



# THE CITY OF POUGHKEEPSIE NEW YORK

## COMMON COUNCIL MEETING MINUTES

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**Monday, May 3, 2021 6:30 p.m.**

**City Hall/Zoom**

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

**Welcome to the regularly scheduled meeting of the City of Poughkeepsie Common Council the date is May 3, 2021, and the time is 6:35 pm.**

**Effective immediately and based upon notices and health advisories issued by Federal, State, and Local officials related to the Coronavirus, the City of Poughkeepsie Common Council will not hold in-person meetings. Until further notice, all future City Council meetings (including public hearings) will be held via videoconferencing, as permitted by the NYS Open Meetings Law.**

**Due to public health and safety concerns, the public will not be permitted to attend at the remote locations where the City Council members will be situated. The public, however, will be able to fully observe the video conference meeting by using the registration link that was posted with our meeting notice and the meeting will be available for viewing at a later date and available on our website.**

**I'd like to acknowledge that we are gathered, wherever we are, on the traditional territory of the Lenape people and this territory was a critical resting place along a popular trade route for people of the Lenape Nation and other cultures as is evidenced in the earliest derivation of the name 'Poughkeepsie' with an indigenous string of words, U-puku-ipi-sing, that, when translated, means 'reed-covered lodge by the little water place' or resting place.**

**Let's all recite the pledge of allegiance.**

**I. PLEDGE OF ALLEGIANCE:**

**ROLL CALL - Seven present, two absent (Councilmember R. Johnson, & L. Johnson late arrival)**

**II. REVIEW OF MINUTES:**

**Public Hearing Meeting April 5, 2021  
Common Council Meeting April 5, 2021  
Common Council Meeting April 19, 2021**

**A motion was made by Councilmember Brannen and seconded by Councilmember Flowers to accept the minutes.**

CCM Minutes & Public Hearing 04-05-2021 / CCM Minutes 04-19-2021						
			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember R. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**ADD:**

**UNDER MOTIONS AND RESOLUTIONS:**

**R-21-47**

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA) RESOLUTION REGARDING A SALE OF CERTAIN CITY OWNED PROPERTIES LOCATED AT 35 MONTGOMERY STREET FORMALLY KNOWN AS THE YMCA**

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

1. Naomi Brooks – S. Grand Ave.

Harvey Eastman was a Poughkeepsie powerhouse. A three-time mayor, he was instrumental in the creation of infrastructure projects such as the Poughkeepsie Railroad Bridge, paving our streets and sidewalks, creation of sewer systems, and installation of streetlights. He erected fine brownstone townhouses and the Soldiers and Sailors Monument. He also supported cultural events, helping bring an opera house and a free lecture series to the city. He truly was a man of many talents, and used all of them to improve our city. The grounds of Eastman’s own home were an astonishing combination of fine horticulture, a dedicated space for various sports, and a walking path circling a lush expanse of lawn. There was something for everyone on those grounds, and he invited the public in, in a huge way. One example were the Arbor Day events – which is always celebrated at

this time of year - bringing all of Poughkeepsie's schoolchildren to the Eastman property for dance, song, patriotic displays and sports contests, and were watched by up to 10,000 spectators. He believed in the power of cultural events, and of the power of both active and passive forms of recreation. His property supported them all. I am encouraged to think that we are on the cusp of continuing Eastman's legacy for his property in three ways. 1) The athletic fields he created, now called Stitzel Field continue, and are supplemented by the neighboring Lincoln Field across the street. 2) A reimagining of the YMCA space on Eastman's property will once again be a place for various indoor community activities. 3) The Eastman oval with its path and open lawn provide a place to walk on the tree-lined perimeter and enjoy the calm open green space. Our city and its citizens continue to need and appreciate all three of these kinds of activities, much as it did in Eastman's day. This pandemic year has illuminated how important fresh air and open space is to all of us, not just for sports but also for quieter forms of outdoor enjoyment. I was dismayed to see the oval's lawn cut and striped as a sports field. Eastman Oval should be designated as a local historic landmark, and support given to its upkeep as a vital part of this property's trio of uses. The building's indoor activity, the playing fields' outdoor sporting activity, and the oval's outdoor quiet enjoyment: we need them all. May is Historic Preservation Month, and it would be a perfect time for you to support this historic designation.

2. James Watson – 35 Montgomery Community Coalition
3. Donna Levinson – 24 Garfield Pl.
4. Kris Tal – community leader in the city of Poughkeepsie
  
5. Laurie Sandow – S. Grand Ave.

I'll begin my comments by talking about the power of one—the power of any one person to attend and speak at council meetings; the power of any one person to take to their feet and influence an outcome. This stands in stark contrast to the councilmembers who like to boast about being lifelong or longtime residents, but who—though having no track record of involvement prior to election— now abuse the power of their positions to defeat public knowledge, comment and influence. With 10 items on tonight's agenda under motions, resolutions and communications alone, it's not hard to recognize the mathematical farce of providing the public with only three minutes to address them (3 minutes = 180 seconds; divided by 10 = 18 seconds per item). So quickly, regarding the motion to sell 123 Smith St.—I was criticized months ago for advocating in favor of Smith Metropolitan A.M.E. Zion's interest in this parcel, as if my advocacy was the cause of 123 Smith's deplorable condition. No, that building is in deplorable condition because the family or foundation that owned the building did not pay its taxes and did not maintain the property, and neither did the city once it took possession. 18 seconds does not allow me to say more. Regarding tonight's

