4	403 Maple St	Single-Family Residence	N	Y
4	405 Maple St	Single-Family Residence	N	Y
4	407 Maple St	Single-Family Residence	N	Y
4	4 Grant St	Single-Family Residence	N	Y
4	6 Grant St	Single-Family Residence	N	Y
5	400 Maple St	Mixed Use (Resi & Comm)	Y	Y
5	404 Maple St	Storage/Warehouse/Distrib.	Y	N
5	406 Maple St	Parking	SP	SP
5	408 Maple St	Auto Repair (heavy)	Y	SP**
5	410 Maple St	Two-Family Residence	N	Y
5	412 Maple St	Two-Family Residence	N	Y
5	414 Maple St	Two-Family Residence	N	Y
5	416 Maple St	Single-Family Residence	N	Y
5	418 Maple St	Two-Family Residence	N	Y
5	420 Maple St	Auto Repair (heavy)	Y	SP**
5	469 Main St	Mixed Use (Resi & Comm)	Y	SP
5	471 Main St	Auto Repair & Sales	SP	SP**
5	481 Main St	Beverage Distribution	Y	N
5	485 Main St	Craft Studio	Y	Y
5	489 Main St	Studio / Event Space	Y	Y
5	505 Main St	Municipal Facility	Y	Y
5	509 - 513 Main St	Mixed Use (Resi & Comm)	Y	SP

5	517 Main St	Park	Y	Y
5	519 Main St	Mixed Use (Resi & Comm)	Y	SP
5	8 N. Cherry St	Mixed Use (Resi & Comm)	Y	SP
5	15 N. Cherry St	Vacant / Warehouse	Y	N

*Special permit only permits the development of multi-family housing in existing structures

**Motor vehicle service stations or gasoline pumps are permitted as part of another use, provided that the meet certain restrictions regarding traffic hazards, public safety, distance from public institutions and residential districts, and requirements that all service or repair of motor vehicles shall be conducted in a building enclosed on all sides.



**THE CITY OF POUGHKEEPSIE
NEW YORK
PLANNING & ZONING
62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601
Phone: (845) 451-4055 Fax: (845) 451-4006**

MEMORANDUM OF TRANSMITTAL

To: Common Council
From: Natalie Quinn, Director of Planning
Date: April 10, 2019
Re: Rezoning Application for 504-514 Main Street

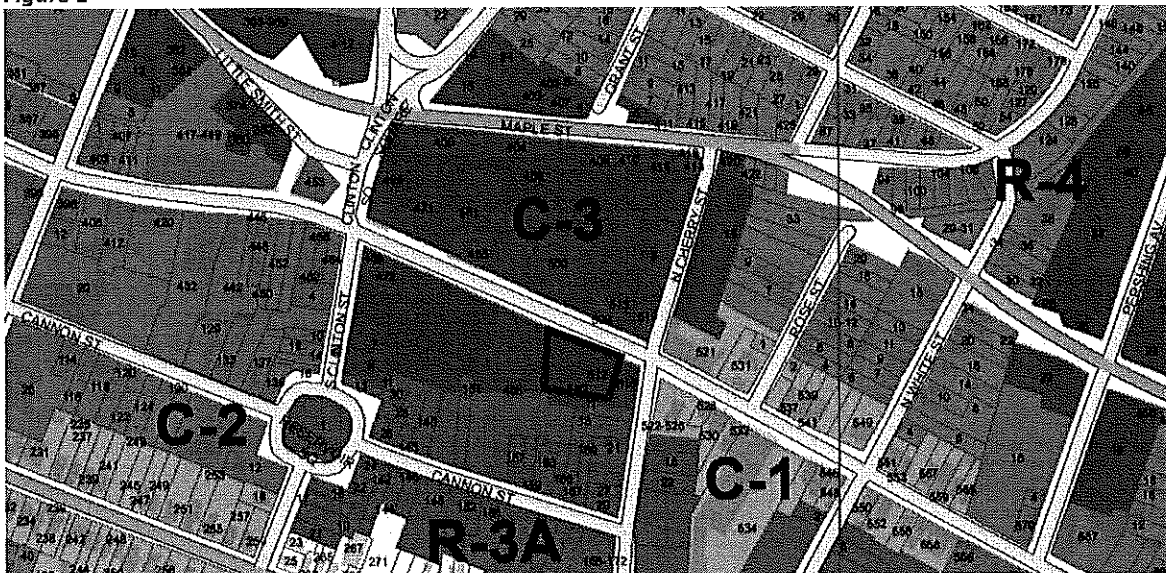
The contiguous properties of 504-514 Main Street are currently zoned as General Commercial (C-3). The applicant requests that the properties be rezoned to Neighborhood Commercial (C-1) in order to facilitate the development of *Las Ventanas on Main*, a multi-family housing development.

LOCATION COMPATIBILITY

Hudson River Housing is requesting the rezoning of approximately 0.53 acres along Main Street, tax parcels 6161-23-304986, 6161-23-306985, 6161-23-309983, 6161-23-313982 & 6161-23-316981. The subject properties are currently vacant unimproved land.

As illustrated in the map below, the properties bordering the proposed site to the north and west are zoned as General Commercial (C-3). Properties to the south are zoned as Central Medium Density Residential (R-3A), and properties to the east are zoned as Neighborhood Commercial (C-1).

Figure 1



INTENT AND OBJECTIVES OF THE PROPOSED REZONE DISTRICT

The purpose of the existing C-3 District is to provide for a wide range of commercial and limited industrial uses. The uses permitted by right include: wholesale businesses, warehouses and building material storage and sale, building, plumbing and electrical contractors, cold storage plants, beverage distributor, baking and other food processing plant, automobile repair (heavy and light) and motor vehicle service stations and gasoline pumps as part of another use, animal hospitals and boarding and/or breeding of animals, and printing plants. All of these uses have the potential to negatively impact the quality of life for any adjacent residential uses. Some less intense uses are also permitted by-right in a C-3 District, such as retail stores, restaurants, hotels, arts and craft studios, and mixed use buildings.

The purpose of the C-1 District, on the other hand, is to provide areas within residential neighborhoods for local commerce with a range of retail stores and services that cater to regular needs of nearby residents. Unlike the C-3 District, permitted uses within a C-1 District include single-family and two-family dwellings, townhouses, and multifamily dwellings by right. The C-1 District, and the range of uses permitted, is eminently more compatible with the surrounding zoning districts and existing uses, with the potential for a more mutually beneficial relationship than currently exists.

COMPREHENSIVE PLAN

The proposed parcels are included within the Main Street Economic Development Area within the City's 1998 Comprehensive Plan. The Upper Main Street section, Clinton Street to Grand Avenue, is identified as one of the three target areas along Main Street. With regards to potential uses and strategies for this portion of the Main Street, the Comprehensive Plan is relatively silent on uses, and instead focuses on the need for a building analysis and code enforcement to reduce the number of vacant and potentially dangerous structures on the 500 block. The Comprehensive Plan also recommends "streetscape improvements to complement that found on the 200 and 300 blocks and a façade improvement program" (Section 5.0, Page 5-10).

It should be noted that the City of Poughkeepsie Comprehensive Plan is now 20 years old. Best practices within the planning field recommend that a Comprehensive Plan be updated every 10 to 15 years. The Planning Department has every intention of updating the Comprehensive Plan in the future to better reflect the city's vision and speak more directly to proposals currently coming before the Common Council, Planning Board, Zoning Board of Appeals, and the city's other advisory boards and commissions.

ECONOMIC FUNCTIONALITY

The site's potential functionality in the future as a General Commercial (C-3) parcel is difficult to predict. The parcel has sat vacant for a number of years while zoned C-3. The current development proposal requires that the parcels be rezoned as C-1 since new multi-family

buildings are not permitted in the existing C-3 District, and it is not likely that the project would meet the criteria required for the granting of a use variance.

ANALYSIS & CONCLUSION

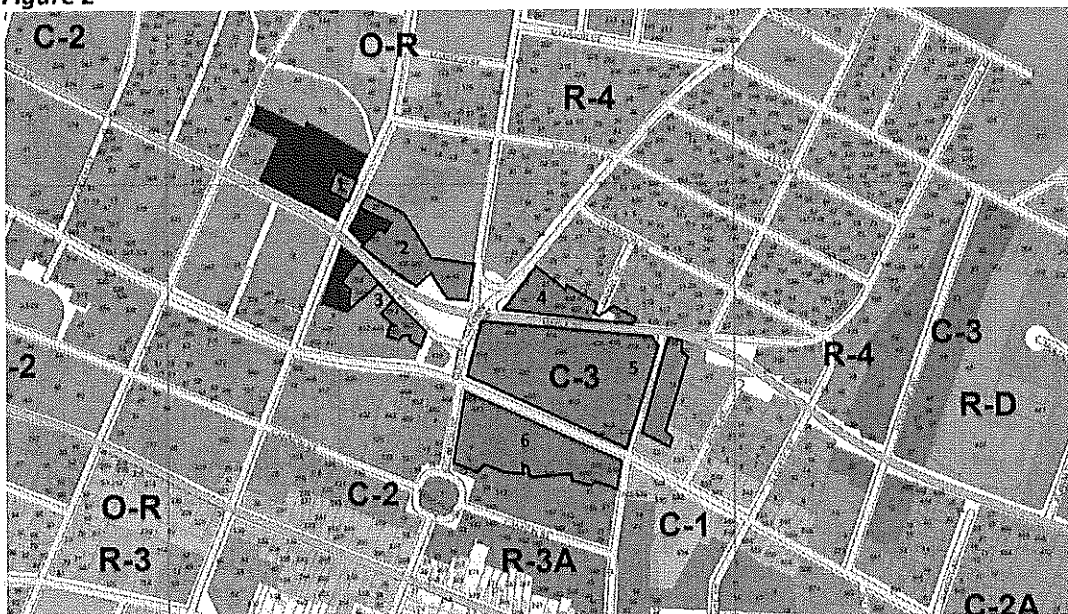
With regards to the question before the Common Council – whether the property is more appropriately zoned as C-3 General Commercial or C-1 Neighborhood Commercial – it is the opinion of the Planning Department that the site is more appropriately zoned as a C-1 District.

Due to the existing residential neighborhood to the south, utilization of the site as residential, especially multi-family residential, will provide a beneficial transition between higher intensity commercial uses to the north and the R-3A residential area to the south. Overall, use of the site for any of the uses permitted in a C-1 will be less harmful to the existing residential neighborhoods to the south.

It is the opinion of the Planning Department that there are two options for rezoning. If the Common Council agrees that the proposed parcels of 504-514 Main Street are better suited as C-1, it would make sense for additional parcels to be included since they are also subject to the same neighborhood compatibility factors. Inclusion of additional parcels will also maintain a logical transition of districts on the zoning map, avoiding the isolation of a small number of C-1 zoned parcels in an otherwise C-3 District.

Referencing the map below, the Planning Department believes that the Common Council should consider either (A) rezoning all of section 6 to extend the neighboring C-1 District west or (B) rezoning the entire C-3 District (Sections 1-6) to C-1.

Figure 2



(A) Rezone all of Section 6 to C-1

Section	Address	Current Use	Conforming (C-3)	Conforming (C-1)
6	11 S. Clinton St	Single-Family Residence	N	Y
6	9 S. Clinton St	Multi-family	SP*	Y
6	7 S. Clinton St	Vacant / Restaurant	Y	Y
6	472 Main St	Fast Food Restaurant	SP	SP
6	468 Main St	Mixed Use (Resi & Comm)	Y	SP
6	488 Main St	Retail	Y	Y
6	508-514 Main St	Proposed: New Multifamily	N	Y
6	516 Main St	Auto Wash	Y	N

*Special permit only permits the development of multi-family housing in existing structures.

Section 6 refers to the block on the southern side of Main Street between S. Clinton Street and S. Cherry Street. If the parcels in section 6 were to be rezoned from C-3 to C-1, the number of non-conforming uses would be reduced from two to one.

(B) Rezone the entire C-3 District (Sections 1-6) to C-1 and PID-CE.

If the Common Council were to consider a larger, more comprehensive rezoning, it is the recommendation of planning staff that 27, 28, and 32 N. Hamilton Street be rezoned to Creative Edge (PID-CE) and the remainder of the parcels in the existing C-3 District be rezoned to C-1 Neighborhood Commercial.

Rezoning the existing C-3 District (sections 1-6) to Neighborhood Commercial (C-1) would bring the district more in line with surrounding districts on all sides:

- In the area immediately adjacent to Section 6, the zoning district is Central Medium Density Residence (R-3A) District, where the maximum number of dwelling units is four. The overwhelming majority of buildings in the surrounding neighborhoods are one, two and three family dwellings.
- In the area immediately to the east of Section 5 the zoning district is Medium High Density (R-4) District. There is a major residential development, also by Hudson River Housing, currently taking place in this neighborhood.
- In the area immediately adjacent to Section 4, the zoning district is Medium High Density (R-4) District. The overwhelming majority of buildings in the surrounding neighborhoods are one, two and three family dwellings.
- In the area immediately adjacent to Section 3, the zoning district is PID (shown in grey in Figure 2), with the majority of buildings containing mixed uses which include significant residential components.
- In the area immediately adjacent to Section 2, the zoning district is Medium High Density (R-4) District. The only lot bordering this section is the Poughkeepsie Family Partnership Center.

- In the area immediately adjacent to Section 1, the zoning district is Medium High Density (R-4) District to the north and PID to the west and south. These areas contain office buildings, a church, and a mix of residential uses including two and three family dwellings, and apartment buildings with four or more units.

As illustrated in the table below, non-conforming uses would be reduced from 13 to 9. Furthermore, uses such as two-family and three-family residences would become permitted uses, whereas uses such as warehousing, car washes, and automobile sales would become nonconforming uses. Heavy auto-repair uses would become special permit uses, subject to additional requirements to protect public safety and reduce traffic hazards.

Section	Address	Current Use	Conforming (C-3)	Conforming (C-1)
1	28 N. Hamilton St	Multi-family	SP*	Y (Conforms to PID-CE)
1	32 N. Hamilton St	Multi-family	SP*	Y (Conforms to PID-CE)
2	27 N. Hamilton St	Multi-family	SP*	Y (Conforms to PID-CE)
2	355 Mill St	Storage/Warehouse/Distrib.	Y	N
2	359 Mill St	Mixed Use (Resi & Comm)	Y	SP
2	365-369 Mill St	Auto Washes	Y	N
2	4-12 N. Clinton St	Auto Repair	Y	SP**
3	362 Mill St	Storage/Warehouse/Distrib.	Y	N
3	364 Mill St	Storage/Warehouse/Distrib.	Y	N
3	374 Little Smith St	Auto Repair	Y	SP**
3	380 Little Smith St	Auto Repair	Y	SP**
3	382 Little Smith St	Auto Sales	SP	N
4	15 Smith St	Place of Worship	Y	SP
4	19 Smith St	Three-Family Residence	N	Y
4	21 Smith St	Multi-family	SP*	Y
4	403 Maple St	Single-Family Residence	N	Y
4	405 Maple St	Single-Family Residence	N	Y
4	407 Maple St	Single-Family Residence	N	Y
4	4 Grant St	Single-Family Residence	N	Y
4	6 Grant St	Single-Family Residence	N	Y
5	400 Maple St	Mixed Use (Resi & Comm)	Y	Y
5	404 Maple St	Storage/Warehouse/Distrib.	Y	N
5	406 Maple St	Parking	SP	SP
5	408 Maple St	Auto Repair (heavy)	Y	SP**
5	410 Maple St	Two-Family Residence	N	Y
5	412 Maple St	Two-Family Residence	N	Y
5	414 Maple St	Two-Family Residence	N	Y
5	416 Maple St	Single-Family Residence	N	Y
5	418 Maple St	Two-Family Residence	N	Y
5	420 Maple St	Auto Repair (heavy)	Y	SP**
5	469 Main St	Mixed Use (Resi & Comm)	Y	SP
5	471 Main St	Auto Repair & Sales	SP	SP**
5	481 Main St	Beverage Distribution	Y	N
5	485 Main St	Craft Studio	Y	Y
5	489 Main St	Studio / Event Space	Y	Y
5	505 Main St	Municipal Facility	Y	Y
5	509 - 513 Main St	Mixed Use (Resi & Comm)	Y	SP

5	517 Main St	Park	Y	Y
5	519 Main St	Mixed Use (Resi & Comm)	Y	SP
5	8 N. Cherry St	Mixed Use (Resi & Comm)	Y	SP
5	15 N. Cherry St	Vacant / Warehouse	Y	N

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**Motor vehicle service stations or gasoline pumps are permitted as part of another use, provided that the meet certain restrictions regarding traffic hazards, public safety, distance from public institutions and residential districts, and requirements that all service or repair of motor vehicles shall be conducted in a building enclosed on all sides.



February 26, 2019

Natalie Quinn, Senior Planner
City of Poughkeepsie Planning & Zoning
Municipal Building, P.O. Box 300
Poughkeepsie, NY 12602

RE: 504, 506-508, 510, 512 & 514 Main Street, Poughkeepsie.

Dear Ms. Quinn,

Please accept this letter as authorization for Hudson River Housing to submit an application for rezoning of the above referenced lots. If I can be of any further assistance, please contact me at (914) 456-1822. Thank you.

Sincerely,

Robert Palombo
Piedmont Properties of Dutchess, LLC

PO Box 4976, 106 Little Market Street, Suite A, Poughkeepsie, NY 12601
P.845.868.1239 | F.845.485.1220



Tax Map of Parcels Under Review and Surrounding Area



Las Ventanas on Main
504,506-508,510,512,514 Main Street

Full Environmental Assessment Form
Part 1 - Project and Setting

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

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

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Las Ventanas on Main Multi-family Development: Rezoning; and Site Plan		
Project Location (describe, and attach a general location map): 510 Main Street, on the southwest corner of Main and South Cherry Street, City of Poughkeepsie, Dutchess County		
Brief Description of Proposed Action (include purpose or need): The proposed action involves the construction of a single 4-story building with 54 dwelling units, driveway and parking area and other site improvements. The proposed multi-family development site is located on a 0.53-acre site in the C-3 (General Commercial) zoning district. The site's existing C-3 zoning would not accommodate the proposed residential use. Accordingly, a petition for rezoning will be required. In addition to rezoning, site plan approval and area variances will be required.		
Name of Applicant/Sponsor: Hudson River Housing, Inc., Mary Linge, Director of Real Estate Development		Telephone: (845) 454-5176, ext 501 E-Mail: mlinge@hudsonriverhousing.org
Address: 313 Mill Street		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Project Contact (if not same as sponsor; give name and title/role): Andrew Learn, PE, CPL		Telephone: 845-454-3411, ext 20 E-Mail: ALearn@CPLteam.com
Address: 9 Elks Lane		
City/PO: Poughkeepsie	State: NY	Zip Code: 12601
Property Owner (if not same as sponsor): Piedmont Properties		Telephone: E-Mail:
Address: 6030 Route 82		
City/PO: Stanfordville	State: NY	Zip Code: 12581

B. Government Approvals

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

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, ☒ Yes ☐ No or Village Board of Trustees	Petition for rezoning	
b. City, Town or Village ☒ Yes ☐ No Planning Board or Commission	Site plan approval	
c. City, Town or ☒ Yes ☐ No Village Zoning Board of Appeals	Area variance under C-1 zoning	
d. Other local agencies ☐ Yes ☒ No	City of Poughkeepsie Department of Public Works for Curb Cut	
e. County agencies ☒ Yes ☐ No	Dutchess County sewer and water; and 239 l&m referral to County Planning Board	
f. Regional agencies ☐ Yes ☒ No		
g. State agencies ☐ Yes ☒ No		
h. Federal agencies ☐ Yes ☒ No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐ Yes ☒ No ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐ Yes ☒ No iii. Is the project site within a Coastal Erosion Hazard Area? ☐ Yes ☒ No		

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

Greenway Compact; and Main Street Economic Development Strategy

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

If Yes, identify the plan(s):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.

☒ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

The proposed action is located in the C-3 (General Commercial) zoning district. However, a petition for rezoning to the C-1 zoning district will be required. In addition to rezoning, site plan approval will be required.

b. Is the use permitted or allowed by a special or conditional use permit? Please see response to C.3.a above.

☐ Yes ☒ No

c. Is a zoning change requested as part of the proposed action?

☒ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? C-1 (Neighborhood Commercial)

C.4. Existing community services.

a. In what school district is the project site located? Poughkeepsie City School District

b. What police or other public protection forces serve the project site?

City of Poughkeepsie Police Department; Dutchess County Sheriff; and New York State Police

c. Which fire protection and emergency medical services serve the project site?

City of Poughkeepsie Fire Department; and EMStar Ambulance and Mobile Life Support Services

d. What parks serve the project site?

Bartlett Park; Pershing Avenue Park; and Christ Episcopal Church Urban Park

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Multifamily residential

b. a. Total acreage of the site of the proposed action?

0.53 acres

b. Total acreage to be physically disturbed?

0.43 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?

0.53 acres

c. Is the proposed action an expansion of an existing project or use?

☐ Yes ☒ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % Units:

d. Is the proposed action a subdivision, or does it include a subdivision?

☐ Yes ☒ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?