resolution to transfer the former Y to Dutchess County: a joint presentation was held on March 3, but when was there a public hearing? There was none. How foolish to have sat quietly through that presentation in order to learn the details, thinking I'd have a chance to speak at a public hearing that has never happened. Where is the SEQRA document that is not in the packet, though it was supposed to be attached to the resolution? I had to submit a Freedom of Information request, which was never answered, while the document magically appeared on the City website at 4:46pm or later this afternoon, right before the meeting. Equally, if not more important, who in their right mind would support a resolution or contract without a hint of a site plan, input by the historic commission, or a citizen review process not solely gifted to the hands of the white-male dominated "35 Montgomery Street Coalition"? And because comedy in this city never ends, note the document clause prohibiting coin-operated or public phones, yet—in keeping with comparable fiduciary breaches in the Wheaton Park contract—the only clawback appears to be time-based, at which point the city can repurchase the property for the amount the County spent already, plus any open bonds. What a great deal for the county, and lousy deal for the city. I hope any councilmember who supports this resolution is prepared to have their salaries garnished from now to eternity to enable the City to apply that clawback. Laurie Sandow comments, City of Poughkeepsie Common Council meeting, May 3, 2021, Page 2 of 2 Lastly, about the dog-and-pony show of the Southern Waterfront Task Force, let's be sure everyone understands that there is no "public process" when Sarah Brannen, the task force chair, is not only non-responsive to Freedom of Information requests, but also blocks comments from myself and others in this city. A process is not public when information is withheld and members of the public are blocked from commenting. At the last Waterfront Advisory (WAC) committee meeting the administration announced they'd recently met with three unidentified Council members who, after months and months, have yet to specify their own LWRP (Local Waterfront Revitalization Program) critiques and alternatives in writing. Need I remind people that I was silenced and arrested at a Council meeting when I referred to Sarah Salem opting for a private meeting with Hudson Pointe residents, rather than participating in a citywide election forum? Or that, in 2016, Hudson Pointe concocted a reason to make their own property gated, chasing city residents off their property, while now employing the old magic trick of pointing their fingers at other off-limits properties? Will Lou Viglotti and Joan Mandle reveal the administrators, and Hudson Pointe involvement, in the so-called Riverfront Partnership page? Or maybe Sarah Brannen will disclose that information? While the Council's two different waterfront committees twiddle their thumbs, grant opportunities and tangible improvements under the LWRP are being wasted or defeated, including: —Failure to protect the Fallkill and adjacent properties; —Failure to protect the former Y site and several other parks that would fall under the revised LWRP; —Items related to a light pollution initiative; —Items related to water drainage and runoff protection; —Visibility and viewshed concerns including, for example, those from the Walkway, and —Issues of public access, transit and social equity related to the water. And there you have it, once again,

public knowledge and input defeated by the three-minute time limit, and by the refusal of electeds and appointeds at every level of this city to conduct open, public, fully informative resident meetings

**V. CHAIRPERSON'S COMMENTS AND PRESENTATIONS:**

The Dutchess County State Supreme Court Justice Hal Greenwald has rejected the Mayor's attempt to prevent the Common Council from hiring its own lawyers in situations in which the City's Corporation Counsel has a conflict of interest. Justice Greenwald's decision dismissing the lawsuit also retroactively vacates the injunction issued in early January prohibiting the Common Council's lawyers from providing advice to and representing it in litigation, including in the lawsuit brought by the Mayor against the Council. In other words, Justice Greenwald agreed with all of our arguments and concluded that, because the Mayor could not prove any of the legally required criteria to win, he would (1) vacate and retroactively nullifying the TRO and Preliminary Injunction; (2) uphold the Council's actions, including the two challenged resolutions; (3) authorize the Council to retain outside counsel any time that the Council believes that the Corporation Counsel has a conflict of interest with the Council; (4) retroactively permit Lamb & Barnosky to represent the Council; and (5) dismiss the petition. This is a positive step forward for us as a legislative body and once that lays down a good path toward our request for a third party opinion in the matter and filing that we initially brought up which has yet to be decided as to whether or not we have the power to hire our own professional staff to assist us in policies and projects. There were many successful events throughout the city this past weekend, the Riverkeeper Sweep included. Down at Waryas, we took out hundreds of lbs of trash along the shore and the surrounding parkland. I look forward to this event every year and to meeting all the folks who share the same commitment to protecting our beautiful Hudson River and environment and I can't wait until next year, however, we should all try and love our river and our parks every day and pick up when we can if we're able to do so safely, wearing gloves and not causing any injury. It's a simple act that not only makes our community shine bright visually but shows the care that we have and the pride that we have for our city. I've received reports of dirt bikes and 4 wheelers on the roads. This happens every year and with more frequency as the weather warms. We've been informed and assured that the police department is aware of the issue and has been working on coming to a solution. Additional reports of threats of violence, weapons, and other nuisances throughout the city have been received. These in particular are a part of a more complex issue involving our rising homeless population and limited access to housing that is affordable or fit for transition and support services. I know every member of this council is equally concerned with these issues and understands the urgency and critical nature of developing a multipronged solution to ensuring that we are able to fulfill the needs of all those who reside here. Again, this particular issue isn't unfamiliar to the particular neighborhoods and blocks of the city experiencing it now, so it has persisted and will worsen if we don't really start to put our heads together to get to start to come up with a solution. I'm setting this as a priority for the short term. Covid vaccinations are still available, soon to adolescents, and now walk-ins are being accepted at all state-run

vaccination sites. Information on getting a vaccination can be found on the New York State website, as well on the Dutchess County website, and linked from the City of Poughkeepsie website in addition to information on testing and accessing other community resources such as rent relief, food, and other financial aid and support. The SBA opened applications for their restaurant revitalization fund. The American Rescue Plan Act established the Restaurant Revitalization Fund (RRF) to provide funding to help restaurants and other eligible businesses keep their doors open. This program will provide restaurants with funding equal to their pandemic-related revenue loss up to \$10 million per business and no more than \$5 million per physical location. Recipients are not required to repay the funding as long as funds are used for eligible uses no later than March 11, 2023. Other exciting news, The Poughkeepsie Waterfront Farmers Market opened their season today down by the River at the Pavilion of the Mid-Hudson Children's Museum. The Monday night market runs from 3:00 pm – 6:30 pm now through mid-October and features a number of local farms and purveyors of local foods, including the Dutchess Outreach Fresh Market, the Poughkeepsie Grind, HRH Vetzero Heroes, j&j farms, lasher meadows, and more. Shop local and support your local farmer.

## **VI. REPORTS OF COMMITTEES AND BOARDS:**

### **1. FINANCE COMMITTEE**

Thank you very much so is a productive meeting at our last meeting of the Finance Committee, major highlights for the council. There is a resolution on the agenda tonight recommending the addition of positions that were previously cut from the budget last year and were kept out of this year's budget due to the covid-19 pandemic and the financial adjustments that needed to be made to the budget for the city of the Finance Committee did vote unanimously to move that item out of the Finance Committee and recommend it to the council for approval. It will be adding back the positions that were cut, as well as an additional new position. We'll talk more about that when the agenda item is raised later. But that did pass unanimously out of the Finance Committee. Other items we discussed in the Finance Committee meeting will be discussed tonight, I believe, further along in the agenda. But overall, it was, as I said, a very, very productive finance committee meeting and we were able to talk a good amount about some needed adjustments to the budget this year based on money that will be coming in through the American rescue plan and some immediate upgrades that would like we would like to do to some of the physical infrastructure that the city has. And I know that will all be forthcoming as well. After being discussed in the Finance Committee. For anyone who is interested in viewing the reporting of the Finance Committee meeting, it should be available online on the city's website. So you should be able to go back and review that meeting. And I thank my colleagues on the Finance Committee Council, Councilwoman Flowers, Councilwoman Cherry, Councilmember Petsas and councilmember Randall Johnson, all for participating and ensuring we were able to have a productive meeting and make the

recommendations out of the committee. So thank you all for that. Appreciate the time.

## **2. SOUTHERN WATERFRONT REDEVELOPMENT TASK FORCE**

I asked to give an update tonight because we are on a really tight time frame for this task force it's only 90 days. And I wanted to make sure all the council members were apprised of the work that we're doing and our progress so far invite you to attend the meetings and also to ask any questions along the way. So just a reminder, we made the appointments to the task force in early April, so we have until early July in order to complete the work in the 90 days that we've been given. My co-chair Kafui wanted to be here tonight, but he couldn't because he teaches on Monday evenings. So I'll be giving the update to you all myself. So a reminder, we have 11 people on the task force, including myself, council member Menist and then nine other members. We had our first meeting already, mostly that was to introduce the task force members and talk about the time frame between now and the end of the 90 days and to begin to form some subgroups and also to plan out our next few meetings. So the next meeting will be this coming Thursday, May six, at seven p.m. We have invited Scenic Hudson in to come in and present on their report regarding best practices for waterfront development. And we've also invited Project for Public Spaces, who has a department dedicated to waterfront development to come in and talk about best practices and waterfront development. And we have a couple of subgroups. One of them is focused on community engagement. And there will be an online survey going out this week. So you'll get a copy of it from either myself or Kafui. And we would just ask that you, A, respond and B, share it with your constituents so that they also respond. It will be translated into Spanish. And we're going to be working with Felicia Watson, who's on the task force, and also Leah Harris, who's a member of the PTA and also on the task force to try and get it out through the school district and maybe to try and get some paper copies out to folks who might not have online access. So that will be the public input portion. There are also a couple of youth specific focus groups that are going to be happening in the coming weeks. And of course, we have public comment at each of the meetings, I think we had about 14 or 15 people sign up for public comment at the first meeting. And I'm not sure how many will have this coming Thursday, but we are providing unlimited access to public comment. So anybody who signs up and wants to speak is able to speak. If anyone on the council is interested in the materials, they're all going to be on the city's website. I want to thank Al in I.T. for getting a landing page. All the materials, all the public comment that's been provided in written form will be accessible on the website. And then also the meetings are all recorded. If you can't make it, you can come onto the city's website and see the recording of the meetings. We are supposed to be delivering to the council short term recommendations for public access. We have a subgroup working on that. That includes myself, Nick DeLucia, Randy Johnson, the county legislator, legislator Mike Young from the WAC and Naomi Brooks, who spoke earlier this evening, has been advising us as she is a landscape

designer and we've gotten really good information from the administration. Thank you, Mr. Nelson, for that and also from Rich Dupilka in city engineering. So we're hoping to circulate some draft recommendations within the next week or two on short term access to the site and safety measures and protocols and things like that to make it accessible to people. And I think that's pretty much it. And then the longer term recommendations, again, are due in July. Happy to answer any questions.