☐ Yes ☐ No

iii. Number of lots proposed?

iv. Minimum and maximum proposed lot sizes? Minimum Maximum

e. Will the proposed action be constructed in multiple phases?

☐ Yes ☒ No

i. If No, anticipated period of construction:

18 months

ii. If Yes:

- Total number of phases anticipated

- Anticipated commencement date of phase 1 (including demolition)

month year

- Anticipated completion date of final phase

month year

- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

f. Does the project include new residential uses? ☒ Yes ☐ No				
If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	54
At completion of all phases	_____	_____	_____	54

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

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

D.2. Project Operations

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

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

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

iii. Will the proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☐ No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☐ No

If Yes:

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

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

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ 6,820 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

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

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

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

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If, Yes:

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

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

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

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 6,820 gallons/day

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

Residential sanitary wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

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

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

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No If Yes: i. Estimate methane generation in tons/year (metric): _____ ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____			
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____			
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No If Yes: i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐ Weekend ☐ Randomly between hours of _____ to _____. ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____ iv. Does the proposed action include any shared use parking? ☐ Yes ☐ No v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____ vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐ Yes ☐ No vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐ Yes ☐ No viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☐ No			
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☐ Yes ☐ No N/A If Yes: i. Estimate annual electricity demand during operation of the proposed action: _____ ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____ iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☐ Yes ☐ No			
l. Hours of operation. Answer all items which apply. <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> i. During Construction: • Monday - Friday: _____ 7 AM to 7 PM • Saturday: _____ 7 AM to 7 PM • Sunday: _____ 7 AM to 7 PM • Holidays: _____ 7 AM to 7 PM </td> <td style="width: 50%; vertical-align: top;"> ii. During Operations: • Monday - Friday: _____ 24 hours/day • Saturday: _____ 24 hours/day • Sunday: _____ 24 hours/day • Holidays: _____ 24 hours/day </td> </tr> </table>		i. During Construction: • Monday - Friday: _____ 7 AM to 7 PM • Saturday: _____ 7 AM to 7 PM • Sunday: _____ 7 AM to 7 PM • Holidays: _____ 7 AM to 7 PM	ii. During Operations: • Monday - Friday: _____ 24 hours/day • Saturday: _____ 24 hours/day • Sunday: _____ 24 hours/day • Holidays: _____ 24 hours/day
i. During Construction: • Monday - Friday: _____ 7 AM to 7 PM • Saturday: _____ 7 AM to 7 PM • Sunday: _____ 7 AM to 7 PM • Holidays: _____ 7 AM to 7 PM	ii. During Operations: • Monday - Friday: _____ 24 hours/day • Saturday: _____ 24 hours/day • Sunday: _____ 24 hours/day • Holidays: _____ 24 hours/day		

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? If yes: i. Provide details including sources, time of day and duration: The proposed action will produce noise during construction during the hours set forth in response to D.2.I, above, which will be temporary.	☒ Yes ☐ No
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Describe: _____	☐ Yes ☒ No
n. Will the proposed action have outdoor lighting? If yes: i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: Pole-mounted and wall-mounted fixtures will provide lighting for safety and security. The lighting layout will be determined as part of site plan review.	☒ Yes ☐ No
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Describe: _____	☐ Yes ☒ No
o. Does the proposed action have the potential to produce odors for more than one hour per day? If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____	☐ Yes ☒ No
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? If Yes: i. Product(s) to be stored _____ ii. Volume(s) _____ per unit time _____ (e.g., month, year) iii. Generally, describe the proposed storage facilities: _____	☐ Yes ☒ No
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? If Yes: i. Describe proposed treatment(s): _____	☐ Yes ☒ No
ii. Will the proposed action use Integrated Pest Management Practices?	☐ Yes ☐ No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? If Yes: i. Describe any solid waste(s) to be generated during construction or operation of the facility: • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste: • Construction: _____ • Operation: _____ iii. Proposed disposal methods/facilities for solid waste generated on-site: • Construction: _____ • Operation: _____	☐ Yes ☐ No N/A

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

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

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

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

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

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

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

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0	0.43	+0.43
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	0.53	0	-0.53
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0	0	0
• Wetlands (freshwater or tidal)	0	0	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: Landscaping	0	0.1	+0.1

c. Is the project site presently used by members of the community for public recreation?	☐ Yes ☒ No
i. If Yes: explain: _____	
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?	☐ Yes ☒ No
If Yes,	
i. Identify Facilities: _____ _____	
e. Does the project site contain an existing dam?	☐ Yes ☒ No
If Yes:	
i. Dimensions of the dam and impoundment:	
• Dam height: _____	feet
• Dam length: _____	feet
• Surface area: _____	acres
• Volume impounded: _____	gallons OR acre-feet
ii. Dam's existing hazard classification: _____	
iii. Provide date and summarize results of last inspection: _____ _____	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?	☐ Yes ☒ No
If Yes:	
i. Has the facility been formally closed?	☐ Yes ☐ No
• If yes, cite sources/documentation: _____	
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	
iii. Describe any development constraints due to the prior solid waste activities: _____ _____	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?	☐ Yes ☒ No
If Yes:	
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?	☐ Yes ☒ No
If Yes:	
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:	
☐ Yes – Spills Incidents database	Provide DEC ID number(s): _____
☐ Yes – Environmental Site Remediation database	Provide DEC ID number(s): _____
☐ Neither database	
ii. If site has been subject of RCRA corrective activities, describe control measures: _____ _____	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?	☒ Yes ☐ No
If yes, provide DEC ID number(s): B00148, C314126	
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): B00148: remediation completed; and 0.2 miles from the project site. C314126: remedial work is underway; and 0.35 miles from the project site.	

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No	
• If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No • Explain: _____	
E.2. Natural Resources On or Near Project Site Previously disturbed site with 99%	
a. What is the average depth to bedrock on the project site? _____	>6.6 feet Ur (Urban land) soils
b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No	
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site:	
Ur (Urban land) _____	99 %
DxB (Dutch-Cardigan-Urban) _____	1 %
	_____ %
d. What is the average depth to the water table on the project site? Average: _____ >6 feet	
e. Drainage status of project site soils: ☐ Well Drained: _____ % of site	
☒ Moderately Well Drained: _____ 100 % of site	
☐ Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: _____ 100 % of site	
☐ 10-15%: _____ % of site	
☐ 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? ☐ Yes ☒ No	
If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?	☐ Yes ☒ No
ii. Do any wetlands or other waterbodies adjoin the project site?	☒ Yes ☐ No
If Yes to either i or ii, continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?	☒ Yes ☐ No
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____ Classification _____	
• Lakes or Ponds: Name _____ Classification _____	
• Wetlands: Name _____ Approximate Size _____	
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?	☐ Yes ☒ No
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? ☐ Yes ☒ No	
j. Is the project site in the 100-year Floodplain? ☐ Yes ☒ No	
k. Is the project site in the 500-year Floodplain? ☐ Yes ☒ No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☒ No	
If Yes:	
i. Name of aquifer: _____	

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

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☒ Yes ☐ No If Yes: NOTE: The site is vacant lawn area. It was previously developed and disturbed; and there is no structure located on the site. i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District N/A ii. Name: Eligible property: former Trolley Barn, Poughkeepsie Underwear Factory, Booth, O. H., Hose Company iii. Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☐ Yes ☒ No Please see note above.	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☒ No If Yes: i. Describe possible resource(s): _____ ii. Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☒ Yes ☐ No If Yes: i. Identify resource: Esopus-Lloyd Scenic Area of Statewide Significance (SASS) ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Hudson River and shoreline including extensive natural, historic and scenic features. iii. Distance between project and resource: _____ 1.2 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☒ No If Yes: i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No	

F. Additional Information

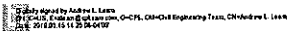
Attach any additional information which may be needed to clarify your project.

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

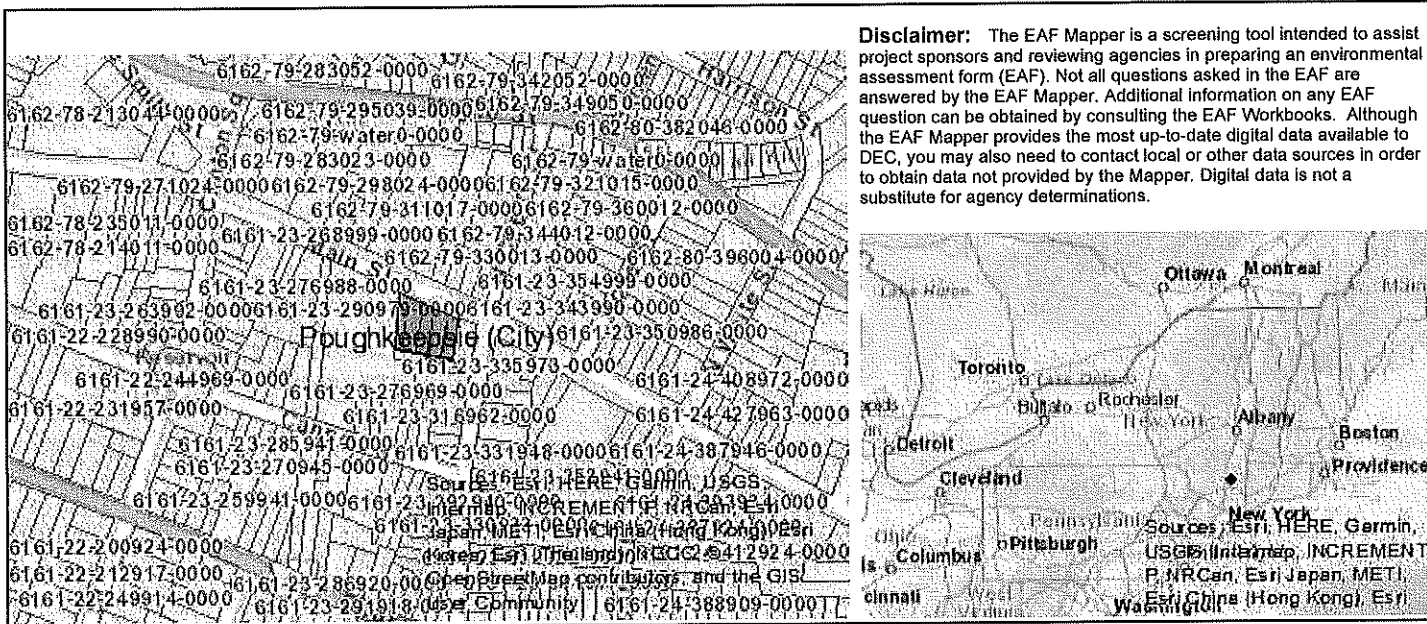
G. Verification

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

Applicant/Sponsor Name Andrew L. Learn, PE Date 3/15/2019

Signature Andrew L. Learn  Title Project Engineer

PRINT FORM



Disclaimer: The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

B.1.i [Coastal or Waterfront Area]	No
B.1.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	Yes
E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID]	B00148, C314126
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Yes - Digital mapping data for archaeological site boundaries are not available. Refer to EAF Workbook.
E.3.e.ii [National Register of Historic Places - Name]	Eligible property:former Trolley Barn, Poughkeepsie Underwear Factory, Booth, O. H., Hose Company
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

Dutchess County Department of Planning and Development

To City Council
Co./Dept
Fax #

Date 5/8/19 #pgs
From DC Planning
Phone #

239 Planning/Zoning Referral - Exemption Communities

Municipality: **City of Poughkeepsie**

Referring Agency: **Municipal Board**

Tax Parcel Numbers(s): **3169810000, 3099830000, 3069850000, 3049860000, 3139820000**

Project Name: **Las Ventanas on Main Rezone 5 Parcels C-3 to C-1**

Applicant: **HUDSON RIVER HOUSING**

Address of Property: **Main St, Poughkeepsie, NY 126010000**

Exempt Actions: 239 Review Is NOT Required

- Administrative Amendments (fees, procedures, penalties, etc.)
- Special Permits for residential uses (accessory apts, home occupations, etc.)
- Use Variances for residential uses
- Area Variances for residential uses
- Renewals/Extension of Site Plans or Special Permits that have no changes from previous approvals
- Subdivisions / Lot Line Adjustments
- Interpretations

☐ Exempt Action submitted for informal review

Actions Requiring 239 Review

- ☐ Comprehensive/Master Plans
- ☐ Zoning Amendments (standards, uses, definitions, district regulations, etc.)
- ☒ Rezoning involving all map changes
- ☐ Site Plans (all)
- ☐ Special Permits for all non-residential uses
- ☐ Use Variances for all non-residential uses
- ☐ Area Variances for all non-residential uses
- ☐ Other Local Laws associated with zoning (wetlands, historic preservation, affordable housing, architectural review, etc.)

Parcels within 500 feet of:

- ☒ State Road: **Main St**
- ☐ County Road:
- ☐ State Property (with recreation area or public building)
- ☐ County Property (with recreation area or public building)
- ☐ Municipal Boundary
- ☐ Farm operation in an Agricultural District

Date Response Requested:

Entered By: **Tissiere, Janet**

These actions are only exempt in municipalities that signed an intermunicipal agreement with Dutchess County to that effect.

For County Office Use Only

Response From Dutchess County Department of Planning and Development

No Comments:

- ☒ Matter of Local Concern
- ☐ No Jurisdiction
- ☐ No Authority
- ☐ Withdrawn
- ☐ Incomplete - municipality must resubmit to County
- ☐ Exempt from 239 Review

Comments Attached:

- ☐ Local Concern with Comments
- ☐ Conditional
- ☐ Denial
- ☐ Incomplete with Comments- municipality must resubmit to County
- ☐ Informal Comments Only (Action Exempt from 239 Review)

Date Submitted: **4/17/2019**

Date Received: **4/17/2019**

Date Requested:

Date Required: **5/16/2019**

Date Transmitted: **5/8/19**

Notes:

☐ Also mailed
hard copy

Reviewer: Heather M. L...

☐ Major Project

Referral #: **ZR19-116**

Date Printed: 4/17/2019

**RESOLUTION
R19-52**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the City of Poughkeepsie Common Council is considering action on a proposed zoning map amendment, amending 46 parcels currently zoned C-3 to C-1 and three parcels currently zoned C-1 to PID-CE as further shown on the attached map and table; and

WHEREAS, a City of Poughkeepsie Planning Staff have evaluated the proposed rezoning and finds that it is not inconsistent with the Comprehensive Plan and that the C-1 parcels proposed to be rezoned to PID-CE is in harmony with the Poughkeepsie Innovation District Policy Framework; and

WHEREAS, a Full Environmental Assessment Form (EAF) Part 1, dated 3/15/19, has been prepared to address the potential environmental impacts of the action; and

WHEREAS, after comparing the thresholds contained in 6 NYCRR 617.4, the Common Council has determined that the proposed action is a Type 1 action; and

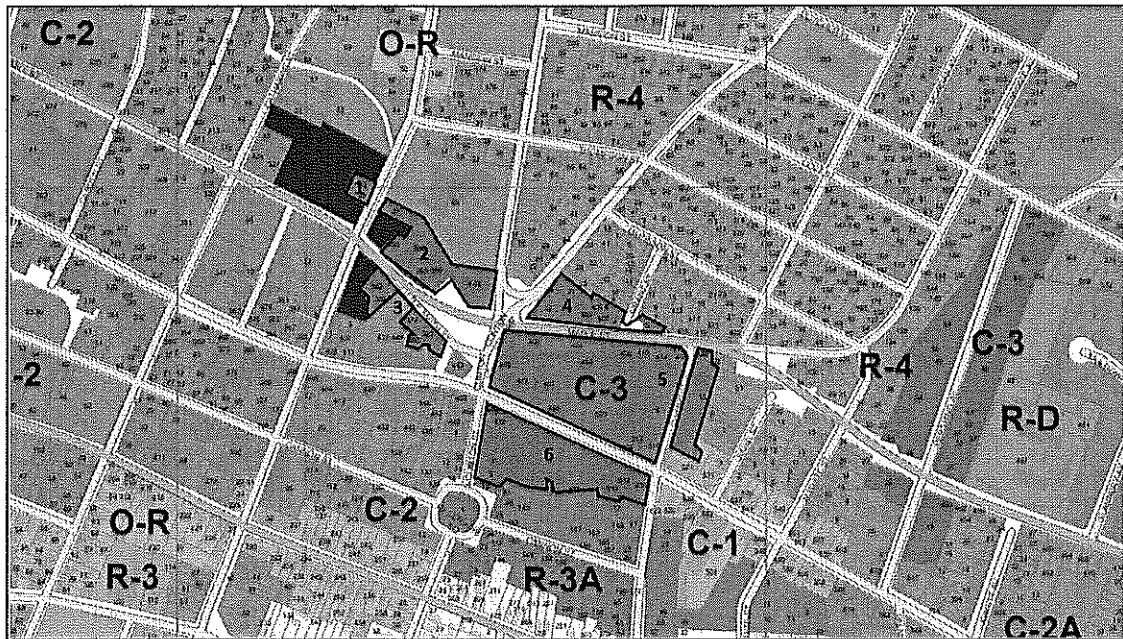
WHEREAS, after examining the EAF, the Common Council has determined that the only other involved agency on this matter is the Dutchess County Department of Planning and Development; however, interested agencies include but are not limited to the City Planning Board and City Zoning Board of Appeals SEQR because of their non-binding review responsibilities; and

NOW THEREFORE,

BE IT RESOLVED, that the Common Council hereby declares its intent to act as Lead Agency for the environmental review of this action and directs the City Chamberlain to circulate said declaration to other involved and interested agencies; and

BE IT FURTHER RESOLVED, that a Determination of Significance will be made at such time as all information has been reviewed by the Common Council to enable it to determine whether the action will or will not have significant effect on the environment.

SECONDED BY COUNCILMEMBER _____.



Section	Address	Current Zoning	Proposed Zoning
1	28 N. Hamilton St	C-1	PID-CE
1	32 N. Hamilton St	C-1	PID-CE
2	27 N. Hamilton St	C-1	PID-CE
2	355 Mill St	C-3	C-1
2	359 Mill St	C-3	C-1
2	365-369 Mill St	C-3	C-1
2	4-12 N. Clinton St	C-3	C-1
3	362 Mill St	C-3	C-1
3	364 Mill St	C-3	C-1
3	374 Little Smith St	C-3	C-1
3	380 Little Smith St	C-3	C-1
3	382 Little Smith St	C-3	C-1
4	15 Smith St	C-3	C-1
4	19 Smith St	C-3	C-1
4	21 Smith St	C-3	C-1
4	403 Maple St	C-3	C-1
4	405 Maple St	C-3	C-1
4	407 Maple St	C-3	C-1
4	4 Grant St	C-3	C-1

4	6 Grant St	C-3	C-1
5	400 Maple St	C-3	C-1
5	404 Maple St	C-3	C-1
5	406 Maple St	C-3	C-1
5	408 Maple St	C-3	C-1
5	410 Maple St	C-3	C-1
5	412 Maple St	C-3	C-1
5	414 Maple St	C-3	C-1
5	416 Maple St	C-3	C-1
5	418 Maple St	C-3	C-1
5	420 Maple St	C-3	C-1
5	469 Main St	C-3	C-1
5	471 Main St	C-3	C-1
5	481 Main St	C-3	C-1
5	485 Main St	C-3	C-1
5	489 Main St	C-3	C-1
5	505 Main St	C-3	C-1
5	509 - 513 Main St	C-3	C-1
5	517 Main St	C-3	C-1
5	519 Main St	C-3	C-1
5	8 N. Cherry St	C-3	C-1
5	15 N. Cherry St	C-3	C-1
6	11 S. Clinton St	C-3	C-1
6	9 S. Clinton St	C-3	C-1
6	7 S. Clinton St	C-3	C-1
6	472 Main St	C-3	C-1
6	468 Main St	C-3	C-1
6	488 Main St	C-3	C-1
6	508-514 Main St	C-3	C-1
6	516 Main St	C-3	C-1

**RESOLUTION ADOPTING A CLIMATE SMART COMMUNITIES PLEDGE
IN THE CITY OF POUGHKEEPSIE.**

A Resolution committing the City of Poughkeepsie on a path toward climate resiliency.