**VII. MOTIONS AND RESOLUTIONS:**

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

1. Resolution R-21-40, designation of the Eastman Park oval as a local historic landmark.

**A RESOLUTION OF THE CITY OF POUGHKEEPSIE DESIGNATING THE EASTMAN PARK OVAL AS A LOCAL HISTORIC LANDMARK**

**(R-21-40)**

**INTRODUCED BY COUNCILMEMBER MENIST:**

**WHEREAS**, the “Eastman Park Oval” located in Eastman Park a public park of the City of Poughkeepsie which property has been nominated for a local historic landmark designation with the City of Poughkeepsie Historic District and Landmarks Preservation Commission (hereinafter “HDLPC”); and

**WHEREAS**, the HDLPC held a public hearing on February 11, 2021 regarding the application as a local historic landmark; and

**WHEREAS**, the HDLPC voted unanimously in favor of the proposed designation and approved the application on February 11, 2021; and

**WHEREAS**, the HDLPC’s approved application was forwarded to the Common Council for consideration on February 16, 2021; and

**WHEREAS**, the Common Council held a public hearing on April 5, 2021 regarding the

nomination as a local historic landmark; and

**WHEREAS**, after duly considering the factors specified in Section 19-4.5(4) of the Code of Ordinances of the City of Poughkeepsie, the Common Council hereby finds that the Eastman Oval at Eastman Park possesses special character, historic and aesthetic value as part of the cultural, economic and social history of the City of Poughkeepsie; embodies distinguishing landscape characteristics; is identified with historic personages; and is the work of a designer whose work has significantly influenced an age.

**NOW THEREFORE,**

**BE IT RESOLVED**, that the City of Poughkeepsie Common Council hereby designates Eastman Oval at Eastman Park as a local historic landmark. The City Chamberlain is authorized and directed to forward notice of the designation of Eastman Oval at Eastman Park to the Dutchess County Clerk for recordation.

**SECONDED BY COUNCILMEMBER BRANNEN**

R-21-40			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember R. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

**ADDENDUM: R-21-47**

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW  
ACT (SEQRA) RESOLUTION REGARDING A SALE OF**



4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and
6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

**SECONDED BY COUNCILMEMBER BRANNEN**

R-21-47			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember R. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

2. Resolution R-21-41, a Resolution transferring former YMCA to Dutchess County for design and construction of a new community and youth center.

**RESOLUTION  
(R-21-41)**

**INTRODUCED BY COUNCILMEMBER MENIST:**

**WHEREAS**, the City of Poughkeepsie (the “City”) is the current owner of a parcel of property located at 35 Montgomery Street, parcel number 6061-28-946914, on which sits a building which is commonly known as and was at one time operated as the “YMCA” until approximately 2009 when it closed its doors and ceased operations permanently; and

**WHEREAS**, the property began to fall into disrepair and had been vacant for some time prior to the conclusion of a foreclosure action titled *Mahopac National Bank v. Dutchess County Young Men’s Christian Association a/k/a Dutchess County Young Men’s Christian Association of Poughkeepsie*, in 2014, whereupon the property was transferred by Referee’s deed to The Potter House, Inc., on October 23, 2014, which planned the renovation of the property and the establishment of a new community youth center on the site; and

**WHEREAS**, for more than four (4) years thereafter, as the building sat vacant and continued to deteriorate, the City saw no progress towards the establishment of a new youth and community center at the site, while property taxes and water and sewer charges went into arrears and remained unpaid, and

**WHEREAS**, throughout this time, the City continued to work with The Potter House, Inc., holding numerous meetings with its principals designed to help move their proposed project along, which efforts ultimately proved unsuccessful, and

**WHEREAS**, on February 22, 2019, acting on a recommendation of the City’s Anti-Blight Task Force, the Commissioner of Finance caused to be executed a tax deed in favor of the City and recorded on the records of the Dutchess County Clerk on February 25, 2019, which deed vested title in the City. By letter dated March 5, 2019, the City notified The Potter House, Inc., a copy of which is attached as Exhibit “A” and made a part hereof, and

**WHEREAS**, through the spring of 2019, the City took steps to secure the property, inspect the interior, and provide for its insurance, all steps which helped facilitate the issuance of a “Request for Expressions of Interest” (“RFEI”) to the public and interested parties, seeking proposals to develop a youth and community center on the site. A copy of the RFEI issued by the City is attached as Exhibit “B” and made a part of the record herein, and

**WHEREAS**, while the RFEI issued by the City requested responses by interested parties no later than June 3, 2019, the City conducted a number of community visioning sessions, including two public meetings which were held on May 13, 2019, and June 26, 2019, and were well attended, and

**WHEREAS**, the clear result of the City’s community outreach and dialogue with numerous stakeholders, was the strong preference amongst city residents that a multi-purpose, state-of-the-art facility be constructed which would house a youth activity center and provide a wide range of community benefit, particularly in the area of arts, education, and wellness, recreation and child care, and

**WHEREAS**, the City established the “YMCA Site Selection Committee”, Chaired by the Honorable Barbara Jeter-Jackson, to review proposals, community comments and related documents, which committee met on September 17, 2019, and November 12, 2019, prior to making its recommendation to the City, and

**WHEREAS**, a thorough and diligent review of proposals received led to the selection of the “35 Montgomery Street Coalition” as the successful respondent with which the City would move forward to explore various business models, seek financial and other in-kind commitments from community stakeholders, and explore inter-governmental partnerships, and

**WHEREAS**, as a result of all the foregoing efforts and ongoing discussions with the 35 Montgomery Street Coalition and Dutchess County, Mayor Rob Rolison and County Executive Marcus Molinaro executed a “Memorandum of Understanding” regarding the furtherance of the project, on August 19, 2020, a copy of which is attached hereto as Exhibit “C” and made a part hereof, and

**WHEREAS**, the City’s Property Acquisition and Disposition group (“PAD”), which is comprised of internal career public servants, including the City Assessor, and the City’s Tax Collector and Building Inspector, met on January 27, 2021, and unanimously agreed to recommend the sale of the property to Dutchess County, subject to the County’s agreement to demolish the existing structure within one year from closing of title between the City and County, and

**WHEREAS**, Dutchess County has pledged, subject to the approval of the Dutchess County Legislature and any State or local laws relative to purchase of real property, procurement, bonding, or loaning of credit, up to \$25 Million (\$25,000,000.00) Dollars towards a phased development project that begins with demolition of the existing structure and the greening of the parcel, followed by the design and construction of the new facility, and

**WHEREAS**, the City has pledged, subject to the approval of the Common Council by an Authorizing Resolution, to transfer title to the property to Dutchess County, and prior to the closing of title with the County, to maintain and continue insurance as well as municipal services to the property, including but not necessarily limited to those routinely provided by the City’s Department of Public Works, Engineering, Water and Sewer, and the plowing of snow, and

**WHEREAS**, the City has determined that it does not have the financial capacity to complete this development project on its own, and that the proposed project will provide essential and wide-ranging services to the community, including a new indoor swimming facility, early learning facility, and child care services which are vital to many Poughkeepsie families, and

**WHEREAS**, the Common Council hereby finds that it is in the best interest of the City of Poughkeepsie to approve the transfer of the Property to the County of Dutchess for the development of a youth activity center, and

**WHEREAS**, the action is an unlisted action pursuant to the State Environmental Quality Review Act (SEQR) and as such is subject to a determination thereunder, and

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council hereby makes the following determinations: (a) that there is no existing municipal purpose or need for the Property, other than that described herein and which requires the partnership with Dutchess County, and (b) that the sale price and conditions imposed herein represent fair and adequate consideration for the conveyance, including to wit: the County's commitment of up to \$25 Million (\$25,000,000) Dollars for the demolition, design, and construction of a youth empowerment and community center, and be it further

**RESOLVED**, that the City of Poughkeepsie is hereby authorized to sell the property located at 35 Montgomery Street known as parcel number: 6061-28-946914 in the City of Poughkeepsie to the County of Dutchess, for a sum of \$10.00, subject to the covenants contained herein, and subject to authorization to purchase said Property by the Dutchess County Legislature, and further subject to such other conditions which the Corporation Counsel shall deem appropriate, and be it further

**RESOLVED**, that by Resolution R-21\_\_\_\_, the Common Council of the City, pursuant to the State Environmental Quality Review Act, has determined that this action will not have a negative environmental impact, and be it further

**RESOLVED**, that the Mayor is authorized to enter into an agreement for the sale of the Property, subject to the following covenants, and such other terms and conditions that the Mayor, City Administrator and/or the Corporation Counsel shall deem appropriate:

- A. County shall have up to three (3) months from the enactment of this resolution to perform any and all due diligence, including but not limited to an environmental assessment, and City shall provide County with all necessary authorizations for the County's employees, agents, and contractors to enter the Property to complete such due diligence, and
- B. The City is hereby authorized to enter into a Contract of Sale Agreement with the County of Dutchess, to purchase the Property, consistent with this Resolution within six (6) months from the enactment of this resolution. The Contract of Sale Agreement shall provide the County with an additional six (6) months from closing of title to obtain financing for the development of a youth activity center; however, County shall not be required to finance more than Twenty-Five Million (\$25,000,000) Dollars, and
- C. County shall establish a coalition of stakeholders, who shall be made up of parties from the "35 Montgomery Street Coalition", the City, and the County, and who shall have input on the design of the youth activity center and its future operations, and
- D. The County shall, within twelve (12) months of the closing of title between the City and County, demolish the existing structure on the Property with the City contributing 25% percent, in an amount not to exceed Two Hundred Forty Thousand (\$240,000.00) Dollars, of costs associated with demolition, which may include but is not limited to, design and bid specifications for the demolition, and