(R19-53)

RESOLUTION SPONSORED BY COUNCILMEMBER SALEM:

WHEREAS, the City of Poughkeepsie believes that climate change poses a real and increasing threat to our local and global environments and so commits to building a climate-smart community; and

WHEREAS, the City of Poughkeepsie will take inventory of emissions, set goals, and plan for climate action understanding that our response to climate change provides us with an unprecedented opportunity to save money and to build livable, energy-independent and secure communities with vibrant innovative economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, the City of Poughkeepsie will endeavor to decrease energy use and begin a shift to clean, renewable energy understanding that climate change is primarily due to the burning of fossil fuels; and

WHEREAS, the City of Poughkeepsie will use climate-smart materials management and will implement climate-smart land use strategies; and

WHEREAS, the City of Poughkeepsie aims to enhance community resilience to climate change and support a green innovative economy; and

WHEREAS, the City will work to inform and inspire the public throughout the process of achieving these aims and because we believe that even if emissions were dramatically reduced today communities would still be required to adapt to the effects of climate change for decades to come, we commit to an evolving process of climate action,

NOW, THEREFORE,

BE IT RESOLVED, that the City of Poughkeepsie, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities Pledge, which comprises the following ten elements:

- 1) Build a climate-smart community.*
- 2) Inventory emissions, set goals and plan for climate action.*
- 3) Decrease energy use.*
- 4) Shift to clean, renewable energy.*
- 5) Use climate-smart materials management.*
- 6) Implement climate-smart land use.*
- 7) Enhance community resilience to climate change.*
- 8) Support a green innovation economy.*
- 9) Inform and inspire the public.*
- 10) Engage in an evolving process of climate action.*

SECONDED BY COUNCILMEMBER:

NYSEERDA'S
CLEAN ENERGY
COMMUNITIES
PROGRAM

- Mid-Hudson Region CEC Program administrator

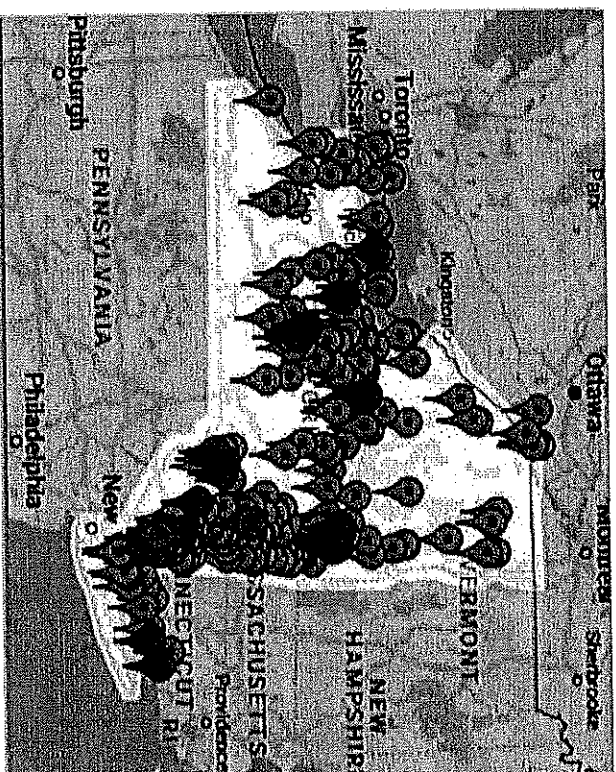
- Available to assist communities as they implement the CEC High Impact Actions:

- [illegible]

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CLIMATE SMART COMMUNITIES PROGRAM

- NYSDEC-administered program
 - 253 participating communities state-wide
- First Step:
 - Take the CSC Pledge
 - File with NYSDEC
 - Access technical assistance & grant funding
- Next Steps (optional):
 - Appoint CSC coordinator & task force
 - Work towards CSC certification



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Next Steps

CLIMATE SMART COMMUNITIES PROGRAM

- 87 Mid-Hudson communities are participating CSCs!
- Dutchess County
 - 19 participating communities
 - County Executive: Appointed CSC Task Force & Co-coordinators (September 2018)
- Town of Poughkeepsie
 - Recently appointed CSC Task Force & Coordinator
 - 2018 CSC grant awarded for Comprehensive Plan update
- City of Beacon
 - Currently hiring a CSC Coordinator!
- And many other local communities...



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Mid-Hudson Climate Smart Communities

CLIMATE SMART COMMUNITIES PROGRAM

Model Resolution

Any city, town, village, or county government in New York State can take a stand by adopting the Climate Smart Communities pledge. Local governments may amend the preamble of the pledge below, but all ten points of the pledge must be adopted verbatim by the highest body of elected officials (e.g., town board or city council). The final resolution document must include a signature from the municipal clerk verifying the authenticity of the resolution and indicating the date of passage. Local governments should then designate a primary contact person to complete the online registration form and upload the resolution by following the steps at <https://climatesmart.ny.gov/actions>. certification/getting-started/. After the registration is reviewed, the community will be designated a Registered Climate Smart Community and be added to the online list. Join us!

Councilmember _____ moved and Councilmember _____ seconded that

WHEREAS, the Town/Village/City/County of _____ (hereinafter "local government") believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come;

IT IS HEREBY RESOLVED that Town/Village/City/County of _____ in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:

- 1) Build a climate-smart community;
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action.

CSC Pledge: Model Resolution



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CLIMATE SMART COMMUNITIES PROGRAM



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RESOLUTION 12 - AGREEING TO ADAPT TO A CHANGING CLIMATE

WHEREAS, the Town Board of the Town of Union Vale acknowledges that there is a high probability that human activities over the passed fifty years have warmed our planet. The industrial activities that our modern civilization depends upon have caused much of the observed increase in Earth's temperatures over the past 50 years.

WHEREAS, most climate scientists agree the main cause of the current global warming trend is human expansion of the "greenhouse effect" — warming that results when the atmospheric traps heat radiating from Earth toward space. Certain gases in the atmosphere block heat from escaping, re-radiating them in all directions warming the surface of the earth and the lower atmosphere. Long-lived gases that remain semi-permanently in the atmosphere and do not respond physically or chemically to changes in temperature are described as "forcing" climate change.

WHEREAS, earth-orbiting satellites flown by NASA (National Aeronautics and Space Administration) have enabled Scientists to collect data on a global scale that demonstrates the heat trapping nature of carbon dioxide and other gases. Gases that contribute to the greenhouse effect include water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and Chlorofluorocarbons (CFCs) (now largely regulated).

WHEREAS, The planet's average surface temperature has risen about 2.0 degrees Fahrenheit since the late 19th century, a change driven largely by increased carbon dioxide and other human-made emissions into the atmosphere. At the end of the last ice age, when the Northeast United States was covered by more than 3,000 feet of ice, average temperatures were only 5 to 9 degrees cooler than today. We recognize that small changes in temperature correspond to enormous changes in the environment.

WHEREAS, additional examples of negative effects of temperature changes are shrinking ice sheets in Greenland and Antarctica, retreating glaciers around the world including the Alps, Himalayas, Andes, Rockies, Alaska and Africa; Arctic sea ice is "expected to become essentially ice free in summer before mid-century"; global sea levels expected to rise from one to four feet by year 2100; ocean acidification increases as the acidity of surface ocean waters has continued to absorb carbon dioxide by about 2 billion tons per year.

2018 CSC Pledge: Town of Union Vale

CLIMATE SMART COMMUNITIES PROGRAM



NEW YORK
STATE OF
OPPORTUNITY
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NYSEERDA

Action Name	Legacy Action #	Legacy Name	Points	Type/Status
PE1: Build a climate-smart community.				
PE1 Action: CSC Task Force	1.2	Create a community Climate Smart Community task force focused on climate mitigation and adaptation.	20	Mandatory
PE1 Action: CSC Coordinator	1.3	Appoint a Climate Smart Community coordinator.	10	Mandatory
PE1 Action: National/Regional Climate Program	1.5	Join a national or regional climate campaign or program.	3	
PE2: Inventory emissions, set goals, and plan for climate action.				
PE2 Action: Government Operations GHG Inventory	2.1	Develop a government operations GHG emissions inventory.	16	Priority, CSC Grants
PE2 Action: Community GHG Inventory	2.2	Develop a community GHG emissions inventory.	16	Priority, CSC Grants
PE2 Action: Government Operations Climate Action Plan	2.5	Develop a government operations climate action plan.	12-16	Priority, CSC Grants
PE2 Action: Community Climate Action Plan	2.6	Develop a community climate action plan.	16	Priority, CSC Grants
PE3: Decrease energy use.				
PE3 Action: Government Building Energy Audit	3.1	Conduct energy audits of local government buildings.	8-16	Priority
PE3 Action: Interior Lighting Upgrades	3.2	Upgrade interior lighting.	1-5	
PE3 Action: HVAC Upgrades	3.3	Upgrade HVAC equipment.	1-5	
PE3 Action: Water-efficient fixtures	3.4	Install water-efficient fixtures.	1-4	
PE3 Action: Building Energy Management System	3.5	Install a building energy management system (BMS).	1-5	
PE3 Action: Energy Benchmarking for Government Buildings	3.32	Adopt an energy benchmarking requirement for government-owned buildings.	2-4	
PE3 Action: Green Building Standard for Government Buildings	3.7	Adopt a green building standard for local government buildings and facilities.	2-4	
PE3 Action: Green Building Certification	3.8	Build a new green building.	15	
PE3 Action: Fleet Inventory	NA	NA (This is a new action under version 3.)	4	CSC Grants
PE3 Action: Fleet Efficiency Policy	3.10	Adopt a vehicle fleet efficiency policy.	2-3	CSC Grants
PE3 Action: Fleet Right-sizing	3.11	Right-size the local government fleet.	1-3	
PE3 Action: Advanced Vehicles	3.12	Replace traditional vehicles with advanced vehicles.	2-10	
PE3 Action: LED Street Lights	3.45	Convert streetlights to LED.	5-10	
PE3 Action: LED Traffic Signals	3.16	Convert traffic signals to LED.	1-4	
PE3 Action: Outdoor Lighting Reduction	3.17	Reduce number of outdoor lighting fixtures.	1-4	
PE3 Action: Outdoor Lighting Upgrades	3.18	Upgrade outdoor lighting (other than streetlights and traffic signals) to more efficient and/or solar technology.	1-4	

CSC Actions Checklist

CLIMATE SMART COMMUNITIES PROGRAM



COUNTY OF DUTCHESS
MARCUS J. MOLINARO
COUNTY EXECUTIVE

TO: Climate Smart Communities Task Force Members
FROM: Dutchess County Executive Marcus Molinaro & Legislative Chairman A. Gregg Pulver
DATE: November 23, 2018
RE: Formation of the Dutchess County Climate Smart Communities Task Force

The Climate Smart Communities (CSC) program creates a network of New York municipalities seeking to increase energy efficiency and the use of renewable energy sources, while reducing the amount of greenhouse gas emissions produced and increasing communities' resiliency to impacts of climate change. Dutchess County leaders, the County Executive and the Chairman of the legislature, have determined that involvement in these programs can help reduce overall energy usage and its associated costs and increase the use of renewable energy sources, both in government facilities and the community at large. The program also provides guidance to local governments on best practices for mitigating and adapting to climate change and offers a source of matching grants for projects that advance stated goals. The Dutchess County Department of Planning is charged with securing such grants.

In July 2017, the County legislature requested the Dutchess County Environmental Management Council (DCEMC) provide recommendations on actions that the County can take to reduce fossil fuel usage, both within County Government and encouraged in the County at large, and to recommend fossil fuel reduction goals. In its report to the legislature, the EMC recommended pursuing certification in the CSC program and a related Clean Energy Communities (CEC) program, sponsored by NYSERDA.

Dutchess County CSC Task Force



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CLIMATE SMART COMMUNITIES PROGRAM



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CLIMATE SMART COMMUNITIES GRANTS



Office of
Climate Change

Part of the New York State Environmental Protection Fund

The Climate Smart Communities Grant Program is a competitive 50150 matching grant program for municipalities. It was established in 2015 under Article 54, Title 15 of Environmental Conservation Law, an except of which is below. The program funds climate change adaptation and mitigation projects and includes support for projects that are part of a strategy to become a Certified Climate Smart Community. This fact sheet only provides an overview of the program; please refer to the current Request for Applications (RFA) for details on eligible project types for the current grant cycle.

Project Types

§ 54-1523. Climate adaptation and mitigation projects.

1. The commissioner is authorized to provide on a competitive basis, within amounts appropriated, state assistance payments to a municipality toward the cost of any climate adaptation or mitigation projects. Such projects shall include:

- a. the construction of natural resiliency measures, conservation or restoration of riparian areas and tidal marsh migration areas;
- b. nature-based solutions such as wetland protections to address physical climate risk due to sea level rise, and/or storm surges and/or flooding, based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable;
- c. relocation or retrofit of facilities to address physical climate risk due to sea level rise, and/or storm surges and/or flooding based on available data predicting the likelihood of future extreme weather events, including hazard risk analysis data if applicable;
- d. flood risk reduction;
- e. greenhouse gas emission reductions outside the power sector;
- f. enabling communities to become certified under the Climate Smart Communities Program, including by developing natural resources inventories, right sizing of municipal fleets and developing climate adaptation strategies; and
- g. climate change adaptation planning and supporting studies, including but not limited to vulnerability assessment and risk analysis of municipal drinking water, wastewater, and transportation infrastructure.

Implementation Projects

Grants of up to \$2,000,000 are available for implementation projects in two major categories: adaptation and non-power mitigation (i.e., projects that reduce greenhouse gases from sources not related to the generation or consumption of electricity). These project types are described above in sections a. to g.

Certification Projects

Grants of up to \$100,000 are available for assessments and planning activities that enable local governments to become Certified Climate Smart Communities, as described above in sections f. and g. Applicants under this category should review the online Climate Smart Communities Certification Portal at <https://climate.smart.ny.gov> to learn more about the certification program.

CLIMATE SMART COMMUNITIES PROGRAM

Town of Poughkeepsie

\$45,000

Comprehensive Plan Update with Sustainability Elements

The Town of Poughkeepsie will update its 2007 comprehensive plan, which successfully introduced mixed-use zoning and greenspace preservation strategies. Drawing on recent pedestrian infrastructure planning for Dutchess County, Poughkeepsie's comprehensive plan update will include a complete streets policy, bicycle and walking infrastructure planning, and a natural resource inventory.

City of Kingston

\$60,000

Pedestrian and Bicycle Master Plan

The City of Kingston will prepare a comprehensive city-wide pedestrian and bicycle master plan. The plan will inventory and assess all existing sidewalks and bike paths and perform an equity-demand analysis and a gap analysis to identify a cohesive non-motorized transportation network that, when completed, will link neighborhoods and business areas together, as well as to the Kingston Greenline and the Empire State Trail.

City of Kingston

\$772,752

Safe and Accessible Flatbush and Foxhall Avenues

The City of Kingston will enhance the bicycle and pedestrian facilities along portions of Flatbush and Foxhall Avenues. Sidewalks, railroad crossing facilities, sidewalk ramps, painted crosswalks, driveway aprons, pedestrian waiting stations, and 56 street trees are included in the improvements. The project will increase safety along the corridor and at the railroad crossings, support an increase in non-motorized transportation and connect low-income neighborhoods to commercial centers.



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2018 CSC Grants Award:

Hudson Valley Regional Council

Thank you

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Contact Us

CLIMATE SMART COMMUNITIES GRANTS



Office of
Climate Change

Part of the NYS Environmental Protection Fund

The Climate Smart Communities Grant Program is a competitive 50/50 matching grant program for municipalities to implement projects focused on climate change adaptation and greenhouse gas (GHG) mitigation. Project types also include certain planning and assessment projects that are part of a strategy to achieve Climate Smart Communities Certification.

Implementation Projects

Up to \$11,038, 554 is available in 2019 for implementation grants of between \$10,000 and \$2,000,000 for the project types listed below. No more than 15% of an implementation grant may be used for design and engineering costs.

Eligible Adaptation Actions:

- Increase natural resiliency to future flood risks, e.g., through living shorelines and nature-based landscape features.
- Relocate or retrofit critical infrastructure to reduce future flood risks.
- Replace or right-size flow barriers to facilitate emergency response or protect people, infrastructure, and natural resources.
- Address anticipated future extreme heat conditions, e.g., through the creation of community cooling centers.
- Improve emergency preparedness and response systems (excluding radio communication systems) for anticipated future extreme climate conditions.
- Complete activities that are part of the Federal Emergency Management Agency (FEMA) Community Rating System (CRS) program.

Eligible GHG Mitigation Actions:

- Reduce vehicle miles travelled (VMT) through improvements to non-recreational, non-motorized transportation and/or to mass transit, or by reducing commuting distances through densification or smart growth strategies.
- Facilitate food scraps recycling at municipal facilities (e.g., wastewater treatment plants, composting facilities).
- Reduce methane leakage at landfills, such as installation of capture systems or leak detection equipment, and implementation of monitoring programs.
- Reduce fluorinated GHG emissions from refrigeration, chillers, and A/C equipment through replacement or retrofit, enhanced monitoring and disposal, or adoption of measures enabling alternative refrigerant use.

Certification Projects

Up to \$700,000 is available in 2019 for Climate Smart Communities certification grants of between \$10,000 and \$100,000, and up to five grants of between \$2,500 and \$9,999 each to municipalities of population sizes less than 40,000 for the project types listed below.

- **GHG mitigation actions:** GHG inventories, climate action plans, construction and demolition waste policies
- **Transportation actions:** municipal fleet inventories and fleet efficiency policies, planning for bicycling and walking
- **Adaptation actions:** vulnerability assessments, climate adaptation strategies, heat emergency plans
- **Land use actions:** comprehensive plans with sustainability elements, complete streets policies, natural resources inventories

Applicants for certification projects should consult <https://climatesmart.ny.gov/actions-certification/actions/> for full details.

In addition, applicants for certification projects should consult the full Request for Applications for the specific list of the 15 CSC certification actions that are eligible for funding in 2019.

Climate Smart Communities Grant Program Details

Eligible Applicants. Any county (or New York City borough), city, town, or village of the State of New York is eligible to apply. Registered and certified Climate Smart Communities (CSC) will receive points in the competitive scoring system, but applicants need not be registered or certified to apply.

Partners. Non-eligible entities (e.g., non-profits) or other municipalities may participate as part of a CSC grant project in partnership with an eligible lead applicant. In such cases, the grants application must include letters of partnership and/or partnership agreements.

Match. A local match equal to 50 percent of total eligible project costs is required. Other state and federal funds are NOT eligible as match for a CSC grant award. Land acquisition may be included AS MATCH ONLY.

Funding Restrictions. Eligible costs include in-kind personal services (salary and fringe), contractual services, project-related travel, equipment, supplies, and materials. See the full Request for Applications for complete details on eligible and ineligible costs. Land acquisition is NOT eligible for funding through this program.

Climate Change Mitigation Easement. This requirement applies for all projects that involve property not owned by the applicant. The easement must be executed between the applicant and the landowner and must ensure the property meets all the following conditions:

- It is accessible to the municipality to achieve the project purpose for the anticipated life of the project.
- It provides the identified public benefit for the anticipated life of the project.
- It is used to achieve the climate protection and mitigation goals of the CSC grant program for the anticipated life of the project.
- The property owner shall provide information and data, or access for the collection of data, to the municipality.
- The anticipated life of the project is no less than ten years.

Contract Term. Funded projects should be ready to begin upon award. All projects MUST be completed within a five-year contract term.

Payment and Reporting. This grant program is a reimbursement program. Grant recipients must submit regular progress reports, including project-appropriate metrics, as part of the reimbursement process. In particular, grantees must estimate and report GHG emissions reductions resulting from mitigation projects.

Request for Applications. The complete request for applications (RFA) for the CSC Grant Program is available online at <https://www.dec.ny.gov/energy/109181.html#CSC>. All applicants should closely examine the RFA to obtain complete details on the program, including information on application evaluation and scoring.

2019 Consolidated Funding Application

Apply for the Climate Smart Communities Grant Program through the NYS Consolidated Funding Application (CFA), available online at <https://apps.cio.ny.gov/apps/cfa/>. Hand-delivered, facsimile, mailed, or e-mailed applications will NOT be accepted.

In addition to the application portal, information on other NYS grant opportunities, instructions for applicants, and a schedule of statewide application workshops are available at the CFA website.

Applications are due by 4:00 pm on July 26, 2019. Applications will NOT be accepted after this date and time.