- E. County shall be required to commence construction of the youth activity center within twenty-seven (27) months from closing of title between the City and County, and
- F. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record, except that City shall defend, indemnify and hold harmless the County with regard to claims or causes of action seeking to invalidate the City's tax deed and/or City's sale of property to the County, and
- G. Said deed shall contain a restrictive covenant prohibiting the installation of coin operated or public telephones, and
- H. The City of Poughkeepsie is hereby authorized to sell the Property to the County of Dutchess, and a Contract of Sale with the County and resulting deed shall contain such provisions as are necessary to implement the intent of paragraphs A, B, D, and E herein. More specifically, time is of the essence, and the provisions related to the time within which the County must complete its due diligence, execute a Contract of Sale, finance the redevelopment of the Property, demolish the existing structure, and construct the new youth opportunity center, shall constitute covenants running with the land. The City is authorized to enter into a Contract of Sale with the County and it shall include language which is substantially similar to the following: the County perform the aforementioned with due diligence, but that a failure to perform within the time period prescribed in the Contract may result in the City placing the County on notice of its failure, and if the County fails to cure within a determined period of time, the City is authorized to repurchase the Property for the amount the County has expended, including but not limited to outstanding bonded indebtedness, to improve the Property.

**RESOLVED**, that the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this Resolution including but not limited to the execution of a Contract of Sale and any documents necessary to convey title pursuant to said contract.

**MOTION WAS MADE BY COUNCILMEMBER MENIST TO TABLE R-21-41**

<b>MOTION TO TABLE R-21-41</b>			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember R. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**MOTION TO TABLE R-21-41 UNTIL MAY 17, 2021 COMMON COUNCIL MEETING**

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

3. SEQRA Resolution R-21-42, and Sale Resolution R21-43 for the sale of city-owned property located at 123 Smith Street

**NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW  
ACT (SEQRA) RESOLUTION REGARDING A SALE OF  
CERTAIN CITY OWNED PROPERTIES  
(R-21-42)**

**BY COUNCILMEMBER: FLOWERS**

**WHEREAS**, the Common Council of the City of Poughkeepsie is considering the sale of city owned property located at 123 Smith Street and identified as Tax Map No.: 6161-72-411198; and

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

**WHEREAS**, the Common Council considers itself to be the only "involved agency" with respect to this proposed sale of properties; and

**WHEREAS**, the Common Council has reviewed the proposed sale of properties in accordance with Title 6 NYCRR, Section 617.11; and

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

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. In accordance with Section 617.5(a)(1) of Title 6 NYCRR, the Common Council determines that the above described action is subject to SEQRA; and
2. In accordance with Section 617.5(a)(2) of Title 6 NYCRR, the Common Council determines that the action does not involve a federal agency; and
3. In accordance with Section 617.5(a)(3) of Title 6 NYCRR, the Common Council determines that the above described action does not involve any other agencies; and

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4. In accordance with Section 617.5(a)(4) of Title 6 NYCRR, the Common Council classifies the above described action as an unlisted action. The Common Council in making such classification considered Section 617.12 of Title 6 NYCRR and determined that the above action did not fall into any of the categories listed under Type I, and also considered Section 617.13 of NYCRR and determined that the above described action did not fit under any of the categories listed under Type II Actions, thus reaching the conclusion that it is to be considered an unlisted action; and
5. In accordance with Section 617.5(a)(5) the Common Council determines that the above described project will not require a long EAF since the short EAF provides sufficient information; and
6. The Common Council officially makes a determination of non-significance in that the proposed sale of properties are not expected to result in a significant adverse impact on the environment and, therefore, the preparation of a draft environmental impact statement is not necessary; and
7. This determination shall be considered a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law; and
8. The City Chamberlain shall maintain a file of this determination as well as the attached EAF which is hereby made a part of this resolution.

**SECONDED BY COUNCILMEMBER \_\_\_BRANNEN\_\_\_ .**

R-21-42			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember R. Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**A motion was made by Councilmember Brannen and seconded by Councilmember L. Johnson to receive and print.**

**RESOLUTION  
(R-21-43)**

**INTRODUCED BY COUNCILMEMBER FLOWERS:**

**WHEREAS**, the City of Poughkeepsie is the owner of 123 Smith Street and more particularly known as Tax Map No.: 6162-72-411198 (the, “Property”); and

**WHEREAS**, the Property is an improved by a vacant warehouse which is in need of demolition; and

**WHEREAS**, the city has received an offer to purchase the Property from Rejuvenate Properties LLC; and

**WHEREAS**, the city is desirous of selling the Property to Rejuvenate Properties LLC; and

**WHEREAS**, Rejuvenate Properties LLC has offered to purchase the Property for \$25,000 and the Common Council has determined that to be fair and just compensation; and

**WHEREAS**, the Common Council hereby finds that the sale of the Property is in the best interests of the City of Poughkeepsie to approve such offer so that the premises may be returned to the tax rolls; and

**NOW, THEREFORE,**

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

**RESOLVED**, that the offer from Rejuvenate Properties LLC to purchase the premises identified as Tax Map No.: 6162-72-411198 in the City of Poughkeepsie for the sums of \$25,000 is hereby approved subject to the hereinafter mentioned conditions and subject to such other and further conditions which the Corporation Counsel shall deem appropriate; and be it further

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

- A. the conveyance of title and the payment of the purchase price shall take place within thirty days of the date of this resolution, unless the Corporation Counsel shall grant such extension as he/she deems appropriate;
- B. The transfer of title and Purchaser’s use of the Property shall be subject to all state, federal and local regulations including the City of Poughkeepsie and New York State Building Codes and the City of Poughkeepsie Zoning Ordinance and real property taxes coming due pursuant to law on and after the date of transfer of title;

- C. Purchaser shall accept such title to the real property as the City of Poughkeepsie is possessed of and agrees to accept such title by quitclaim deed subject to any defects or encumbrances as are of record;
- D. Purchasers agree that they shall not use the purchase price agreed to as a reason to grieve or otherwise contest the assessed value of the premises for purposes of real property taxation; and

**BE IT RESOLVED**, that the Mayor is hereby authorized to enter into a contract for the above mentioned transaction provided such contract contains the terms contained herein together with such other terms and conditions which the Mayor, the City Administrator and the Corporation Counsel are hereby authorized and directed to do all things necessary to give effect to the terms of this resolution.