CONTACT INFORMATION

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New York State Department of Environmental Conservation

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www.dec.ny.gov

Climate Smart Communities Certification Action Checklist - Version 3.4 (June 6, 2018)

Please note that the information below is only an overview and it might not be the most current description of CSC certification actions. For full details and the most current information, please visit this website: https://climatesmart.ny.gov				
Definition of "Under Review" in Type/Status column: These actions are currently being revised by the CSC Interagency team and will be uploaded to the portal within the next few weeks. They are also italicized in the list below.				
Definition of "CSC Grants" in Type/Status column: These actions are fundable under the certification projects category of the 2018 CSC grants program. More info is at this website: http://www.dec.ny.gov/energy/109181.html				
Action Name	Legacy Action #	Legacy Name	Points	Type/Status
PE1: Build a climate-smart community.				
PE1 Action: CSC Task Force	1.2	Create a community Climate Smart Community task force focused on climate mitigation and adaptation	20	Mandatory
PE1 Action: CSC Coordinator	1.3	Appoint a Climate Smart Community coordinator	10	Mandatory
PE1 Action: National/Regional Climate Program	1.5	Join a national or regional climate campaign or program	3	
PE2: Inventory emissions, set goals, and plan for climate action.				
PE2 Action: Government Operations GHG Inventory	2.1	Develop a government operations GHG emissions inventory	16	Priority, CSC Grants
PE2 Action: Community GHG Inventory	2.2	Develop a community GHG emissions inventory	16	Priority, CSC Grants
PE2 Action: Government Operations Climate Action Plan	2.5	Develop a government operations climate action plan	12 - 16	Priority, CSC Grants
PE2 Action: Community Climate Action Plan	2.6	Develop a community climate action plan	16	Priority, CSC Grants
PE3: Decrease energy use.				
PE3 Action: Government Building Energy Audits	3.1	Conduct energy audits of local government buildings	8 - 16	Priority
PE3 Action: Interior Lighting Upgrades	3.2	Upgrade interior lighting	1 - 5	
PE3 Action: HVAC Upgrades	3.3	Upgrade HVAC equipment	1 - 5	
PE3 Action: Water-efficient Fixtures	3.4	Install water-efficient fixtures	1 - 4	
PE3 Action: Building Energy Management System	3.5	Install a building energy management system (EMS)	1 - 5	
PE3 Action: Energy Benchmarking for Government Buildings	3.32	Adopt an energy benchmarking requirement for government-owned buildings	2 - 4	
PE3 Action: Green Building Standard for Government Buildings	3.7	Adopt a green building standard for local government buildings and facilities	2 - 4	
PE3 Action: Green Building Certification	3.8	Build a new green building	15	
PE3 Action: Fleet Inventory	NA	NA (This is a new action under version 3.)	4	CSC Grants
PE3 Action: Fleet Efficiency Policy	3.10	Adopt a vehicle fleet efficiency policy	2 - 3	CSC Grants
PE3 Action: Fleet Rightsizing	3.11	Right-size the local government fleet	1 - 3	
PE3 Action: Advanced Vehicles	3.12	Replace traditional vehicles with advanced vehicles	2 - 10	
PE3 Action: LED Street Lights	3.15	Convert streetlights to LED	5 - 10	
PE3 Action: LED Traffic Signals	3.16	Convert traffic signals to LED	1 - 4	
PE3 Action: Outdoor Lighting Reduction	3.17	Reduce number of outdoor lighting fixtures	1 - 4	
PE3 Action: Outdoor Lighting Upgrades	3.18	Upgrade outdoor lighting (other than streetlights and traffic signals) to more efficient and/or solar technology	1 - 4	
PE3 Action: Environmentally Preferable Purchasing Policy	3.24	Adopt an environmentally preferable purchasing policy	1 - 4	
PE3 Action: Financing Mechanism for Government Energy Projects	3.25	Establish a financing mechanism for energy efficiency and renewable energy projects in government owned buildings	5	
PE3 Action: Waste & Energy Provisions in Government Contracts	3.26	Incorporate energy efficiency and waste handling provisions in standard specifications and government contracts	1 - 3	
PE3 Action: Incentives for Employee Carpooling & Transit	3.28	Subsidize and incentivize employee alternative commuting	1 - 3	
PE4: Shift to clean, renewable energy.				
PE4 Action: Green Power Procurement Policy	4.1	Adopt a green power purchase policy to ensure increasing local government energy supplies come from renewables	2 - 4	

Climate Smart Communities Certification Action Checklist - Version 3.4 (June 6, 2018)

Action Name	Legacy Action #	Legacy Name	Points	Type/Status
PE4 Action: Renewable Energy Feasibility Studies	4.3	Conduct feasibility studies for renewable energy installations	3 - 5	
PE4 Action: Renewable Energy Credits	4.4	Purchase renewable energy credits (RECs)	2 - 7	
PE4 Action: Geothermal Installation	4.5	Install a geothermal heat pump or other geothermal technology at a new or existing public facility	9 - 20	
PE4 Action: Solar Energy Installation	4.6	Install solar hot water and/or solar photovoltaic technology on public property	9 - 20	
PE4 Action: Power Purchase Agreement for Renewables	4.7	Serve as a host site for a renewable energy installation and enter into a long-term service contract or power purchase agreement (PPA)	9 - 20	
PE4 Action: Wind Energy Installation	4.8	Install a wind system on public property	9 - 20	
PE4 Action: Wood Pellet Installation	4.9	Install a wood pellet heating system on public property	6 - 17	
PE5: Use climate-smart materials management.				
PE5 Action: Government Solid Waste Audit	3.23	Conduct a local government waste audit and track diversion rate over time	2	
PE5 Action: Recycling Bins in Government Buildings	3.20	Provide recycling bins next to all trash receptacles in local government buildings	3	
PE5 Action: Organic Waste Program for Government Buildings	3.21	Provide organic waste collection and composting in local government buildings	1 - 3	
PE5 Action: WasteWise Program	5.3	Participate in the EPA WasteWise program	1 - 2	
PE5 Action: Construction & Demolition Waste Policy	5.5	Adopt a construction and demolition waste reduction program or policy	2 - 6	CSC Grants
PE5 Action: Resource Recovery Center	5.6	Set up and manage a resource recovery center to encourage reuse of gently used or new materials that have been discarded	6	
PE5 Action: Recycling Program for Public Places & Events	5.9	Provide recycling bins in public places and events	1 - 3	
PE5 Action: Waste Reduction Education Campaign	5.13	Create an educational campaign to encourage recycling, composting and waste reduction	2	
PE5 Action: Compost Bins for Residents	5.10	Provide compost bins to residents (for sale or free)	2	
PE5 Action: Residential Organic Waste Program	5.11	Create an organics or yard waste collection program	2 - 22	
PE6: Implement climate-smart land use				
PE6 Action: Comprehensive Plan with Sustainability Elements	6.1	Develop and adopt a comprehensive plan with sustainability elements	3 - 21	Priority, CSC Grants
PE6 Action: Smart Growth Policies	6.2	Incorporate smart growth principles into land-use policies and regulations		Under Review
PE6 Action: Renewable Energy Ordinance	6.3	Adopt a renewable energy ordinance		Under Review
PE6 Action: Green Building Codes	6.4	Establish green building codes		Under Review
PE6 Action: Resource-efficient Site Design	6.5	Create resource-efficient site design guidelines		Under Review
PE6 Action: Incentives for Renewable Energy & Efficiency Projects	6.6	Incentivize renewable energy and energy efficiency projects		Under Review
PE6 Action: Local Food Systems	6.7	Adopt land-use policies that support or incentivize farmers' markets, community gardens and urban and rural agriculture		Under Review
PE6 Action: GreenLITES	3.27	Utilize a green or sustainability rating system for infrastructure improvement projects		Under Review
PE6 Action: Green Parking Lot Standards	6.8	Adopt green parking lot standards		Under Review
PE6 Action: Complete Streets Policy	6.9	Adopt a complete streets policy	4	Priority, CSC Grants
PE6 Action: Planning & Infrastructure for Bicycling & Walking	6.10	Implement strategies that support bicycling and walking	2 - 15	CSC Grants
PE6 Action: Alternative-fuel Infrastructure	6.11	Install electric-vehicle infrastructure	4 - 18	Priority
PE6 Action: Infrastructure for Transit & Alternative Transportation	6.12	Implement strategies that increase public transit ridership and alternative transport modes		Under Review

Climate Smart Communities Certification Action Checklist - Version 3.4 (June 6, 2018)

Action Name	Legacy Action #	Legacy Name	Points	Type/Status
PE6 Action: Safe Routes to School	6.13	Implement a Safe Routes to School program		Under Review
PE6 Action: Traffic Calming	6.14	Implement traffic calming measures		Under Review
PE6 Action: Anti-idling Ordinance	6.15	Adopt and enforce an anti-idling ordinance		Under Review
PE6 Action: Transportation Technology Solutions	6.16	Implement transportation technology solutions		Under Review
PE6 Action: Natural Resources Inventory	6.17	Develop a natural resource inventory	8 - 10	Priority, CSC Grants
PE6 Action: Local Forestry Program	6.18	Develop a local forestry or tree planting project or program		Under Review
PE6 Action: Zoning for Natural Resource Preservation	6.19	Preserve natural areas through zoning or other regulations		Under Review
PE7: Enhance community resilience to climate change.				
PE7 Action: Climate Vulnerability Assessment	7.1	Conduct a vulnerability assessment	4 - 16	Priority, CSC Grants
PE7 Action: Climate Resilience Vision	7.2	Develop a climate resilience vision and associated goals	3	
PE7 Action: Climate Smart Resiliency Planning	7.3	Review existing community plans and projects to identify climate adaptation strategies and policies or projects that may decrease vulnerability	6	Priority, CSC Grants
PE7 Action: Climate Adaptation Strategies	7.4	Develop climate adaptation strategies	2 - 8	Priority, CSC Grants
PE7 Action: Climate Resiliency in Local Plans & Projects	7.5	Incorporate climate resiliency vision, goals, and strategies into local plans and projects		Under Review
PE7 Action: Multi-Hazard Mitigation Plan Updates	7.6	Update the multi-hazard mitigation plan to address changing conditions and identify specific strategies to reduce vulnerability to natural hazards		Under Review
PE7 Action: Heat Emergency Plan	7.7	Develop and implement a heat emergency plan	6	CSC Grants
PE7 Action: Shade Structures in Public Spaces	7.8	Require shade structures and features in public spaces	4	
PE7 Action: Cooling Centers	7.9	Open new or expand existing cooling centers		Under Review
PE7 Action: Watershed Assessment	7.10	Create or update a watershed assessment to identify flooding and water quality priorities	2 - 6	
PE7 Action: Floodplain Restoration	7.12	Conserve, revegetate and reconnect floodplains and buffers in riparian areas	1 - 10	
PE7 Action: Conservation of Natural Habitats	7.13	Conserve natural areas for species migration and ecosystem resilience	4 - 16	
PE7 Action: Strategic Relocation Out of Flood-prone Areas	7.14	Facilitate a strategic relocation of uses that are not water dependent from flood prone areas		Under Review
PE7 Action: National Flood Insurance Program Community Rating System	7.15	Promote community flood prevention strategies through the National Flood Insurance Program Community Rating System	3 - 9	CSC Grants
PE7 Action: Green Infrastructure for Stormwater Management	7.16	Use green infrastructure to manage stormwater in developed areas		Under Review
PE7 Action: Conservation of Wetlands & Forests	7.17	Conserve wetlands and forests to manage stormwater, recharge groundwater and mitigate flooding		Under Review
PE7 Action: Nature-based Shoreline Protection	7.18	Use natural, nature-based or ecologically enhanced shoreline protection		Under Review
PE7 Action: Local Freeboard Requirement	7.19	Extend areas in which the two-foot freeboard requirement applies		Under Review
PE7 Action: Consideration of Sea-level Rise in Coastal Development	7.20	Require consideration of sea-level rise in planning coastal development		Under Review
PE7 Action: Removing Dams & Rightsizing Bridges & Culverts	7.21	Right-size bridges and culverts, and remove unnecessary and hazardous dams		Under Review
PE7 Action: Early Warning Systems and Evacuation Plans	7.22	Develop or enhance early warning systems and community evacuation plans		Under Review
PE7 Action: Water Conservation & Reuse	7.23	Implement a water conservation and reuse program		Under Review
PE7 Action: Xeriscaping in the Community	7.24	Encourage xeriscaping		Under Review
PE7 Action: Source Water Protection Program	7.25	Implement a source water protection program		Under Review
PE8: Support a green innovation economy.				
PE8 Action: Green Jobs Training	8.1	Create a green jobs training program	3	

Climate Smart Communities Certification Action Checklist - Version 3.4 (June 6, 2018)

Action Name	Legacy Action #	Legacy Name	Points	Type/Status
PE8 Action: Green Vendor Fairs	8.2	Hold green vendor fairs	2	
PE8 Action: Green Economic Development Plans	8.3	Include green industries in economic development plans	4	
PE8 Action: Farmers' Markets	8.6	Create and promote local farmers' markets	3	
PE8 Action: Buy Local/Buy Green Campaign	8.7	Create a "buy local/buy green" campaign	2	
PE8 Action: Brownfield Clean-up & Redevelopment	8.8	Redevelop a brownfield site	1 - 18	
PE8 Action: Incentives for Green Businesses	8.9	Establish incentives for green industry or businesses to locate in community	4	
PE8 Action: Energy Benchmarking for Privately Owned Buildings	8.11	Adopt energy benchmarking requirements for privately owned buildings	5 - 10	
PE 8 Action: Financing Program for Building Energy Efficiency	8.12	Establish a residential energy efficiency financing program	2 - 7	
PE9: Inform and inspire the public.				
PE9 Action: Climate Change Education & Engagement	9.1	Create a climate change education, outreach, and engagement program, focusing on mitigation and adaptation	4 - 8	Priority
PE9 Action: Energy Reduction Campaign	9.2	Create and support an energy reduction campaign or challenge	5	
PE9 Action: Climate-related Public Events	9.3	Host climate-related educational seminars, workshops, conferences, or fairs	3	
PE9 Action: Local Climate Action Website	9.4	Maintain a website on local climate protection efforts	3	
PE9 Action: Social Media	9.5	Use social media to inform the community about the progress of local government's efforts	3	
PE10: Engage in an evolving process of climate action.				
PE10 Action: GHG Tracking System	3.31	Implement an energy or GHG management system	5	
PE10 Action: Annual Progress Report	10.1	Report on progress annually	4	
PE10 Action: Updates to Strategies & Plans	10.2	Update strategies and plan(s)	4	
PE10 Action: Partnerships with Other Entities	10.3	Cooperate with neighboring communities and partner agencies	3	
Innovation:				
Innovation: New Innovative Actions	11.1	Implement a new innovative action	3 - 18	
Innovation: Innovative Approaches to Existing CSC Actions	11.2	Implement an action using an innovative approach	5 - 10	
Performance				
Performance: Reduce GHGs from Government Facilities	12.1	Reduce GHG emissions from government owned facilities	15 - 45	
Performance: Reduce GHGs from Government Vehicles	12.2	Reduce GHG emissions from government owned vehicles	15 - 45	
Performance: Reduce Solid Waste from Government Operations	12.4	Reduce waste volume from local government operations	3 - 10	



**THE CITY OF POUGHKEEPSIE
NEW YORK**

PLANNING DEPARTMENT

62 CIVIC CENTER PLAZA, 2ND FLOOR
POUGHKEEPSIE, NY 12601

Phone: (845) 451-4007 Fax: (845) 451-4006

October 22, 2018

City of Poughkeepsie Waterfront Advisory Committee

Dear Members of the Common Council,

At the September 25, 2018 WAC meeting, the Cornell Cooperative Extension of Dutchess County presented the draft recommendations of the Climate Smart Resiliency Tool, which they recently completed for the City in collaboration with City staff. The Tool is a checklist to identify gaps, strengths, and opportunities in a community's planning process. A recommendations summary document was also provided to the City.

There are several recommended actions for the City to pursue, including adoption of the Climate Smart Communities (CSC) Pledge; a Comprehensive Plan update with sustainability elements (an eligible project under the previous rounds of CSC grant funding); creation of Resiliency and Emergency Preparedness Plans; and the formation of a City Conservation Advisory Council (which could potentially serve to support these and other efforts).

As a result of these recommendations and the discussion that ensued, the Waterfront Advisory Committee respectfully requests that the Council consider adopting the Climate Smart Communities Pledge (attached). By adopting the CSC Pledge, the City will join over 240 municipalities statewide that are taking action to increase their resiliency to climate change through various adaption actions, and to reduce their GHG emissions through various mitigation actions. Communities that have passed the CSC Pledge and filed it with NYSDEC also gain preferential scoring on their applications for NYSDEC's CSC grant funding, which became available via the Consolidated Funding Application beginning in 2016.

Located on the banks of the Hudson River, a tidal estuary, Poughkeepsie is particularly vulnerable to sea level rise and to flooding from increasingly severe storm events, among many other potential vulnerabilities. Adopting the CSC Pledge is the first step to take towards planning for a resilient future for our City and its residents, and it comes with no obligation to take further action (although there are many benefits to be captured by doing so).

The Poughkeepsie Waterfront Advisory Committee voted unanimously at our September 25, 2018 meeting to submit this recommendation to the Common Council. Thank you in advance for your consideration of this important action, and for all of your hard work on behalf of our City and its residents.

Sincerely,

The City of Poughkeepsie Waterfront Advisory Committee

**ORDINANCE AMENDING CHAPTER 13 OF THE
CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED "MOTOR VEHICLES AND TRAFFIC."**

(O-19-05)

INTRODUCED BY COUNCILMEMBER FLOWERS

SECTION 1: Section 13-172 of the Motor Vehicles and Traffic Ordinance entitled "One-way streets designated" is hereby amended by the following addition:

Section 13-172 One-way streets designated

The following streets or parts of streets are hereby designated one-way streets, and when appropriate signs giving notice thereof are erected, no vehicle shall pass over said streets except in the direction indicated:

Vernon Terrace, from Vernon Terrace Extension to Bain Avenue, except in a westerly direction

SECTION 2: Section 13-181.3 Parking prohibited at all times, except Mondays for a twenty-three-hour period starting at 9:00 a.m. is hereby amended by the following deletion:

When appropriate signs giving notice thereof are erected, parking on the following streets or parts of streets shall be prohibited at all times, except Mondays for a twenty-three-hour period starting at 9:00 a.m.

- (a) When appropriate signs giving notice thereof are erected, there shall be no parking for 23 hours on Monday, Wednesday and Friday on the side of the street so designated and on Tuesday, Thursday, Saturday and Sunday on the side of the street so designated, starting at 9:00 a.m., on the following streets or parts of streets:

~~[Vernon Terrace, south side, excluding dead-end]~~

SECTION 3: Section 13-189.10 No parking twenty-three hours starting at 9:00 a.m. on Wednesdays shall be amended with the following addition:

When appropriate signs giving notice thereof are erected, parking on the following streets or parts of streets shall be prohibited for a twenty-three-hour period starting at 9:00 a.m. on Wednesdays:

Vernon Terrace, south side, from Vernon Terrace Extension to Bain Avenue

SECTION 4: Section 13-180 of the Motor Vehicles and Traffic Ordinance entitled “No Parking Anytime” is hereby amended by the following additions:

Section 13-180 No Parking Anytime

When appropriate signs giving notice thereof are erected, parking upon the following streets or parts of streets shall be prohibited at all times:

Vernon Terrace, north side, from Bain Avenue 50 feet northerly therefrom
Vernon Terrace, south side, from Bain Avenue 50 feet northerly therefrom
Vernon Terrace, north side, from Vernon Terrace Extension 50 feet westerly therefrom
Vernon Terrace, south side, from Vernon Terrace Extension 50 feet westerly therefrom

SECTION 5: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

BOLD AND UNDERLINE denotes ADDITION
~~[Brackets and strikethrough]~~ denote DELETION

**ORDINANCE AMENDING §§13-126 OF THE
MOTOR VEHICLES AND TRAFFIC ORDINANCE
CONCERNING VARIOUS PARKING REGULATIONS**

(O-19-6)

INTRODUCED BY COUNCILMEMBER FLOWERS

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

SECTION 1: Section 13-126(c)(2) of the City of Poughkeepsie Code of Ordinances entitled “The following on-street parking permit districts are hereby created:” is hereby amended by the addition of the following district “**District 4: South side District**”:

Street	Side	Description	Parking Regulation	Time Regulation
North Hamilton Street from High Street to Parker Avenue	west side	Residential Parking Only	None	None

SECTION 2: This Ordinance shall take effect immediately upon adoption.

SECONDED BY COUNCILMEMBER _____.

Bold denotes ADDITION.

**ORDINANCE AMENDING §13-185.1
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-19-07)

INTRODUCED BY COUNCILMEMBER FLOWERS

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

SECTION 1: Section 13-195.1 **No parking twenty-three hours on alternate sides of street, starting at 9:00 a.m., between first day of December and first day of April shall be amended as follows:**

No parking [~~twenty-three hours on alternate sides of street, starting at 9:00 a.m.~~] **Monday and Friday from 9:00 am. to 5:00 pm**, between first day of December and first day of April

When appropriate signs giving notice thereof are erected, there shall be no parking from 9 am to 5 pm [~~for 23 hours~~] on Monday[, ~~Wednesday and Friday~~] on the side of the street so designated and from 9 am to 5 pm on [~~Tuesday, Thursday, Saturday and Sunday~~] **Friday** on the side of the street so designated, [~~starting at 9:00 a.m.~~] between the first day of December and the first day of April on the following streets or parts of streets:

Jewett Avenue

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITIONS denoted by **Bold** and **Underlining**
DELETIONS denoted by Brackets [] and ~~Strikethrough~~

The City of Poughkeepsie
New York



Victor Aqeel
Assistant Corporation Counsel
vakeel@cityofpoughkeepsie.com

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May 15, 2019
COMMON COUNCIL
City of Poughkeepsie

Re: Proposed Amendment to Chapter 8 FIRE PREVENTION AND PROTECTION.

Dear Chairwoman Finney and Council Members:

Attached herewith, please find proposed change to Section 8-7 of Chapter 8 **"FIRE PREVENTION AND PROTECTION"** of the City of Poughkeepsie Code. Please note that additions are delineated in **BOLD AND UNDERLINE** print.

As recommended by Fire Chief Mark Johnson, the proposed city ordinance change seeks to formally require commercial establishments who operate a kitchen hood system to apply for a permit. The Fire Chief shall prescribe the form for the permit application and said application shall be accompanied by such plans and supplementary materials as are necessary in the view of the Fire Chief to valueate the application.

The additional permit requirement will be made part of an operating permit license application, which is already required by the Fire Department. If there is a Commercial Kitchen present, the following is required:

1. A record of annual inspection and Testing of cooking fire suppression system.
2. Fire suppression system must be linked to a monitored fire alarm when tripped
3. Kitchen hood must have annual certificate.
4. Kitchen hood must be commercially cleaned every six months and must provide certificate and/or sticker on the hood system.