**SECONDED BY COUNCILMEMBER** BRANNEN .

R-21-43			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember R. Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**A motion was made by Councilmember Brannen and seconded by Councilmember McNamara to receive and print.**

- 4. Resolution R-21-44, Authorizing the appropriation and advance funding of expenses of the Grand Avenue Street Reconstruction Project.

**RESOLUTION  
(R-21-44)**

**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**

**INTRODUCED BY COUNCILMEMBER** MCNAMARA

**WHEREAS**, a Project for the Grand Avenue Street Improvements in the City of Poughkeepsie, PIN 8762.58 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 100% Federal funds and 0% 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 incidentals work; and

**WHEREAS**, the Common Council has determined that this Project is in the best interest of the City.

**NOW, THEREFORE**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie hereby approves the above-subject Project; and it is hereby further

**RESOLVED**, that the Common Council of the City of Poughkeepsie approves and supports the Agreement attached hereto and made a part hereof as if fully set forth; and be it further

**RESOLVED**, that the Common Council of the City of Poughkeepsie 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 incidentals work for the Project or portions thereof; and it is further

**RESOLVED**, that the sum of TWO HUNDRED SIXTY THOUSAND DOLLARS (\$260,000) is hereby appropriated from GRNDI-01 (12-08-5110-7252/7469/7461) 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 exceed the amount appropriated above, the Common Council of the City of Poughkeepsie shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Mayor thereof, and it is further

**RESOLVED**, that the Mayor 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 Mayor the following municipal titles: City Administrator, Commissioner of Public Works, and City Engineer are also hereby authorized to execute any necessary Agreements or certifications on behalf of the City of Poughkeepsie, with NYSDOT in

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connection with the advancement or approval of the project identified in the State/Local Agreement; and it is further

**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, \_\_\_\_\_, 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 \_\_\_\_\_, 2021.

\_\_\_\_\_  
 Clerk, City of Poughkeepsie

**SECONDED BY COUNCILMEMBER BRANNEN** .

R-21-44			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember R. Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

- Resolution R-21-45, approving an amendment to the 2021 budget to restore or add certain positions to the city workforce

**R-E-S-O-L-U-T-I-O-N**

**(R-21- 45)**

**AMENDING THE 2021 ADOPTED BUDGET TO AUTHORIZE CERTAIN MID-YEAR PERSONNEL HIRINGS AND TO RESTORE CERTAIN POSITIONS THAT HAD BEEN REDUCED OR NOT INCLUDED IN THE ORIGINAL BUDGET DUE TO THE IMPACTS OF THE CORONAVIRUS PANDEMIC.**

**INTRODUCED BY COUNCILMEMBERS MENIST, CHERRY, FLOWERS, PETSAS, L. JOHNSON, R. JOHNSON:**

**WHEREAS**, due to the impacts of the coronavirus pandemic, the city made a number of mid-year budget amendments to its 2020 operating budget which included the elimination of certain vacant positions throughout city government; and

**WHEREAS**, due to the impacts of the coronavirus pandemic, the uncertainty around the amount of state and federal aid that the city might receive in 2021, and in order to assure the 2021 budget remained under the New York State Tax Cap, the administration removed certain vacant positions from the 2021 budget proposed to the Common Council, which budget was ultimately adopted; and

**WHEREAS**, due to the introduction of highly successful vaccines and other mitigating efforts of the public, there are positive signs the pandemic is easing, and the State of New York has been gradually reducing restrictions as the economy moves towards a full reopening; and

**WHEREAS**, the City Administrator has recommended the restoral or hiring of certain positions as described on Schedule A attached hereto, to accommodate, among other things, a backlog of court cases caused by the previous closure of the court system, the significant increase in human resource and personnel function tasks necessary in the wake of the coronavirus, the increased public use of city parks, and the upcoming shared services agreement with the Poughkeepsie School District regarding parking control and enforcement; and

**WHEREAS**, the Finance Commissioner of the City has determined that the amendment will not have a negative impact on the 2021 budget as offsetting adjustments to revenue and expenses offset the proposed changes equally; and

**WHEREAS**, the Finance Committee of the City, at its regular meeting held on April 26, 2020, has acted to favorably recommend this budget amendment to the Common Council; and

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

**Now, Therefore,**

**BE IT RESOLVED**, that the Budget for the City of Poughkeepsie is hereby amended as set forth in Schedule A.

**SECONDED BY COUNCILMEMBER**

**BRANNEN**

R-21-45			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember R. Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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

- Resolution R-21-46, an Inter-municipal Agreement with the City of Poughkeepsie School District for the Enforcement of Parking Regulations on School Properties