Please let me know if you have any questions or concerns.

Respectfully submitted,

Victor Aqeel, Assistant Corporation Counsel

**ORDINANCE AMENDING §8-7
OF CHAPTER 8 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "FIRE PREVENTION AND
PROTECTION"**

(O-19-8)

INTRODUCED BY COUNCILMEMBER CHAIRWOMAN FINNEY

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

SECTION 1: §8-7 is hereby amended by the following addition:

Section 8-7. Permits Required.

(a) It shall be unlawful for any person, his or her agents or servants thereof to engage in the following activities without first having obtained a permit from the Chief of the Fire Department:

(1) Operation of an acetylene generator with a carbide capacity in excess of five gallons.

(2) Operation of any tire recapping or rebuilding plant.

(3) Operation of an automobile wrecking yard.

(4) Storage of calcium carbide in excess of 200 pounds.

(5) Storage of cellulose nitrate plastics in excess of 25 pounds.

(6) Storage, handling or use of more than 2,000 gallons of flammable compressed gas or 6,000 gallons of nonflammable compressed gas, including liquefied, low-temperature or cryogenic gases.

(7) Operation of a dry-cleaning plant utilizing flammable or combustible liquids.

(8) Conduct a fireworks or pyrotechnic display.

(9) Storage, handling or use of:

a. Class I liquids in excess of five gallons inside any building or in excess of 10 gallons outside any building, except in the case of storage in the fuel tank of a vehicle or other engine.

b. Class II or Class III liquids in excess of 25 gallons inside any building or 60 gallons outside any building, except in connection with the use of fuel oil in connection with oil-burning equipment.

- (10) Manufacturing, processing, blending or refining of flammable or combustible liquids.
- (11) Abandonment or removal of underground tanks.
- (12) Installation of stationary storage tanks for the storage of flammable or combustible liquids.
- (13) Storage, handling or use of hazardous materials, as defined by Chapter C, § 1174.1(a) of the Uniform Code.
- (14) Installation of liquefied petroleum gas in excess of 2,000 gallons in capacity.
- (15) Installation of sprinkler and standpipe systems.
- (16) Installation of wood or other solid-fuel-burning apparatus.
- (17) Use of any open flame or fire in a theatrical performance.
- (18) Installation of a fire alarm system or systems.
- (19) Storage of portable propane gas containers, with a capacity of more than 2.5 pounds and less than 100 pounds, awaiting use or resale as part of a propane cylinder exchange or sale business.
- 20) Operation of commercial kitchen, including any business which has a kitchen hood present.**

(b) All applications for permits shall be made on forms and in such detail as the Chief of the Fire Department shall prescribe and shall be accompanied by such plans and supplementary materials as are necessary in the view of the Fire Chief to valueate the application.

(c) Any permit issued under this section is subject to revocation or suspension for due cause, subject to appeal as provided in Section 8-11.

(d) The fees shall be in accordance with the fee schedule as promulgated by the Fire Chief, with the approval of the Common Council.

SECTION 2: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

ADDITION(S) denoted by Underlining and Bold.

**ORDINANCE AMENDING §13-269
OF CHAPTER 13 OF THE CITY OF POUGHKEEPSIE
CODE OF ORDINANCES ENTITLED "MOTOR VEHICLES
AND TRAFFIC"**

(O-19-9)

INTRODUCED BY COUNCILMEMBER FLOWERS

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

SECTION 1: §13-269 is hereby amended by the following addition:

Section 13-269 -Handicapped parking areas designated.

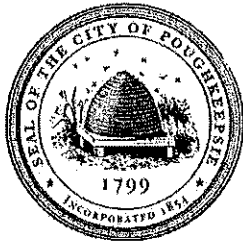
Upon the erection of signs giving due notice thereof, the following areas shall be designated as handicapped parking areas and are to be utilized only for the purpose set forth in this Article:

Winnikee Ave., South side, beginning 70 feet East of its intersection of Bement Ave. and continuing East for a distance of 15 feet, for one-parking space.

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

Tuesday, January 22, 2019 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL- All Present

II. REVIEW OF MINUTES:

CCM October 15, 2018						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☐	☐	☐	☒
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☐	☐	☐	☒
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

NONE

IV. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.

Constantine Kazolias 47 Noxon Street

C

I AM AGAINST THE CITY OF POUGHKEEPSIE BECOMING THE LAND BANK FOR THESE 540 ZOMBIE PROPERTIES!!!! MANY REASONS, BUT THE CRITICAL ONE, IS THAT THESE PROPERTIES CAN BE SOLD TO THEIR FRIENDS AS WAS DONE WHEN COUNCILMAN ONEIL CALLED A SPECIAL MEETING TO SELL TO A FRIEND VIOLIN MAKER, WITH NO CLAW BACK. FYI THE CITY DID THE BAR CLAIM ON THE VIOLIN HOUSE. THE GOING RATE WAS \$5000. FYI, I BID HIGHER FOR SAID PROPERTY TO PUT A DUNCAN DONUTS ON THAT CORNER PROPERTY, INCORPORATING MY ADJACENT PROPERTY TO MAKE IT A DRIVE THRU, THANKS TO MR ONEIL WHO HUSTLED THAT CITY SALE FOR VIOLIN MAKING. NOW MR ONEIL IS BEING REWARDED AT \$50,000 AS A FRIEND OF ROLLISONS, WITH THE ABOVE TRACK RECORD. ADDITIONALLY PARCELS SHOULD NOT BE SOLD TO NFT, TO HOUSE MANY HOMELESS BEING ONE WAY TICKET HOLDERS FROM MANHATTAN, PROOF, I GAVE A \$2 HANDOUT TO A FORMER MANHATTANITE, LAST WEEK AT STOP AND SHOP!!! THE HOMELESS IS A NYS CRISIS AND NOT A LOCAL PROBLEM. NOW THAT THE DEMOCRATS CONTROL ALBANY FROM LITTLE ANDREW, SENATE AND THE ASSEMBLY, DO NOT KICK THE CAN DOWN TO THE LOCAL LEVEL.

TURNING ON MY TV TO LOCAL TV CHANNEL FOR COMMON COUNCIL MEETINGS, THE VISUAL CAME ON BUT THE TURNING THE VOLUME ALL THE WAY UP, STILL NO AUDIO. THIS NON AUDIO HAS BEEN A NO-NO FOR MONTHS. SILENT MOVIES WENT OUT IN THE 1930S, OR IS THIS A PLOY TO KEEP THOSE VIEWING AT HOME A NEW FORM OF SEQUESTRATION? TWO GIANT VIEWING PANELS WERE RECENTLY INSTALLED IN CITY HALL COMMON COUNCIL CHAMBERS ENFORCING THE PUBLIC 3 MINUTE LIMIT GAG RULE, IS VERY DISFUNCTIONAL. THIS BRINGS ME TO THAT SPECIAL, SECOND WARD CONCERNED CITIZENS MEETING WHICH WAS A CHARADE BEGINNING FROM THE START, TO FINISH!!!! THE MEETING WAS CONTROLLED BY THE PANEL LIKE A DOG AND PONY SHOW RUNNING OUT THE CLOCK WHEN ONLY FIVE SPEAKERS ENFORCING THE 3 MINUTE COMMON COUNCIL GAG RULE, NOT THE 5 MIN RULE DURING SPECIAL MEETING RULES. FIVE SPEAKERS CONSUMED 17% OF THE 90 MINUTE CHAMBER RESERVED TIME. THREE OF THESE FIVE CONCERNED SPEAKERS WERE BLACK AND ONE WHITE FEMALE. THIS PANEL, INCLUDING THE CHAIRWOMAN SHOWED COMPLETE DISRESPECT TOWARDS THESE FOUR CONCERNED SPEAKERS. MY RECOMMENDATIONS FOR THESE PANELS LEADERS SHOULD AND MUST HAVE ADDITIONAL DIVERSIFICATION TRAINING, HOPEFULLY IT MIGHT HELP, BUT I DOUBT IT!!! THIS DISRESPECT IS A NATIONWIDE MALADY COULD/ SHOULD BE ADDRESSED BY THE LEADERS IN THIS COMMUNITY. I FIND THE CONTRACT BETWEEN THE CITY OF POLICE AND THE CITY SCHOOL DISTRICT WHEN THE SCHOOL DISTRICT HAS A 2018-19 \$14 MILLION FUND BALANCE WITH ONE MILLION AT \$86K PER SRO COULD BE PLACED IN ALL THE CITY PUBLIC SCHOOLS WHERE STUDENT VIOLENCE IS RUNNING UNABATED AS EXPOUNDED BY TEACHERS, PARENTS AND TEACHERS UNION PRESIDENT AT RECENT BOE MEETINGS. REGARDING THE POLICE/SCHOOL CONTRACT, THE POLICE ARE GOING TO MOONLIGHT, IF SAID POLICE OFFICER OCCURS AN INJURY ON SCHOOL PROPERTY DOES THE CITY INSURANCE COVER SAID INJURY?



Constantine P. Kazolas
47 Haxton St.
Poughkeepsie, NY 12601-4101

Warren Jones Clover Street
Arthur T. Rollin 114 Hooker Avenue

Gary Privatsky 83 Worrall Avenue
Holly Wahlberg 35 Garfield Place

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Finney- Wanted to briefly address the issue of 21 Academy Street.

Stated that she has spoken to Mrs. Wahlberg a few times over the past months on the status of this application and I will repeat that there are other governing laws that are relevant to whether this moves forward or not. And, she stated that she has discussed it many times with Corporation Counsel and I have discussed it with the caucus. I do understand your frustrations but as I have told you there are other considerations which are legally valid and I will ask. I asked Corporation Counsel when we can release the legal analysis that I am relying on, and I will add that it does have some bearing on larger procedures for the Council's review of historic preservations and recommendations. It is it is being taken seriously. Stated that she has heard your concerns and I have responded to them in these terms. And that's really as much as I can do at this time, except to add that I am guided by the legal advice of the Corporation Counsel not by the legal opinions of any of the citizen boards. So other than that I have no comment for this evening.

Councilmember Cherry: Madam Chair may I speak as a representative of the sixth ward.

Chairwoman Finney: Yes, you may.

Councilmember Cherry responded, Thank you so much.

Councilmember Cherry: stated that we did have a caucus which I'm not at liberty to discuss because caucus is closed session. However, I will say I am supportive of the designation of 21 Academy. I think I've been very clear about that all along. And I do understand the Chairs point of view. However, there is no current policy on the books that says owners have to be in good standing with the city, they can't owe anything, so on and so forth. So, I think you make a valuable point and I think we need to visit that moving forward, but I think we do need to go ahead and designate 21 Academy now. Mrs. Wahlberg as she suggested in the past. Everything doesn't always goes smoothly when we have recommendations from our subcommittees, but our subcommittees are just that. And it's our responsibility to take their recommendations because we're entrusting them to do the heavy lifting, which I know the process of designating anything is intensive. It takes a lot of research. You know, you were my resident historian when I was the Chair. Takes a lot of research, it takes a lot of paperwork, it takes site visits, and it takes a lot. And I'm really sorry that you have to continue to come here. But I did not want to make the Chair look bad in any way. Like I said I do understand you know your point of view but we need to vote on this if not tonight. And it was my intention to walk it on but I have to be honest I'm not confident we have the votes to designate it at this time. But I think moving forward we need to make it a make it a point to vote on it. And it was my suggestion also not to vote on something that may fail especially

coming from a committee because to me that would be just an insult to the amount of work that you all done on this project.

Chairwoman Finney: So February 4th we should have all this squared away.

Councilmember Cherry: That's our next council meeting.

Councilmember Petsas: Can I ask a question just because I'm very, very confused. Having served here for five years and recognizing what the law states so Mr. Ackerman, I believe what the law states is once the historic preservation commission nominates a property that the council has so many days to act upon that nomination. Is that correct.

Corporation Counsel Ackermann Responded that there is a time there is a timeline that's set forth in the code with regard to designation, setting a public hearing designation. There is also provisions in the code with regard to setting the agenda of this Common Council. And it also is provisions in the bylaws which this Council adopts which with regard to setting those agendas.

Councilmember Petsas: Ok, so we can have a timeline on record for the residents and maybe some of the new council people that are on this council. The Historic Preservation Commission meets. They designate well they obviously have communication and deliberate then they vote to officially send it to us. What happens after that.

Corporation Counsel Ackermann Well after their designation it is transmitted to the City Clerk's office.

The City Clerk will then receive the application.

Notify this body through the chair that she has received designation.

Then this body has to set a public hearing.

Then subsequent to the public hearing has to adopt either a nomination or decline.

Councilmember Cherry: And we were out of compliance with the public hearing.

Councilmember Petsas: I'm just trying to get the gist. So just for the good of the public and this is this is something that a lot of people are mad about and I'm included in that. So from the date of the public hearing there's how many days for the council to act.

Corporation Counsel Ackermann: I believe it's 30 days to hold a public hearing. I don't have in front of me. So we're about two months behind then. And I believe it's another 15 days. It's 60 days to have everything. I don't have it right in front.

Councilmember Petsas: So then from September the 13th we should have wrapped this up like around November the 13th.

Corporation Counsel Ackermann: Probably.

Councilmember Petsas: Probably or yes legally

Corporation Counsel Ackermann: I don't know the exact time frames. I don't know when it was received. And I don't have those.

Councilmember Petsas: We don't know the time of our law?

Corporation Counsel Ackermann: We have 30 days on the public hearing.

I can't give you the exact time frame.

Councilmember Petsas: I'm just going to say this and I'll wrap up but this is a very dangerous situation when a common council adopts a law. I wasn't on the council when this law was put into place but when we adopt the law and now we're breaking the law.

That is very, very dangerous and nothing that I want to be a part of.

Chairwoman Finney: Well it's your opinion that we're breaking the law.

Councilmember Petsas: It's the opinion of the law that's on the book that says this council has to act within a reasonable amount of time with it within 60 days of them nominating the property. And we have failed to do it. We're now into 120 days.

Chairwoman Finney: The charter supersedes the law.

Councilmember Petsas: OK.

Chairwoman Finney: OK.

And there as I explained at caucus there are issues I would like addressed and I said we'll vote February 4th because of the concerns of the Council.

Councilmember Flowers: OK can I just put one thing on record here.

If that can be shared with me or what some of those concerns are because I'm not part of a caucus and I didn't even know it was supposed to be coming up for nomination. So I just if you can share that with me so I can kind of be in the loop on that because I didn't I wasn't aware. That's OK. I'm just a little confused of what's going on here right now.

February 4th is when we're going to do it and I'm going to close Chairs comments at this point. We've covered it.

Any comments from the Mayor's representative.

VI. MAYOR'S COMMENTS:

City Administrator Nelson stated that he didn't have prepared comments.

As I said Mayor Rolison had a wake to go to.

But I do just want to take a minute and update the Council on the activities over this weekend's storm.

I want to also congratulate our Department of Public Works crews that worked around the clock.

You know this event was not as much snow as was predicted.

Fortunately.

I think we were also quite lucky that it happened on a holiday weekend so we got fewer people that were traveling to work and fewer visitors to the city and that certainly helped.

As everyone knows the mayor declared a snow emergency requiring vehicles to be removed from snow emergency routes.

I want to thank the members of the public and we believe there were hundreds of them who obeyed that order moved their cars.

I think the you know I drove around Sunday and Monday the entire city and I was pretty impressed with the work that was done.

I know I bumped into **Councilman Petsas** out helping some members in his ward constituents in his ward.

And also I responded personally to a number of calls from people that needed some attention pretty quickly including **Councilwoman Cherry's** call today to help out a constituent of yours over on church street.

We did take care of that situation regarding the salting and plowing of sidewalks over on the arterials.

Of course everybody is reminded of the fact that the arterials themselves are state DOT responsibility but the sidewalks are something that the city of Poughkeepsie does so we're doing our best.

I think we were obviously hampered by the cold weather and the wind chill conditions making that what snow we got turned into some very difficult and challenging ice to remove and we're continuing to do that.

There were reports of problems throughout the city with insufficient salting.

That was not because we ran out of salt.

It was just we didn't have enough people to get everywhere where we needed to be as the entire city was a sheet of ice. So we did have reports that you know the top FPD and some other other areas including around City Hall that needed additional salting and so forth.

We can also report we had a heating problem here at city hall PD temperature dropped to 52 degrees.

We have done what we could.

We've made some short term repairs and we understand that the temperatures coming back in the PD late last night. They had to call in a judge for a middle of the night arraignment because we had a prisoner in below temperatures that are allowed. So you know just want to let the council know that you know we responded to phone calls throughout the weekend and the city seems to be in pretty good shape at this point.

Finally as many of you know we had a water main leak over on Lilling.

For those watching at home I've just been informed by our water department that this is manageable and should be fixed tonight.

May be fixed now.

This report is just a little about an hour ago so we did get that reported to us a day and a half ago it did take a while to get it done.

And city crews were able or are able to complete that work.

And we believe that all customers will be back in service soon if they're not already.

Thank you Madam Chair

VII. MOTIONS AND RESOLUTIONS:

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

RESOLUTION (R19-18)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the 2019 adopted budget provided for the position in the Department of Public Works of one (2) Tree Climber; and

WHEREAS, the currently is a vacancy in the position of Tree Climber; and

WHEREAS, the Department of Public Works has requested an amendment to the budget to provide for (1) Tree Climber and (1) Assistant Tree Climber; and

WHEREAS, the amendment of the budget will not have a financial impact on the 2019 adopted budget; and

NOW, THEREFORE,

BE IT RESOLVED, that the 2019 Budget for the City of Poughkeepsie is hereby amended as follows:

From:	01.08.8560.7130	<u>Position</u> Tree Climber	<u>#</u> 2
To:	01.08.8560.7103	Tree Climber	1
		Assistant Tree Climber	1

SECONDED BY COUNCILMEMBER FLOWERS

R 19-18						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-19-19)**

INTRODUCED BY COUNCILMEMBER CHERRY

BE IT RESOLVED, that an introductory Local Law, entitled "Local Law Amending the

Administrative Code of the City of Poughkeepsie creating the Department of Human Resources ”
be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the
County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid
upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said
proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:15 o'clock
P.M., on February 4, 2019; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public
notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5)
days prior thereto.

SECONDED BY COUNCILMEMBER FLOWERS

LOCAL LAW NO. 1 OF 2019

**A LOCAL LAW AMENDING THE ADMINISTRATIVE CODE OF THE CITY OF
POUGHKEEPSIE BY THE ADDITION OF ARTICLE VII-A ENTITLED,
"DEPARTMENT OF HUMAN RESOURCES"**

INTRODUCED BY COUNCILMEMBER _____ :

BE IT ENACTED, by the Common Council of the City of Poughkeepsie, County of Dutchess as follows:

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to amend the City of Poughkeepsie Administrative Code by the addition of Article VII-A entitled Department of Human Resources which shall be responsible for insuring a fair and healthy work environment by providing high quality resources for its employees in a timely, efficient and professional manner and leading initiatives to develop higher performing employees.

Section 2. AUTHORITY

This local law is adopted pursuant to section 16.01 of the Administrative Code and provisions of the Municipal Home Rule Law.

Section 3. The Administrative Code of the City of Poughkeepsie shall be amended by the addition of Article VII-A entitled "Department of Human Resources" as follows:

Section 7 ½ .01 Director of Human Resources

There shall be a director of human resources who shall be appointed in accordance with the charter. He/She shall be a person with knowledge of municipal employment practices, civil service and public labor relations

Section 7 ½ .02 Powers and Duties

The Director of Human Resources shall be responsible for the administration of personnel benefits, assisting in the negotiations of employee contracts, training of personnel, health , safety, long range staff planning, and all other personnel functions assigned by the State and County to local municipalities.

The Director of Human Resources shall also be responsible for administering the City's affirmative action policy, monitor compliance with EEOC guidelines, workforce diversity and inclusivity programs.

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Section 4. Chapter 7, Section 7-76 of the Code of Ordinances entitled, "Equal employment opportunity affirmative action responsibilities" shall be amended as follows:

§ 7-76 Equal employment opportunity affirmative action responsibilities.

The responsibility section of this plan outlines the duties of management, supervisory personnel, the Personnel Department and the equal employment opportunity/affirmative action office in the implementation of this affirmative action program.

- (a) *Poughkeepsie Common Council.* The City of Poughkeepsie's Common Council has committed the city to a policy of equal employment opportunity and pledges to continue to encourage the attainment of affirmative action objectives.
- (b) *City Administrator.* The City Administrator shall be responsible for ensuring that equal employment opportunity is a reality for every person and that all affirmative action objectives are being met in all of the city departments. Further, the City Administrator shall be responsible for consulting with the equal employment opportunity office concerning goals for job groups in the departments and providing appropriate assistance so that full implementation can be realized in every city department.
- (c) *Department heads.* Department heads are responsible for:
 - (1) Working actively and cooperatively with the City Administrator and the equal employment opportunity (EEO) office to coordinate and implement this policy in order to ensure that equal employment opportunity is a reality in the department.
 - (2) Establishing affirmative action goals and timetables, with the assistance of the EEO office and, in consultation with the appropriate union, for recruiting, hiring and promoting minorities and women into job groups currently underutilizing them.
 - (3) Reviewing on a semiannual basis the progress the department is making toward affirmative action objectives. This review is to be in report form and given to the equal employment opportunity office and the City Administrator.
- (d) ~~[Personnel Department]~~ Department of Human Resources. The ~~[Personnel Department]~~ Department of Human Resources shall receive all notices of job vacancies from all departments with job descriptions, giving minimum qualifications and duties that are job related. All job recruitment for vacancies shall be processed through the ~~[Personnel Department]~~ Department of Human Resources. The ~~[Personnel Department]~~ Department of Human Resources shall receive and post all job applications. The ~~[Personnel Department]~~ Department of Human Resources also shall arrange job interviews with all city department heads and complete appropriate applications of persons interviewed for employment. All applications must be returned to and kept in the ~~[personnel office]~~ Department of Human Resources. The ~~[Personnel~~

~~Department]~~ **Department of Human Resources** shall coordinate all vacancies, recruiting, job selection, promotions, training, layoffs and terminations with the equal employment opportunity office. The ~~[Personnel Department]~~ **Department of Human Resources** shall be responsible for ensuring that the City of Poughkeepsie's equal employment opportunity policy is communicated to all job applicants. The department will regularly meet with the EEO office to review the effectiveness of the city's plan and will enlist the cooperation and active support of the EEO office.

Section 5. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

SECONDED BY COUNCILMEMBER _____

R 19-19						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

RESOLUTION (R-19-20)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, Poughkeepsie City School District (PCSD) owns and maintains gymnasiums and related facilities at its High School, Middle School, and five elementary schools; and

WHEREAS, the City is desirous of utilizing PCSD's gymnasiums for the Student Athletic Basketball Program (SABP); and

WHEREAS, the Common Council of the City of Poughkeepsie and governing boards of PCSD have determined that it is in their mutual interests to enter into an Agreement for the purpose of allowing the Student Athletic Basketball Program to use the gymnasiums for the 2018-2019 program year; and

WHEREAS, the Common Council of the City of Poughkeepsie and governing boards of PCSD have determined that it is in their mutual interests to share the costs of running such program which operates for the benefit of youth in the City of Poughkeepsie who are students of the Poughkeepsie City School District; and

WHEREAS, the Common Council of the City of Poughkeepsie has allocated \$3,500 in its 2019 operating budget for the SABP; and

WHEREAS, Article 5-G of the General Municipal Law specifically authorizes and encourages municipal corporations to enter into an agreement with each other in order to provide cooperatively, jointly and by contract any facility, service, activity or undertaking which each participating municipal corporation has the power to provide separately; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby authorizes the Mayor to execute the attached Inter-municipal Agreement in form and substance as attached hereto.

SECONDED BY COUNCILMEMBER FLOWERS

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT made and entered into as of the ____th day of January, 2019, between the **POUGHKEEPSIE CITY SCHOOL DISTRICT**, a school district of the State of New York, with offices at 11 College Avenue, Poughkeepsie, New York 12603 (hereinafter "PCSD") and **THE CITY OF POUGHKEEPSIE**, a small city within the State of New York, with offices at Municipal Building, Poughkeepsie, New York 12601.

WITNESSETH:

WHEREAS, PCSD owns and maintains an athletic complex and related facilities at its High School, and

WHEREAS, the City is desirous of utilizing PCSD's gymnasiums for the City Recreation Basketball League; and

WHEREAS, governing boards of PCSD and the City have determined that it is in their mutual interests to enter into this Agreement for the purpose of allowing the [Student Athletic Basketball Program] to use the athletic complex for the City Recreation Basketball League; and

WHEREAS, governing boards of PCSD and the City have determined that it is in their mutual interests to share the costs of running such program which operates for the benefit of youth in the City of Poughkeepsie who are students of the Poughkeepsie City School District; and

WHEREAS, Article 5-G of the General Municipal Law specifically authorizes and encourages municipal corporations to enter into agreements with each other in order to provide cooperatively, jointly or by contract any facility, service, activity or undertaking which each participating municipal corporation has the power to provide separately; and

NOW, THEREFORE, in consideration of the promises and mutual covenants and agreements contained herein, the parties agree as follows:

1. PCSD will allow the City to use its facilities; i.e. gymnasiums and locker rooms at the Elementary, Middle School and High Schools without charge. Additionally, PCSD will provide \$500.00 toward the cost of running this program which shall be available to the students of the PCSD. In addition, PCSD will provide security staff to work at competitive events throughout the season.
2. The City agrees to pay an amount not to exceed \$3,500 toward the costs of uniforms and any other costs to support the Student Athletic Basketball Program in consideration of the City's use of the PCSD facilities as set forth above.
3. Ms. Yvonne Flowers will serve as the District's volunteer coordinator and liaison with the City for this program.
4. The City shall furnish, at the time of the signing of this Agreement, proof of insurance for Commercial General Liability (CGL) insurance in the amount of at least

\$1,000,000 per occurrence and \$2,000,000 in the aggregate, including products and completed operations, as well as Excess coverage in the amount of \$2,000,000 on a "follow-form" basis. The insurance policies will name the Poughkeepsie City School District, its officers, employees and agents, as an additional named insured with ISO additional insured endorsement CG 20 26 or equivalent. Additionally, the City shall provide proof of Workers' Compensation insurance. The insurance shall remain in force at all times during the term of this Agreement and any renewal hereof, and shall provide for any notice of cancellation to be sent to PCSD at least 30 days prior to any cancellation. The City's failure to obtain or maintain such insurance coverage shall result in the immediate termination of this Agreement, without notice.

5. The PCSD will carry general liability insurance in limits of at least One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) in the aggregate, and the liability insurance will name the City as an additional insured.
6. The City shall defend, indemnify and hold harmless the Poughkeepsie City School District, its officers, employees and agents, from any claims, liabilities, suits proceedings and actions, of whatever name and nature, as the same may relate, in any manner, to the services provided by the City pursuant to this Agreement. Said indemnification, defense and hold harmless shall apply to any claim, liability, suit, proceeding or action in which the District, its officers, employees and agents may be named as a party (except for negligent acts and/or omissions of the District), notwithstanding that the City may deem said claim, liability, suit, proceeding or action frivolous or without merit. It is intended that this provision be interpreted in the broadest manner possible so as to insulate the District from any liability or judgment, monetary or otherwise, as the same may relate to the personnel and services provided by the City pursuant to this Agreement (but not for the negligent acts and/or omissions of the District, its officers, employees and agents).
7. The PCSD shall defend, indemnify and hold harmless the City, its officers, employees and agents, from any claims, liabilities, suits proceedings and actions, of whatever name and nature, as the same may relate, in any manner, to the services provided by the PCSD pursuant to this Agreement. Said indemnification, defense and hold harmless shall apply to any claim, liability, suit, proceeding or action in which the City, its officers, employees and agents may be named as a party (except for intentional and/or negligent acts and omissions of the City and/or its agents), notwithstanding that the PCSD may deem said claim, liability, suit, proceeding or action frivolous or without merit. It is intended that this provision be interpreted in the broadest manner possible so as to insulate the City from any liability or judgment, monetary or otherwise, as the same may relate to the property, personnel and services provided by PCSD pursuant to this Agreement (but not for the negligent acts or omissions of the City, its officers, employees and agents).
8. The City agrees to comply with applicable laws and regulations as well as PCSD's policies, rules, regulations and procedures with regard to the use of its facilities, and which may be subject to change from time to time.

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9. It is expressly understood that PCSD shall not be responsible for the payment of any debts or obligations incurred by the City in connection with this program.
10. This Agreement constitutes the complete understanding of the parties. No modification or any provision of this Agreement shall be valid unless in writing and signed by both parties, after authorization by the governing body of PCSD and the City.
11. This Agreement shall be for a term of one (1) year, the term to commence upon the approval and execution of this agreement, subject to renewal for additional one-year terms upon approval of the governing body of each party hereto.
12. This Agreement may not be assigned by either party.
13. If any provision of this Agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid or operative, or if it cannot be so modified, then severed and the remainder of the Agreement shall continue in full force and effect as if the Agreement had been signed with the invalid portion so modified or eliminated.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed, after authorization by the respective governing bodies, on the day and year first above written.

**POUGHKEEPSIE CITY SCHOOL
DISTRICT**

BY: _____

THE CITY OF POUGHKEEPSIE

BY: _____

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R 19-20						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒ Yes/Aye	☐ No/Nay	☐ Abstain	☐ Absent
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**RESOLUTION
(R19-21)**

INTRODUCED BY COUNCILMEMBER FLOWERS:

BE IT RESOLVED, the Common Council of the City of Poughkeepsie hereby approves the appropriation of \$2,500 from Contingency- Community Development and Improvements (01.20.1900.7498) for the Ward 5 community events.

SECONDED BY COUNCILMEMBER CHERRY

R 19-21						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒ Yes/Aye	☐ No/Nay	☐ Abstain	☐ Absent
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**RESOLUTION INTRODUCING AMENDMENT TO
THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES ENTITLED
“ZONING AND LAND USE REGULATION
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-19-22)**

INTRODUCED BY COUNCILMEMBER CHERRY

BE IT RESOLVED that an introductory ordinance amending the City of Poughkeepsie Zoning Map with respect to 27 High Street from I-1 (Light Industrial) District to R-4 (Medium High

Density Residential) District, be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed ordinance be laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council hold a public hearing for public comments on said proposed ordinance at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o'clock P.M., on February 19, 2019; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least ten (10) days prior thereto; and

BE IT FURTHER RESOLVED that the Clerk shall submit the change to Dutchess County Planning, as required under General Municipal Law 239-m.

On a motion by Councilmember Cherry, seconded by Councilmember Flowers, the resolution was adopted on a vote of 7 Ayes, 0 Nays.

Dated: January 22, 2019 The Mayor declared this resolution adopted.

SECONDED BY COUNCILMEMBER FLOWERS

ORDINANCE

(O-19-01)

**ORDINANCE AMENDING CHAPTER XIX, SECTION 19-3.2 OF
THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED ZONING MAP**

INTRODUCED BY COUNCILMEMBER _____:

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

SECTION 1: The official Map of the City of Poughkeepsie as adopted by the Common Council on February 20, 1979, as amended, is further amended as follows:

Parcel # 6162-55-267439 -- 27 High Street to be rezoned from I-1 (Light Industrial) District to R-4 (Medium High Density Residential) District.

SECTION 2: That the City Chamberlain be and is hereby directed to amend the official Zoning Map in accordance with this Ordinance.

SECTION 3: That the Common Council of the City of Poughkeepsie, after a review of the facts, finds that the site is more appropriately zoned as an R-4 District. Due to the existing surrounding uses, utilization of the site as multi-family residential, will provide a beneficial transition between industrial uses to the North and East, and lower density residential uses to the South and West. Use of the site as residential rather than industrial will be less harmful to the existing residential neighborhood and in line with recommendations of the Comprehensive Plan.

SECTION 4: That the Common Council of the City of Poughkeepsie as lead agency has determined that there are no other involved agencies, that the action is an Unlisted Action and upon the Short Environmental Assessment Form and the examination of 6 N.Y.C.R.R §617.7 of the State Environmental Quality Review Act the attached Negative Declaration is adopted because no Negative impacts anticipated will occur by reason of this text amendment.

SECTION 5: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

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R 19-22						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

RESOLUTION
(R19-23)

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Garden Street over Fall Kill Creek Bridge Replacement (BIN 2262680) in the City of Poughkeepsie, identified as PIN 8761.96 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Poughkeepsie desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work; and

NOW, THEREFORE,

the City of Poughkeepsie Common Council duly convened does hereby

RESOLVE, that the City of Poughkeepsie Common Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the City of Poughkeepsie Common Council hereby authorizes the City of Poughkeepsie to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$4230,000.00 is hereby appropriated from Account 30-08-5110-7254 18DPB WSB ("Capital Street Maintenance Bridge") and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City of Poughkeepsie Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Administrator thereof; and it is further

RESOLVED, that the City Administrator of the City of Poughkeepsie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Poughkeepsie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further **RESOLVED**, that in addition to the City Administrator the following municipal titles: Mayor, Commissioner of Public Works, and City Engineer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

STATE OF NEW YORK)
) SS:
COUNTY OF DUTCHESS)

I, Deanne L. Flynn, Clerk of the City of Poughkeepsie, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said _____
at a meeting duly called and held at the _____ on _____
by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the City of Poughkeepsie, New York, this _____
day of _____, 2019

Clerk, City of Poughkeepsie

R 19-23						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**LUTION SCHEDULING AN OVERSIGHT HEARING ON CRIME STATISTICS AND
CRIME REDUCTION IN THE CITY OF POUGHKEEPSIE**

(R19-24)

INTRODUCED BY COUNCILMEMBER SALEM:

WHEREAS, the City of Poughkeepsie has seen a marked increase of visible criminal incidents over the past year; and

WHEREAS, the health, safety, and security of our residents and community must be a top priority of the Common Council and administration; and

WHEREAS, high or increased levels of crime have been proven to contribute to lower levels of civic engagement, lower property values, increased outmigration, and economic stagnation; and

WHEREAS, residents of the City of Poughkeepsie deserve a concerted effort by local officials and our police department to address the city's high crime rate;

NOW, THEREFORE

BE IT RESOLVED, that the City of Poughkeepsie Common Council shall hold an Oversight Hearing on Crime Statistics and Crime Reduction at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6 P.M., on **Monday, March 11, 2019**; and be it further

RESOLVED, that the Oversight Hearing be conducted with crime data presented by the police department and other city staff identifying crime trends and neighborhood concentrations based on the Uniform Crime Report and court records; and be it further

RESOLVED, comparative data of crime statistics from other regional municipalities shall be presented; and be it further

RESOLVED, experts in the field will be invited to discuss crime prevention and reduction best practices; and be it further

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

SECONDED BY COUNCILMEMBER FLOWERS

Official Minutes of the Common Council Meeting of January 22, 2019

R 19-24						
☐ Accepted ☒ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM JD'S PUB & BREW, INC.**, located at 347 Hooker Avenue, a notice of intent to renew their license. **Referred to Corporation Counsel**
2. **FROM TRACEY CALABRESE**, a notice of personal injury sustained on December 10, 2018. **Referred to Corporation Counsel**
3. **FROM STEPHEN STEARNS**, a notice of personal injury sustained on November 5, 2018. **Referred to Corporation Counsel**

X. NEW BUSINESS:

XI. OLD BUSINESS:

XII. ADJOURNMENT:

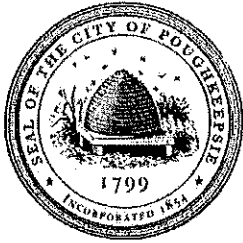
A motion was made by Councilmember Cherry and Councilmember Petsas to adjourn the meeting at 8:35 p.m.

Dated: May 15, 2019

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

Respectfully submitted,

Deanne L. Flynn
City Chamberlain



THE CITY OF POUGHKEEPSIE
NEW YORK

COMMON COUNCIL MEETING
MINUTES

Tuesday, January 22, 2019 6:30 p.m.

City Hall

I. PLEDGE OF ALLEGIANCE:

ROLL CALL- All Present

II. REVIEW OF MINUTES:

CCM October 15, 2018						
			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☐	☐	☐	☒
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☐	☐	☐	☒
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

NONE

IV. PUBLIC PARTICIPATION: Three (3) minutes per person up to 45 minutes of public comment on any agenda and non-agenda items.

Constantine Kazolias 47 Noxon Street

C

I AM AGAINST THE CITY OF POUGHKEEPSIE BECOMING THE LAND BANK FOR THESE 540 ZOMBIE PROPERTIES!!!! MANY REASONS, BUT THE CRITICAL ONE, IS THAT THESE PROPERTIES CAN BE SOLD TO THEIR FRIENDS AS WAS DONE WHEN COUNCILMAN ONEIL CALLED A SPECIAL MEETING TO SELL TO A FRIEND VIOLIN MAKER, WITH NO CLAW BACK. FYI THE CITY DID THE BAR CLAIM ON THE VIOLIN HOUSE. THE GOING RATE WAS \$5000. FYI, I BID HIGHER FOR SAID PROPERTY TO PUT A DUNCAN DONUTS ON THAT CORNER PROPERTY, INCORPORATING MY ADJACENT PROPERTY TO MAKE IT A DRIVE THRU, THANKS TO MR ONEIL WHO HUSTLED THAT CITY SALE FOR VIOLIN MAKING. NOW MR ONEIL IS BEING REWARDED AT \$50,000 AS A FRIEND OF ROLLISONS, WITH THE ABOVE TRACK RECORD. ADDITIONALLY PARCELS SHOULD NOT BE SOLD TO NFT, TO HOUSE MANY HOMELESS BEING ONE WAY TICKET HOLDERS FROM MANHATTAN, PROOF, I GAVE A \$2 HANDOUT TO A FORMER MANHATTANITE, LAST WEEK AT STOP AND SHOP!!! THE HOMELESS IS A NYS CRISIS AND NOT A LOCAL PROBLEM. NOW THAT THE DEMOCRATS CONTROL ALBANY FROM LITTLE ANDREW, SENATE AND THE ASSEMBLY, DO NOT KICK THE CAN DOWN TO THE LOCAL LEVEL.

TURNING ON MY TV TO LOCAL TV CHANNEL FOR COMMON COUNCIL MEETINGS, THE VISUAL CAME ON BUT THE TURNING THE VOLUME ALL THE WAY UP, STILL NO AUDIO. THIS NON AUDIO HAS BEEN A NO-NO FOR MONTHS. SILENT MOVIES WENT OUT IN THE 1930S, OR IS THIS A PLOY TO KEEP THOSE VIEWING AT HOME A NEW FORM OF SEQUESTRATION? TWO GIANT VIEWING PANELS WERE RECENTLY INSTALLED IN CITY HALL COMMON COUNCIL CHAMBERS ENFORCING THE PUBLIC 3 MINUTE LIMIT GAG RULE, IS VERY DISFUNCTIONAL. THIS BRINGS ME TO THAT SPECIAL, SECOND WARD CONCERNED CITIZENS MEETING WHICH WAS A CHARADE BEGINNING FROM THE START, TO FINISH!!!! THE MEETING WAS CONTROLLED BY THE PANEL LIKE A DOG AND PONY SHOW RUNNING OUT THE CLOCK WHEN ONLY FIVE SPEAKERS ENFORCING THE 3 MINUTE COMMON COUNCIL GAG RULE, NOT THE 5 MIN RULE DURING SPECIAL MEETING RULES. FIVE SPEAKERS CONSUMED 17% OF THE 90 MINUTE CHAMBER RESERVED TIME. THREE OF THESE FIVE CONCERNED SPEAKERS WERE BLACK AND ONE WHITE FEMALE. THIS PANEL, INCLUDING THE CHAIRWOMAN SHOWED COMPLETE DISRESPECT TOWARDS THESE FOUR CONCERNED SPEAKERS. MY RECOMMENDATIONS FOR THESE PANELS LEADERS SHOULD AND MUST HAVE ADDITIONAL DIVERSIFICATION TRAINING, HOPEFULLY IT MIGHT HELP, BUT I DOUBT IT!!! THIS DISRESPECT IS A NATIONWIDE MALADY COULD/ SHOULD BE ADDRESSED BY THE LEADERS IN THIS COMMUNITY. I FIND THE CONTRACT BETWEEN THE CITY OF POLICE AND THE CITY SCHOOL DISTRICT WHEN THE SCHOOL DISTRICT HAS A 2018-19 \$14 MILLION FUND BALANCE WITH ONE MILLION AT \$86K PER SRO COULD BE PLACED IN ALL THE CITY PUBLIC SCHOOLS WHERE STUDENT VIOLENCE IS RUNNING UNABATED AS EXPONDED BY TEACHERS, PARENTS AND TEACHERS UNION PRESIDENT AT RECENT BOE MEETINGS. REGARDING THE POLICE/SCHOOL CONTRACT, THE POLICE ARE GOING TO MOONLIGHT, IF SAID POLICE OFFICER OCCURS AN INJURY ON SCHOOL PROPERTY DOES THE CITY INSURANCE COVER SAID INJURY?



Constantine P. Kazollas
47 Hixon St.
Poughkeepsie, NY 12601-4101

Warren Jones Clover Street
Arthur T. Rollin 114 Hooker Avenue

Gary Privatsky 83 Worrall Avenue
Holly Wahlberg 35 Garfield Place

V. CHAIRWOMAN'S COMMENTS AND PRESENTATIONS:

Chairwoman Finney- Wanted to briefly address the issue of 21 Academy Street.

Stated that she has spoken to Mrs. Wahlberg a few times over the past months on the status of this application and I will repeat that there are other governing laws that are relevant to whether this moves forward or not. And, she stated that she has discussed it many times with Corporation Counsel and I have discussed it with the caucus. I do understand your frustrations but as I have told you there are other considerations which are legally valid and I will ask. I asked Corporation Counsel when we can release the legal analysis that I am relying on, and I will add that it does have some bearing on larger procedures for the Council's review of historic preservations and recommendations. It is it is being taken seriously. Stated that she has heard your concerns and I have responded to them in these terms. And that's really as much as I can do at this time, except to add that I am guided by the legal advice of the Corporation Counsel not by the legal opinions of any of the citizen boards. So other than that I have no comment for this evening.