**RESOLUTION  
(R-20-46)**

**INTRODUCED BY COUNCILMEMBER CHERRY:**

**WHEREAS**, General Municipal Law Section 119-o authorizes municipal corporations to enter into agreements for the performance among themselves or one for the other in their respective functions, powers and duties on an individual, cooperative, joint or contract basis; and

**WHEREAS**, The City of Poughkeepsie School District has experienced a significant increase in incidents of vehicles being abandoned on school district property and school district parking lots; and

**WHEREAS**, The City of Poughkeepsie maintains a parking enforcement unit within the parking division of the Department of Public Works; and;

**WHEREAS**, The Shared-services and collaboration between the School District and the City’s Municipal government saves costs for the taxpayers of the City of Poughkeepsie; and

**WHEREAS**, The School District and the City are desirous of entering into an inter-municipal agreement under which the City can enforce the parking regulations on School District property, issue permits to authorized vehicles, and otherwise administer the parking at these locations;

**NOW, THEREFORE,**

**BE IT RESOLVED**, that the Common Council of the City of Poughkeepsie hereby approves the proposed inter-municipal agreement and authorizes the Mayor or the City Administrator to execute such agreement in substantially the same for as attached hereto.

**SECONDED BY COUNCILMEMBER BRANNEN** .

R-21-46			Yes/Aye	No/Nay	Abstain	Absent
<input checked="" type="checkbox"/> Accepted <input type="checkbox"/> Defeated <input type="checkbox"/> Tabled	Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember R. Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**A MOTION WAS MADE TO MOVE A COMMUNICATION FROM THE FINANCE COMMITTEE**, authorizing a budget transfer from Contingency to Information Technology to improve Cybersecurity **AS A RESOLUTION**

**A motion was made by Councilmember Brannen and seconded by Councilmember McNamara to receive and print.**

**R-E-S-O-L-U-T-I-O-N  
(R-21- 48)**

**AMENDING THE 2021 ADOPTED BUDGET TO TRANSFER FUNDS FROM CONTINGENCY TO INFORMATION TECHNOLOGY IN ORDER TO SUPPORT MID-YEAR CYBER-SECURITY UPGRADES TO THE CITY'S INFORMATION TECHNOLOGY INFRASTRUCTURE.**

**INTRODUCED BY COUNCILMEMBER MENIST:**

**WHEREAS**, the City has received alerts from its State and Federal partners relating to a significant increase in attacks on the information technology infrastructure of U.S. firms, government entities and other organizations which store, maintain and utilize a wide range of data, including personally identifiable information; and

**WHEREAS**, the Office of the State Comptroller has recently concluded several audits of the Information Technology divisions of other area municipalities and school districts, and has typically found areas of weakness, which the City has taken note of; and

**WHEREAS**, the Finance Commissioner and the City Administrator have recommended the City take immediate steps to improve system security immediately, rather than await funding approval as part of next year’s budget process;

**Now, therefore:**

**BE IT RESOLVED**, that the 2021 Budget for the City of Poughkeepsie is hereby amended as follows:

Budget Line	Description	Amount
From: 01.20.1900.7498	Contingency	\$50,000.00
To: 01.20.1900.7466	General Fund- Information Technology Contract Services	\$50,000.00

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

**SECONDED BY COUNCILMEMBER  
BRANNEN**

R-21-48			Yes/Aye	No/Nay	Abstain	Absent
		Councilmember Flowers	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember McNamara	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Cherry	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Accepted	Councilmember R. Johnson	Voter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	Defeated	Councilmember Menist	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	Tabled	Councilmember Petsas	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember L. Johnson	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Councilmember Brannen	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Chair Salem	Voter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**VIII. ORDINANCES AND LOCAL LAWS:**

**IX. PRESENTATION OF PETITIONS AND COMMUNICATIONS:**

**A COMMUNICATION FROM CITY ADMINISTRATOR NELSON**, authorizing Sale of City Owned Property at: Spruce Street Vacant Lot #6062-60-924470

**A COMMUNICATION FROM CITY ADMINISTRATOR NELSON**, authorizing Sale of City Owned Property at: 375 Church Street Vacant Lot: 6161-24-430899

**A COMMUNICATION FROM THE FINANCE COMMITTEE**, authorizing a budget transfer from Contingency to Information Technology to improve Cybersecurity

**A COMMUNICATION FROM COUNCILMEMBER FLOWERS**, Amending Section 6-39 of Chapter 6 of the City of Poughkeepsie Code of Ordinances

**FROM KENDRA DENNIS/PROGRESSIVE**, a notice of property damage sustained on February 3, 2021.

**FROM BRIAN GAFFNEY**, a notice of property damage sustained on February 22, 2021.

**FROM GRACE CHERRY**, a notice of personal injury sustained on April 9, 2021.

**FROM CATURDAY CATERING INC.**, a 30 day notice of intent to apply for its liquor license.

**X. OLD BUSINESS:**

**XI. ADJOURNMENT:**

A motion was made by Councilmember Brannen and seconded by Councilmember Flowers to adjourn the meeting at 9:50pm.

**Dated: May 10, 2021**

I hereby certify that this true and correct copy of the Minutes of the Common Council Meeting held on Monday, May 3, 2021.

**Respectfully submitted,**

**Jasmin Nicole Davis**  
**City Chamberlain**