Councilmember Cherry: Madam Chair may I speak as a representative of the sixth ward.

Chairwoman Finney: Yes, you may.

Councilmember Cherry responded, Thank you so much.

Councilmember Cherry: stated that we did have a caucus which I'm not at liberty to discuss because caucus is closed session. However, I will say I am supportive of the designation of 21 Academy. I think I've been very clear about that all along. And I do understand the Chairs point of view. However, there is no current policy on the books that says owners have to be in good standing with the city, they can't owe anything, so on and so forth. So, I think you make a valuable point and I think we need to visit that moving forward, but I think we do need to go ahead and designate 21 Academy now. Mrs. Wahlberg as she suggested in the past. Everything doesn't always goes smoothly when we have recommendations from our subcommittees, but our subcommittees are just that. And it's our responsibility to take their recommendations because we're entrusting them to do the heavy lifting, which I know the process of designating anything is intensive. It takes a lot of research. You know, you were my resident historian when I was the Chair. Takes a lot of research, it takes a lot of paperwork, it takes site visits, and it takes a lot. And I'm really sorry that you have to continue to come here. But I did not want to make the Chair look bad in any way. Like I said I do understand you know your point of view but we need to vote on this if not tonight. And it was my intention to walk it on but I have to be honest I'm not confident we have the votes to designate it at this time. But I think moving forward we need to make it a make it a point to vote on it. And it was my suggestion also not to vote on something that may fail especially

coming from a committee because to me that would be just an insult to the amount of work that you all done on this project.

Chairwoman Finney: So February 4th we should have all this squared away.

Councilmember Cherry: That's our next council meeting.

Councilmember Petsas: Can I ask a question just because I'm very, very confused. Having served here for five years and recognizing what the law states so Mr. Ackerman, I believe what the law states is once the historic preservation commission nominates a property that the council has so many days to act upon that nomination. Is that correct.

Corporation Counsel Ackermann Responded that there is a time there is a timeline that's set forth in the code with regard to designation, setting a public hearing designation. There is also provisions in the code with regard to setting the agenda of this Common Council. And it also is provisions in the bylaws which this Council adopts which with regard to setting those agendas.

Councilmember Petsas: Ok, so we can have a timeline on record for the residents and maybe some of the new council people that are on this council. The Historic Preservation Commission meets. They designate well they obviously have communication and deliberate then they vote to officially send it to us. What happens after that.

Corporation Counsel Ackermann Well after their designation it is transmitted to the City Clerk's office.

The City Clerk will then receive the application.

Notify this body through the chair that she has received designation.

Then this body has to set a public hearing.

Then subsequent to the public hearing has to adopt either a nomination or decline.

Councilmember Cherry: And we were out of compliance with the public hearing.

Councilmember Petsas: I'm just trying to get the gist. So just for the good of the public and this is this is something that a lot of people are mad about and I'm included in that. So from the date of the public hearing there's how many days for the council to act.

Corporation Counsel Ackermann: I believe it's 30 days to hold a public hearing. I don't have in front of me. So we're about two months behind then. And I believe it's another 15 days. It's 60 days to have everything. I don't have it right in front.

Councilmember Petsas: So then from September the 13th we should have wrapped this up like around November the 13th.

Corporation Counsel Ackermann: Probably.

Councilmember Petsas: Probably or yes legally

Corporation Counsel Ackermann: I don't know the exact time frames. I don't know when it was received. And I don't have those.

Councilmember Petsas: We don't know the time of our law?

Corporation Counsel Ackermann: We have 30 days on the public hearing.

I can't give you the exact time frame.

Councilmember Petsas: I'm just going to say this and I'll wrap up but this is a very dangerous situation when a common council adopts a law. I wasn't on the council when this law was put into place but when we adopt the law and now we're breaking the law.

That is very, very dangerous and nothing that I want to be a part of.

Chairwoman Finney: Well it's your opinion that we're breaking the law.

Councilmember Petsas: It's the opinion of the law that's on the book that says this council has to act within a reasonable amount of time with it within 60 days of them nominating the property. And we have failed to do it. We're now into 120 days.

Chairwoman Finney: The charter supersedes the law.

Councilmember Petsas: OK.

Chairwoman Finney: OK.

And there as I explained at caucus there are issues I would like addressed and I said we'll vote February 4th because of the concerns of the Council.

Councilmember Flowers: OK can I just put one thing on record here.

If that can be shared with me or what some of those concerns are because I'm not part of a caucus and I didn't even know it was supposed to be coming up for nomination. So I just if you can share that with me so I can kind of be in the loop on that because I didn't I wasn't aware. That's OK. I'm just a little confused of what's going on here right now.

February 4th is when we're going to do it and I'm going to close Chairs comments at this point. We've covered it.

Any comments from the Mayor's representative.

VI. MAYOR'S COMMENTS:

City Administrator Nelson stated that he didn't have prepared comments.

As I said Mayor Rolison had a wake to go to.

But I do just want to take a minute and update the Council on the activities over this weekend's storm.

I want to also congratulate our Department of Public Works crews that worked around the clock.

You know this event was not as much snow as was predicted.

Fortunately.

I think we were also quite lucky that it happened on a holiday weekend so we got fewer people that were traveling to work and fewer visitors to the city and that certainly helped.

As everyone knows the mayor declared a snow emergency requiring vehicles to be removed from snow emergency routes.

I want to thank the members of the public and we believe there were hundreds of them who obeyed that order moved their cars.

I think the you know I drove around Sunday and Monday the entire city and I was pretty impressed with the work that was done.

I know I bumped into **Councilman Petsas** out helping some members in his ward constituents in his ward.

And also I responded personally to a number of calls from people that needed some attention pretty quickly including **Councilwoman Cherry's** call today to help out a constituent of yours over on church street.

We did take care of that situation regarding the salting and plowing of sidewalks over on the arterials.

Of course everybody is reminded of the fact that the arterials themselves are state DOT responsibility but the sidewalks are something that the city of Poughkeepsie does so we're doing our best.

I think we were obviously hampered by the cold weather and the wind chill conditions making that what snow we got turned into some very difficult and challenging ice to remove and we're continuing to do that.

There were reports of problems throughout the city with insufficient salting.

That was not because we ran out of salt.

It was just we didn't have enough people to get everywhere where we needed to be as the entire city was a sheet of ice. So we did have reports that you know the top FPD and some other other areas including around City Hall that needed additional salting and so forth.

We can also report we had a heating problem here at city hall PD temperature dropped to 52 degrees.

We have done what we could.

We've made some short term repairs and we understand that the temperatures coming back in the PD late last night. They had to call in a judge for a middle of the night arraignment because we had a prisoner in below temperatures that are allowed. So you know just want to let the council know that you know we responded to phone calls throughout the weekend and the city seems to be in pretty good shape at this point.

Finally as many of you know we had a water main leak over on Lilling.

For those watching at home I've just been informed by our water department that this is manageable and should be fixed tonight.

May be fixed now.

This report is just a little about an hour ago so we did get that reported to us a day and a half ago it did take a while to get it done.

And city crews were able or are able to complete that work.

And we believe that all customers will be back in service soon if they're not already.

Thank you Madam Chair

VII. MOTIONS AND RESOLUTIONS:

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

RESOLUTION (R19-18)

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, the 2019 adopted budget provided for the position in the Department of Public Works of one (2) Tree Climber; and

WHEREAS, the currently is a vacancy in the position of Tree Climber; and

WHEREAS, the Department of Public Works has requested an amendment to the budget to provide for (1) Tree Climber and (1) Assistant Tree Climber; and

WHEREAS, the amendment of the budget will not have a financial impact on the 2019 adopted budget; and

NOW, THEREFORE,

BE IT RESOLVED, that the 2019 Budget for the City of Poughkeepsie is hereby amended as follows:

From:	01.08.8560.7130	<u>Position</u> Tree Climber	<u>#</u> 2
To:	01.08.8560.7103	Tree Climber Assistant Tree Climber	1 1

SECONDED BY COUNCILMEMBER FLOWERS

R 19-18						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**RESOLUTION INTRODUCING LOCAL LAW
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-19-19)**

INTRODUCED BY COUNCILMEMBER CHERRY

BE IT RESOLVED, that an introductory Local Law, entitled "Local Law Amending the

Official Minutes of the Common Council Meeting of January 22, 2019

Administrative Code of the City of Poughkeepsie creating the Department of Human Resources ”
be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the
County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed local law are laid
upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council shall hold a public hearing on said
proposed local law at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:15 o'clock
P.M., on February 4, 2019; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public
notice in the official newspaper of the City of Poughkeepsie of said public hearing at least five (5)
days prior thereto.

SECONDED BY COUNCILMEMBER FLOWERS

LOCAL LAW NO. 1 OF 2019

**A LOCAL LAW AMENDING THE ADMINISTRATIVE CODE OF THE CITY OF
POUGHKEEPSIE BY THE ADDITION OF ARTICLE VII-A ENTITLED,
"DEPARTMENT OF HUMAN RESOURCES"**

INTRODUCED BY COUNCILMEMBER _____ :

BE IT ENACTED, by the Common Council of the City of Poughkeepsie, County of Dutchess as follows:

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to amend the City of Poughkeepsie Administrative Code by the addition of Article VII-A entitled Department of Human Resources which shall be responsible for insuring a fair and healthy work environment by providing high quality resources for its employees in a timely, efficient and professional manner and leading initiatives to develop higher performing employees.

Section 2. AUTHORITY

This local law is adopted pursuant to section 16.01 of the Administrative Code and provisions of the Municipal Home Rule Law.

Section 3. The Administrative Code of the City of Poughkeepsie shall be amended by the addition of Article VII-A entitled "Department of Human Resources" as follows:

Section 7 ½ .01 Director of Human Resources

There shall be a director of human resources who shall be appointed in accordance with the charter. He/She shall be a person with knowledge of municipal employment practices, civil service and public labor relations

Section 7 ½.02 Powers and Duties

The Director of Human Resources shall be responsible for the administration of personnel benefits, assisting in the negotiations of employee contracts, training of personnel, health , safety, long range staff planning, and all other personnel functions assigned by the State and County to local municipalities.

The Director of Human Resources shall also be responsible for administering the City's affirmative action policy, monitor compliance with EEOC guidelines, workforce diversity and inclusivity programs.

Official Minutes of the Common Council Meeting of January 22, 2019

Section 4. Chapter 7, Section 7-76 of the Code of Ordinances entitled, "Equal employment opportunity affirmative action responsibilities" shall be amended as follows:

§ 7-76 Equal employment opportunity affirmative action responsibilities.

The responsibility section of this plan outlines the duties of management, supervisory personnel, the Personnel Department and the equal employment opportunity/affirmative action office in the implementation of this affirmative action program.

- (a) *Poughkeepsie Common Council.* The City of Poughkeepsie's Common Council has committed the city to a policy of equal employment opportunity and pledges to continue to encourage the attainment of affirmative action objectives.
- (b) *City Administrator.* The City Administrator shall be responsible for ensuring that equal employment opportunity is a reality for every person and that all affirmative action objectives are being met in all of the city departments. Further, the City Administrator shall be responsible for consulting with the equal employment opportunity office concerning goals for job groups in the departments and providing appropriate assistance so that full implementation can be realized in every city department.
- (c) *Department heads.* Department heads are responsible for:
 - (1) Working actively and cooperatively with the City Administrator and the equal employment opportunity (EEO) office to coordinate and implement this policy in order to ensure that equal employment opportunity is a reality in the department.
 - (2) Establishing affirmative action goals and timetables, with the assistance of the EEO office and, in consultation with the appropriate union, for recruiting, hiring and promoting minorities and women into job groups currently underutilizing them.
 - (3) Reviewing on a semiannual basis the progress the department is making toward affirmative action objectives. This review is to be in report form and given to the equal employment opportunity office and the City Administrator.
- (d) ~~[Personnel Department]~~ Department of Human Resources. The ~~[Personnel Department]~~ Department of Human Resources shall receive all notices of job vacancies from all departments with job descriptions, giving minimum qualifications and duties that are job related. All job recruitment for vacancies shall be processed through the ~~[Personnel Department]~~ Department of Human Resources. The ~~[Personnel Department]~~ Department of Human Resources shall receive and post all job applications. The ~~[Personnel Department]~~ Department of Human Resources also shall arrange job interviews with all city department heads and complete appropriate applications of persons interviewed for employment. All applications must be returned to and kept in the ~~[personnel office]~~ Department of Human Resources. The ~~[Personnel~~

~~Department]~~ Department of Human Resources shall coordinate all vacancies, recruiting, job selection, promotions, training, layoffs and terminations with the equal employment opportunity office. The ~~[Personnel Department]~~ Department of Human Resources shall be responsible for ensuring that the City of Poughkeepsie's equal employment opportunity policy is communicated to all job applicants. The department will regularly meet with the EEO office to review the effectiveness of the city's plan and will enlist the cooperation and active support of the EEO office.

Section 5. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, effect or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application to the person, individual, corporation, firm, partnership, entity or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. EFFECTIVE DATE

This local law shall take effect immediately upon filing with the Secretary of State.

SECONDED BY COUNCILMEMBER _____.

Official Minutes of the Common Council Meeting of January 22, 2019

R 19-19						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**RESOLUTION
(R-19-20)**

INTRODUCED BY COUNCILMEMBER CHERRY

WHEREAS, Poughkeepsie City School District (PCSD) owns and maintains gymnasiums and related facilities at its High School, Middle School, and five elementary schools; and

WHEREAS, the City is desirous of utilizing PCSD's gymnasiums for the Student Athletic Basketball Program (SABP); and

WHEREAS, the Common Council of the City of Poughkeepsie and governing boards of PCSD have determined that it is in their mutual interests to enter into an Agreement for the purpose of allowing the Student Athletic Basketball Program to use the gymnasiums for the 2018-2019 program year; and

WHEREAS, the Common Council of the City of Poughkeepsie and governing boards of PCSD have determined that it is in their mutual interests to share the costs of running such program which operates for the benefit of youth in the City of Poughkeepsie who are students of the Poughkeepsie City School District; and

WHEREAS, the Common Council of the City of Poughkeepsie has allocated \$3,500 in its 2019 operating budget for the SABP; and

WHEREAS, Article 5-G of the General Municipal Law specifically authorizes and encourages municipal corporations to enter into an agreement with each other in order to provide cooperatively, jointly and by contract any facility, service, activity or undertaking which each participating municipal corporation has the power to provide separately; and

NOW, THEREFORE,

BE IT RESOLVED, that the Common Council hereby authorizes the Mayor to execute the attached Inter-municipal Agreement in form and substance as attached hereto.

SECONDED BY COUNCILMEMBER FLOWERS

INTERMUNICIPAL AGREEMENT

THIS AGREEMENT made and entered into as of the ____th day of January, 2019, between the **POUGHKEEPSIE CITY SCHOOL DISTRICT**, a school district of the State of New York, with offices at 11 College Avenue, Poughkeepsie, New York 12603 (hereinafter "PCSD") and **THE CITY OF POUGHKEEPSIE**, a small city within the State of New York, with offices at Municipal Building, Poughkeepsie, New York 12601.

WITNESSETH:

WHEREAS, PCSD owns and maintains an athletic complex and related facilities at its High School, and

WHEREAS, the City is desirous of utilizing PCSD's gymnasiums for the City Recreation Basketball League; and

WHEREAS, governing boards of PCSD and the City have determined that it is in their mutual interests to enter into this Agreement for the purpose of allowing the [Student Athletic Basketball Program] to use the athletic complex for the City Recreation Basketball League; and

WHEREAS, governing boards of PCSD and the City have determined that it is in their mutual interests to share the costs of running such program which operates for the benefit of youth in the City of Poughkeepsie who are students of the Poughkeepsie City School District; and

WHEREAS, Article 5-G of the General Municipal Law specifically authorizes and encourages municipal corporations to enter into agreements with each other in order to provide cooperatively, jointly or by contract any facility, service, activity or undertaking which each participating municipal corporation has the power to provide separately; and

NOW, THEREFORE, in consideration of the promises and mutual covenants and agreements contained herein, the parties agree as follows:

1. PCSD will allow the City to use its facilities; i.e. gymnasiums and locker rooms at the Elementary, Middle School and High Schools without charge. Additionally, PCSD will provide \$500.00 toward the cost of running this program which shall be available to the students of the PCSD. In addition, PCSD will provide security staff to work at competitive events throughout the season.
2. The City agrees to pay an amount not to exceed \$3,500 toward the costs of uniforms and any other costs to support the Student Athletic Basketball Program in consideration of the City's use of the PCSD facilities as set forth above.
3. Ms. Yvonne Flowers will serve as the District's volunteer coordinator and liaison with the City for this program.
4. The City shall furnish, at the time of the signing of this Agreement, proof of insurance for Commercial General Liability (CGL) insurance in the amount of at least

\$1,000,000 per occurrence and \$2,000,000 in the aggregate, including products and completed operations, as well as Excess coverage in the amount of \$2,000,000 on a "follow-form" basis. The insurance policies will name the Poughkeepsie City School District, its officers, employees and agents, as an additional named insured with ISO additional insured endorsement CG 20 26 or equivalent. Additionally, the City shall provide proof of Workers' Compensation insurance. The insurance shall remain in force at all times during the term of this Agreement and any renewal hereof, and shall provide for any notice of cancellation to be sent to PCSD at least 30 days prior to any cancellation. The City's failure to obtain or maintain such insurance coverage shall result in the immediate termination of this Agreement, without notice.

5. The PCSD will carry general liability insurance in limits of at least One Million Dollars (\$1,000,000) per occurrence, Two Million Dollars (\$2,000,000) in the aggregate, and the liability insurance will name the City as an additional insured.
6. The City shall defend, indemnify and hold harmless the Poughkeepsie City School District, its officers, employees and agents, from any claims, liabilities, suits proceedings and actions, of whatever name and nature, as the same may relate, in any manner, to the services provided by the City pursuant to this Agreement. Said indemnification, defense and hold harmless shall apply to any claim, liability, suit, proceeding or action in which the District, its officers, employees and agents may be named as a party (except for negligent acts and/or omissions of the District), notwithstanding that the City may deem said claim, liability, suit, proceeding or action frivolous or without merit. It is intended that this provision be interpreted in the broadest manner possible so as to insulate the District from any liability or judgment, monetary or otherwise, as the same may relate to the personnel and services provided by the City pursuant to this Agreement (but not for the negligent acts and/or omissions of the District, its officers, employees and agents).
7. The PCSD shall defend, indemnify and hold harmless the City, its officers, employees and agents, from any claims, liabilities, suits proceedings and actions, of whatever name and nature, as the same may relate, in any manner, to the services provided by the PCSD pursuant to this Agreement. Said indemnification, defense and hold harmless shall apply to any claim, liability, suit, proceeding or action in which the City, its officers, employees and agents may be named as a party (except for intentional and/or negligent acts and omissions of the City and/or its agents), notwithstanding that the PCSD may deem said claim, liability, suit, proceeding or action frivolous or without merit. It is intended that this provision be interpreted in the broadest manner possible so as to insulate the City from any liability or judgment, monetary or otherwise, as the same may relate to the property, personnel and services provided by PCSD pursuant to this Agreement (but not for the negligent acts or omissions of the City, its officers, employees and agents).
8. The City agrees to comply with applicable laws and regulations as well as PCSD's policies, rules, regulations and procedures with regard to the use of its facilities, and which may be subject to change from time to time.

Official Minutes of the Common Council Meeting of January 22, 2019

9. It is expressly understood that PCSD shall not be responsible for the payment of any debts or obligations incurred by the City in connection with this program.
10. This Agreement constitutes the complete understanding of the parties. No modification or any provision of this Agreement shall be valid unless in writing and signed by both parties, after authorization by the governing body of PCSD and the City.
11. This Agreement shall be for a term of one (1) year, the term to commence upon the approval and execution of this agreement, subject to renewal for additional one-year terms upon approval of the governing body of each party hereto.
12. This Agreement may not be assigned by either party.
13. If any provision of this Agreement is deemed to be invalid or inoperative for any reason, that part shall be deemed modified to the extent necessary to make it valid or operative, or if it cannot be so modified, then severed and the remainder of the Agreement shall continue in full force and effect as if the Agreement had been signed with the invalid portion so modified or eliminated.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed, after authorization by the respective governing bodies, on the day and year first above written.

**POUGHKEEPSIE CITY SCHOOL
DISTRICT**

BY: _____

THE CITY OF POUGHKEEPSIE

BY: _____

R 19-20						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**RESOLUTION
(R19-21)**

INTRODUCED BY COUNCILMEMBER FLOWERS:

BE IT RESOLVED, the Common Council of the City of Poughkeepsie hereby approves the appropriation of \$2,500 from Contingency- Community Development and Improvements (01.20.1900.7498) for the Ward 5 community events.

SECONDED BY COUNCILMEMBER CHERRY

R 19-21						
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**RESOLUTION INTRODUCING AMENDMENT TO
THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES ENTITLED
"ZONING AND LAND USE REGULATION
AND PROVIDING FOR PUBLIC
NOTICE AND HEARING
(R-19-22)**

INTRODUCED BY COUNCILMEMBER CHERRY

BE IT RESOLVED that an introductory ordinance amending the City of Poughkeepsie Zoning Map with respect to 27 High Street from I-1 (Light Industrial) District to R-4 (Medium High

Density Residential) District, be and it hereby is introduced before the Common Council of the City of Poughkeepsie in the County of Dutchess and State of New York; and

BE IT FURTHER RESOLVED that copies of the aforesaid proposed ordinance be laid upon the desk of each member of the Council; and

BE IT FURTHER RESOLVED that the Council hold a public hearing for public comments on said proposed ordinance at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6:00 o'clock P.M., on February 19, 2019; and

BE IT FURTHER RESOLVED that the Clerk publish or cause to be published a public notice in the official newspaper of the City of Poughkeepsie of said public hearing at least ten (10) days prior thereto; and

BE IT FURTHER RESOLVED that the Clerk shall submit the change to Dutchess County Planning, as required under General Municipal Law 239-m.

On a motion by Councilmember Cherry, seconded by Councilmember Flowers, the resolution was adopted on a vote of 7 Ayes, 0 Nays.

Dated: January 22, 2019 The Mayor declared this resolution adopted.

SECONDED BY COUNCILMEMBER FLOWERS

**ORDINANCE
(O-19-01)
ORDINANCE AMENDING CHAPTER XIX, SECTION 19-3.2 OF
THE CITY OF POUGHKEEPSIE CODE OF ORDINANCES
ENTITLED ZONING MAP**

INTRODUCED BY COUNCILMEMBER _____:

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

SECTION 1: The official Map of the City of Poughkeepsie as adopted by the Common Council on February 20, 1979, as amended, is further amended as follows:

Parcel # 6162-55-267439 – 27 High Street to be rezoned from I-1 (Light Industrial) District to R-4 (Medium High Density Residential) District.

SECTION 2: That the City Chamberlain be and is hereby directed to amend the official Zoning Map in accordance with this Ordinance.

SECTION 3: That the Common Council of the City of Poughkeepsie, after a review of the facts, finds that the site is more appropriately zoned as an R-4 District. Due to the existing surrounding uses, utilization of the site as multi-family residential, will provide a beneficial transition between industrial uses to the North and East, and lower density residential uses to the South and West. Use of the site as residential rather than industrial will be less harmful to the existing residential neighborhood and in line with recommendations of the Comprehensive Plan.

SECTION 4: That the Common Council of the City of Poughkeepsie as lead agency has determined that there are no other involved agencies, that the action is an Unlisted Action and upon the Short Environmental Assessment Form and the examination of 6 N.Y.C.R.R §617.7 of the State Environmental Quality Review Act the attached Negative Declaration is adopted because no Negative impacts anticipated will occur by reason of this text amendment.

SECTION 5: This Ordinance shall take effect immediately.

SECONDED BY COUNCILMEMBER _____:

R 19-22						
☒ Accepted ☐ Defeated ☐ Tabled			Yes/Aye	No/Nay	Abstain	Absent
	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

RESOLUTION (R19-23)

Authorizing the implementation, and funding in the first instance 100% of the federal-aid and State "Marchiselli" Program-aid eligible costs, of a transportation federal-aid project, and appropriating funds therefore.

WHEREAS, a Project for the Garden Street over Fall Kill Creek Bridge Replacement (BIN 2262680) in the City of Poughkeepsie, identified as PIN 8761.96 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of Poughkeepsie desires to advance the Project by making a commitment of 100% of the non-federal share of the costs of preliminary engineering and right-of-way incidental work; and

NOW, THEREFORE,

the City of Poughkeepsie Common Council duly convened does hereby

RESOLVE, that the City of Poughkeepsie Common Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the City of Poughkeepsie Common Council hereby authorizes the City of Poughkeepsie to pay in the first instance 100% of the federal and non-federal share of the cost of preliminary engineering and right-of-way incidental work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$4230,000.00 is hereby appropriated from Account 30-08-5110-7254 18DPB WSB ("Capital Street Maintenance Bridge") and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the City of Poughkeepsie Common Council shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the City Administrator thereof; and it is further

RESOLVED, that the City Administrator of the City of Poughkeepsie be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or applicable Marchiselli Aid on behalf of the City of Poughkeepsie with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further **RESOLVED**, that in addition to the City Administrator the following municipal titles: Mayor, Commissioner of Public Works, and City Engineer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the Municipality/Sponsor, with NYSDOT in connection with the advancement or approval of the project identified in the State/Local Agreement;

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

[illegible]

I, Deanne L. Flynn, Clerk of the City of Poughkeepsie, New York, do hereby certify that I have compared the foregoing copy of this Resolution with the original on file in my office, and that the same is a true and correct transcript of said original Resolution and of the whole thereof, as duly adopted by said _____ at a meeting duly called and held at the _____ on _____ by the required and necessary vote of the members to approve the Resolution.

WITNESS My Hand and the Official Seal of the City of Poughkeepsie, New York, this _____ day of _____, 2019

Clerk, City of Poughkeepsie

R 19-23			Yes/Aye	No/Nay	Abstain	Absent
☒ Accepted ☐ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

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

**LUTION SCHEDULING AN OVERSIGHT HEARING ON CRIME STATISTICS AND
CRIME REDUCTION IN THE CITY OF POUGHKEEPSIE**

(R19-24)

INTRODUCED BY COUNCILMEMBER SALEM:

WHEREAS, the City of Poughkeepsie has seen a marked increase of visible criminal incidents over the past year; and

WHEREAS, the health, safety, and security of our residents and community must be a top priority of the Common Council and administration; and

WHEREAS, high or increased levels of crime have been proven to contribute to lower levels of civic engagement, lower property values, increased outmigration, and economic stagnation; and

WHEREAS, residents of the City of Poughkeepsie deserve a concerted effort by local officials and our police department to address the city's high crime rate;

NOW, THEREFORE

BE IT RESOLVED, that the City of Poughkeepsie Common Council shall hold an Oversight Hearing on Crime Statistics and Crime Reduction at City Hall, 62 Civic Center Plaza, Poughkeepsie, New York, at 6 P.M., on **Monday, March 11, 2019**; and be it further

RESOLVED, that the Oversight Hearing be conducted with crime data presented by the police department and other city staff identifying crime trends and neighborhood concentrations based on the Uniform Crime Report and court records; and be it further

RESOLVED, comparative data of crime statistics from other regional municipalities shall be presented; and be it further

RESOLVED, experts in the field will be invited to discuss crime prevention and reduction best practices; and be it further

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

SECONDED BY COUNCILMEMBER FLOWERS

Official Minutes of the Common Council Meeting of January 22, 2019

R 19-24						
☐ Accepted ☒ Defeated ☐ Tabled	Councilmember Salem	Voter	☒	☐	☐	☐
	Councilmember Brannen	Voter	☒	☐	☐	☐
	Councilmember Cherry	Voter	☒	☐	☐	☐
	Councilmember McNamara	Voter	☒	☐	☐	☐
	Councilmember Flowers	Voter	☒	☐	☐	☐
	Councilmember Petsas	Voter	☒	☐	☐	☐
	Councilmember R. Johnson	Voter	☒	☐	☐	☐
	Councilmember L. Johnson	Voter	☒	☐	☐	☐
	Chairwoman Finney	Voter	☒	☐	☐	☐

VIII. ORDINANCES AND LOCAL LAWS:

IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:

1. **FROM JD'S PUB & BREW, INC.**, located at 347 Hooker Avenue, a notice of intent to renew their license. **Referred to Corporation Counsel**
2. **FROM TRACEY CALABRESE**, a notice of personal injury sustained on December 10, 2018. **Referred to Corporation Counsel**
3. **FROM STEPHEN STEARNS**, a notice of personal injury sustained on November 5, 2018. **Referred to Corporation Counsel**

X. NEW BUSINESS:

XI. OLD BUSINESS:

XII. ADJOURNMENT:

A motion was made by Councilmember Cherry and Councilmember Petsas to adjourn the meeting at 8:35 p.m.

Dated: May 15, 2019

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on January 22, 2019.

Respectfully submitted,

Deanne L. Flynn
City Chamberlain

IN THE MATTER OF THE CLAIM OF
PAMELA HARDY AND LANCE HARDY

AGAINST

CITY OF POUGHKEEPSIE, OFFICER JUSTIN BRUZGUL, OFFICER ERIC
MARSH, AND JANE DOE OFFICER(S)

TO: CORPORATION COUNSEL

PLEASE TAKE NOTICE that the undersigned claimant hereby makes claims and demand against the City of Poughkeepsie, Officer Justin Bruzgul, Officer Eric Marsh, and Jane Doe Officer(s) as follows:

1. The name and post office address of claimant is: *15 Carroll St Poughkeepsie N.Y. 12601 Poughkeepsie Post Office*
2. The nature of the claim(s): Negligence, Personal Injury and Loss of Consortium
3. The time when, the place where and the manner in which the claim(s) arose: *2/8/19 7:56 AM Church St/Academy St Car Accident*
4. The items of damages or injuries claimed are: Compensatory Damages,

Economic Damages and Punitive Damages

Dated:

Pamela Hardy
Pamela Hardy

Lance Hardy
Lance Hardy

2019 MAY -2 PM 1:15

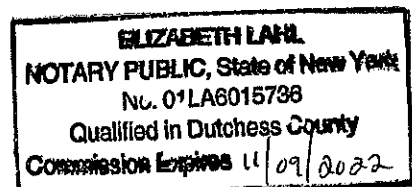
CITY OF POUGHKEEPSIE
CITY CHAMBERLAIN

STATE OF NEW YORK)
COUNTY OF DUTCHESS) ss.:

PAMELA HARDY and LANCE HARDY being duly affirmed, depose and say that deponents are the claimants in the within action, that they have read the foregoing notice of claim and know the contents thereof; that the same is true to deponents' own knowledge, except as to matters therein stated to alleged on information and belief, and that as to those matters deponents believe it to be true.

Affirmed to before me this 2 day of May, 2019

Elizabeth Lahl



UNIFORM TRAFFIC TICKET

POLICE AGENCY

017396T373

To be completed by Police Officer
and given to Motorist

CITY OF Poughkeepsie

Local Police Code
1402

Last Name (Defendant) HARDY		First Name PAMELA		M.I. L
Number and Street 13 COMMONS LN APT 11		Apt. No.	Photo Lic Shown ☒	
City POUGHKEEPSIE	State NY	Zip Code 12601	Owner Oper. ☒	Lic. Class D
Client ID Number 351889821		Sex F	Date Expires 03/05/2025	
Lic. State NY	Date of Birth 03/05/1963	Veh. Type 1	Year 2012	Make HOND
Plate Number HLF2389		Reg. State NY	Registration Expires 11/22/2020	

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

Time 8:18 AM	Date of Offense 02/08/2019	IN VIOLATION OF NYS V AND T LAW		
Section Sub Section 1144A	Tr Inf Misd Felony ☒ ☐ ☐	MPH	MPH Zone	
Description of Violation FLD/YLD RT-OF-WAY TO EMERG VEHICLE		US DOT#		
Place of Occurrence ACADEMY ST @ CHURCH ST		Hwy. No.	Loc. Code 1402	
C/T/V Name POUGHKEEPSIE, CITY OF - 1402	County DUTCHESS	Hwy. Type 6	NCIC/ORI 01302	
AFFIRMED UNDER PENALTY OF PERJURY		Date Affirmed 02/08/2019	Off Assign	
(Officer's Signature) 		Arrest Type 1 - PATROL	Badge/Shield 25	
Officer's Last Name ZIRBEL		First Name K	M.I. J	
Radar Officer's Signature				

THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW

POUGHKEEPSIE CITY COURT

Address
62 CIVIC CENTER PLAZACity
POUGHKEEPSIEState
NYZip
12601☒ RETURN BY MAIL BEFORE OR IN PERSON ON:Date
02/27/2019Time
9:00 AM☐ MUST APPEAR IN PERSON ON:

A PLEA OF GUILTY TO THIS CHARGE IS EQUIVALENT TO A CONVICTION AFTER TRIAL. IF YOU ARE CONVICTED, NOT ONLY WILL YOU BE LIABLE TO A PENALTY, BUT IN ADDITION YOUR LICENSE TO DRIVE A MOTOR VEHICLE OR MOTORCYCLE, AND YOUR CERTIFICATE OF REGISTRATION, IF ANY, ARE SUBJECT TO SUSPENSION AND REVOCATION AS PRESCRIBED BY LAW.

Conviction may subject you to a mandatory surcharge and/or Driver Responsibility Assessment as prescribed by law.

Your failure to respond may result in a warrant for your arrest or suspension of your driver's license and/or a default judgement against you.

TO PLEAD BY MAIL
(NOT TO BE USED FOR MISDEMEANORS OR FELONIES)

- If you are pleading "GUILTY" by mail, place an "X" through SECTION B, then complete and sign SECTION A.
- If you are pleading "NOT GUILTY" by mail, place an "X" through SECTION A, then complete and sign SECTION B.
- Mail this form to the Court noted on this ticket by Registered, Certified, or First Class Mail, with Return Receipt Requested.
- DO NOT use this form for Misdemeanors or Felonies or for a third or subsequent speeding violation in an 18 month period, instead you must appear in the Court noted on this ticket in person.
- If the Court denies your plea, you will be notified by mail to appear in the Court noted on the front of this ticket.

SECTION A - PLEA OF GUILTY

To the Court listed on the other side of this ticket:

I, _____, residing at _____, have been charged with the violation as specified on the other side of this ticket. I acknowledge receipt of the warning printed in bold type on the other side of this ticket, and I waive arraignment in open court and the aid of an Attorney. I plead GUILTY to the offense as charged and request that this charge be disposed of and a fine or penalty fixed by the court.

Additionally, I make the following statement of explanation (optional):

All statements are made under penalty of perjury:

Date: _____ Signed: _____

SECTION B - PLEA OF NOT GUILTY

The following notice applies to you if the officer did not issue you a supporting deposition with your ticket.

NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY (30) DAYS FROM THE DATE YOU ARE DIRECTED TO RESPOND TO THE COURT NOTED ON THE OTHER SIDE OF THIS APPEARANCE TICKET. DO YOU REQUEST A SUPPORTING DEPOSITION?

SUPPORTING DEPOSITION PROVIDED WHEN THIS TICKET WAS ISSUED?

NO ☒ SPEEDING (Gen 101) ☐
GENERAL (Gen 101A) ☐

Signature

Address

City

State

Zip Code

NOTE: Mail this NOT GUILTY Plea within 48 hours. The court will notify you by First Class Mail of your appearance date.

APPLICANTS UNDER 18 YEARS OF AGE
MUST SUBMIT NAME AND ADDRESS OF PARENT OR GUARDIAN BY MAIL.

Name of Parent or Guardian

Address

City

State

Zip Code

FAILURE TO ANSWER THIS TICKET WILL RESULT IN THE SUSPENSION OF YOUR LICENSE AND A DEFAULT JUDGEMENT AGAINST YOU.

UTD (4/02)

*017396T373/

017396T373

ELIZABETH LAHL
NOTARY PUBLIC, State of New York
N.Y. 011A6015736
Qualified in Dutchess County
Commission Expires 11/07/2022

New York State - Department of Motor Vehicles
UNIFORM TRAFFIC TICKET

017396T3MT

To be completed by Police Officer
and given to Motorist

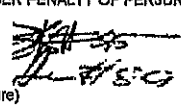
POLICE AGENCY

CITY OF POUGHKEEPSIE

Local Police Code
1402

Last Name (Defendant) HARDY		First Name PAMELA		M.I. L
Number and Street 13 COMMONS LN APT 11				
City POUGHKEEPSIE	State NY	Zip Code 12601	Owner Oper. D	Lic. Class D
Client ID Number 351889821		Sex F	Date Expires 03/05/2025	
Lic. State NY	Date of Birth 03/05/1963	Veh. Type 1	Year 2012	Make HOND
Plate Number HLF2388	Reg. State NY	Registration Expires 11/22/2020		

THE PERSON DESCRIBED ABOVE IS CHARGED AS FOLLOWS

Time 8:18 AM	Date of Offense 02/08/2019	IN VIOLATION OF NYS V AND T LAW	
Section 306B	Sub Section	Tr Inf ☒	Misc ☐
Description of Violation UNINSPECTED MOTOR VEHICLE		MPH	MPH Zone
Place of Occurrence ACADEMY ST @ CHURCH ST		US DOT#	CDL Veh ☐
C/TV Name POUGHKEEPSIE, CITY OF - 1402	County DUTCHESS	Hwy. No. 6	Loc. Code 1402
AFFIRMED UNDER PENALTY OF PERJURY 		Date Affirmed 02/08/2019	Off Assign 1 - PATROL
Officer's Last Name ZIRBEL		First Name K	M.I. J
Radar Officer's Signature			

THIS MATTER IS SCHEDULED TO BE HANDLED ON THE APPEARANCE DATE BELOW

POUGHKEEPSIE CITY COURT

Address
62 CIVIC CENTER PLAZA

City
POUGHKEEPSIE

State
NY

Zip
12601

☒ RETURN BY MAIL BEFORE OR IN PERSON ON:

☐ MUST APPEAR IN PERSON ON:

Date
02/27/2019

Time
9:00 AM

A PLEA OF GUILTY TO THIS CHARGE IS EQUIVALENT TO A CONVICTION AFTER TRIAL. IF YOU ARE CONVICTED, NOT ONLY WILL YOU BE LIABLE TO A PENALTY, BUT IN ADDITION YOUR LICENSE TO DRIVE A MOTOR VEHICLE OR MOTORCYCLE, AND YOUR CERTIFICATE OF REGISTRATION, IF ANY, ARE SUBJECT TO SUSPENSION AND REVOCATION AS PRESCRIBED BY LAW.

Conviction may subject you to a mandatory surcharge and/or Driver Responsibility Assessment as prescribed by law.

Your failure to respond may result in a warrant for your arrest or suspension of your driver's license and/or a default judgement against you.

TO PLEAD BY MAIL
(NOT TO BE USED FOR MISDEMEANORS OR FELONIES)

- If you are pleading "GUILTY" by mail, place an "X" through SECTION B, then complete and sign SECTION A.
- If you are pleading "NOT GUILTY" by mail, place an "X" through SECTION A, then complete and sign SECTION B.
- Mail this form to the Court noted on this ticket by Registered, Certified, or First Class Mail, with Return Receipt Requested.
- DO NOT use this form for Misdemeanors or Felonies or for a third or subsequent speeding violation in an 18 month period, instead you must appear in the Court noted on this ticket in person.
- If the Court denies your plea, you will be notified by mail to appear in the Court noted on the front of this ticket.

SECTION A - PLEA OF GUILTY

To the Court listed on the other side of this ticket:

I, PAMELA L HARDY, residing at 13 COMMONS LN APT 11, POUGHKEEPSIE, NY 12601 have been charged with the violation as specified on the other side of this ticket. I acknowledge receipt of the warning printed in bold type on the other side of this ticket, and I waive arraignment in open court and the aid of an Attorney. I plead GUILTY to the offense as charged and request that this charge be disposed of and a fine or penalty fixed by the court.

Additionally, I make the following statement of explanation (optional):

All statements are made under penalty of perjury:

Date: 02/08/2019 Signed: PAMELA L HARDY

SECTION B - PLEA OF NOT GUILTY

The following notice applies to you if the officer did not issue you a supporting deposition with your ticket.

NOTICE: YOU ARE ENTITLED TO RECEIVE A SUPPORTING DEPOSITION FURTHER EXPLAINING THE CHARGES PROVIDED YOU REQUEST SUCH SUPPORTING DEPOSITION WITHIN THIRTY (30) DAYS FROM THE DATE YOU ARE DIRECTED TO RESPOND TO THE COURT NOTED ON THE OTHER SIDE OF THIS APPEARANCE TICKET. DO YOU REQUEST A SUPPORTING DEPOSITION?

SUPPORTING DEPOSITION PROVIDED WHEN THIS TICKET WAS ISSUED?

NO ☒

SPEEDING (Gen 101) ☐

GENERAL (Gen 101A) ☐

Signature

Address

City

State

Zip Code

NOTE: Mail this NOT GUILTY Plea within 48 hours. The court will notify you by First Class Mail of your appearance date.

APPLICANTS UNDER 18 YEARS OF AGE MUST SUBMIT NAME AND ADDRESS OF PARENT OR GUARDIAN

Name of Parent or Guardian

Address

City

State

Zip Code

FAILURE TO ANSWER THIS TICKET WILL RESULT IN THE SUSPENSION OF YOUR LICENSE AND A DEFAULT JUDGEMENT AGAINST YOU.

*017396T3MT

ELIZABETH LAHL
NOTARY PUBLIC, State of New York
No. 01160015736
Qualified in Dutchess County

CR-00838-19 Hardy, Pamela L

DOB: 03/05/1963

017396T373 02/08/2019 VTL 1144 0A
017396T3MT VTL 0306 B

I Rt Of Way Viol:Emergency M/V
I Oper MV W/O Inspect Certificat

Scheduled Return Date: 02/27/2019 Officer: K Zirbel

Poughkeepsie City Police Department

2-27-19-FTA

4-29-19-TO BE SCOFFED

1-29-19 SUSP