

**December 17, 2019**

A Regular Meeting of the Common Council was held on Tuesday, December 17, 2019 at 7:00 PM, in the Common Council Chambers, City Hall with President Thomas DePietro presiding.

Upon roll call there were present: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Absent: None.

The Clerk announced there was a quorum present for the meeting as required by Section C12-13 of the City Charter.

On motion of **Alderman Sarowar**, seconded by **Alderman Rosenthal**, the minutes of the November 7<sup>th</sup>, November 19<sup>th</sup> (2 meetings) & November 26<sup>th</sup> meetings were ordered received and placed on file. Carried.

On motion of **Alderman Lewis**, seconded by **Alderman Johnson**, the City Treasurer's Report as of November 30<sup>th</sup> was ordered received and placed on file. Carried.

**Committee Reports.**

On motion of **Alderman Bujan**, seconded by **Alderman Sarowar**, the following committee reports were ordered received and placed on file:

**Tourism Board**

Monday, 12/9/2019

Start 5:45pm

Present: Rich Volo, Chair, Tambra Dillon, Chuck Rosenthal, Jamie Smith Quinn, Jeffrey Hunt, Kristen Keck, Sidney Long

Adjourned: 6:30pm

1. The \$2K Chandler Thinks resolution, presented to the Common Council, and tabled, will remain tabled until a later date.
2. Noted from Jeffrey Hunt: "We are leaving money on the table, meanwhile, other cities are getting their act together."
3. Discussion regarding extending and/or expanding the \$20K Tourism Event funds into 2020. RV to ask for Marketing reports from event organizers from Rob Bujan, chair of the finance committee. Noted that this was a one-time exception. The funds may or may not be extended to 2020.

Rich Volo

Alderman

Fourth Ward, City of Hudson

## DPW & Parks Committee

Wednesday, November 20, 2019

515p

Attendees: Rich Volo, Dominic Merante, Shershah Mizan, Rob Perry, Peter Bujanow, Hilary Hillman, Dale Schafer absent

\*Superintendent's Report (see attached)

Rob called the Committee's attention to the following items listed in the report.

- The GIGP Catch Basin project has completed and the contract is closed.
- Work necessary to repair damage done when a contractor failed to call in a 'utility locate' along the City's water transmission line (see pictures 13-16). Once flow was restored and Plant operations resumed, the contractor was invoiced \$14,000 for City's labor, equipment and materials necessary for repair.
- DPW's street project completed with nearly 30 new trees
- ADA ramps to new streets are required under DOT regulations (see pictures 43-46)
- DPW continues to sift through illegally dumped materials in the alleys. (see picture 47)
- Ferry Street Bridge update – CSX insists on its own independent design review. Contract forthcoming.

No New Business

Old Business – sidewalk Code, creation of sidewalk district etc. will carryover to 2020 through joint effort with Legal Committee and Zoning and Planning Special Task Force.

Eileen Halloran  
5<sup>th</sup> Ward Council Member  
Chair DPW & Parks Committee

## Superintendent's Report

Wednesday, November 20, 2019

### Sewer Department

- Septage Revenue: October \$38,484 ; September \$30,244 ; YTD \$289,009

<u>Date</u>	<u>Volume (gallons)</u>	<u>CSO-6</u>	<u>CSO-5</u>	<u>Rain (inches)</u>
September 26, 2019	250,000	YES	YES	0.7"
October 1, 3 & 7, 2019	1,860,000	3-YES	3-YES	3.0"
October 16 & 22, 2019	3,240,000	2-YES	2-YES	2.9"
October 27 & 31, 2019	810,000	1-YES	1-YES	1.4"
November 1, 2019	1,310,000	YES	YES	1.5"
November 8, 2019	-0-	YES	NO	0.3"
November 19, 2019	<u>1,650,000</u>	YES	YES	<u>1.1"</u>
	9,120,000 gallons			10.9"

- **Not in Stormwater:** Feminine products, human feces, rags/wipes, toiletries, detergents, grease, etc..
- Obstruction of sewer main on front street is cleared with our sewer rodder. Flow resumes. (1)
- Odor complaint from a sewer on S. 3<sup>rd</sup> Street. A "hood" (2) was fabricated to control odors.
- Sewer collapse post-rain event on Washington Street. Initial excavation. (3) Once excavation gets closer to the failure, the hole fills with sewage. (4) Repair continues throughout the night (5) and into the following day. Pipe ends must be exposed (7) as flow continues though the excavation. (6) New pipe and service lateral are installed. (8) Total project was 22 hours with some employee changes, while others worked the entire tour.
- Catch basin repair sometimes means replacement. Basin demolished exposing degraded lateral. (9) Basin rebuilt using block and concrete. (10) New pipe end is attached; iron is reused.
- Basins on Route 9G are clogged to the road surface. (10A) Material removed by sweeper. (10B)

#### GLGP Catch Basin Project

- Project complete and contract is closed.

#### Water

- Sodium Hypochlorite day tank is replaced. Old tank is removed and temporary tank is in-service, (11) then new tank installed. (12)
- Contractor fails to call in Utility Locate in Claverack and hits our 16" Transmission main. Initial excavation, (13) and further along the excavation process. (14) Once main is exposed, the water plant was shut-down, broken pipe was cut and removed (15) with new section installed. (16) Once flow was restored to the main, air was "blown-off" then plant operations resumed. Contractor was invoiced \$14,000 for labor, equipment and materials associated with the repair.
- Washington Street water main project has all sections of 12" main and hydrants installed and charged. Sections #1 & #3 show old main and old hydrant lateral and #2 is the temporary lateral from #1 (19) to keep water service charged to Fire Station. Temporary later a to fire

station is over the new 12" main. (20) New main was pressure tested, (21) then samples sent for bacteriological testing. Once all test passed, the residual sample water is released. (22) Service migration is underway.

- Repair of leaky valve in Filter #1, (23) as well as seasonal maintenance of fire hydrants. (24)

DPW

- Street tree project complete with nearly 30 new trees. DPW saw cuts, hammers (25) and removes the concrete pad. (26)
- EVC project excavation with conduit and handholds installed (27) and docks removed. (28)
- Dog Park roadway construction: Sod removal, (29) Grading, (30) Fabric placement (31) and stone installation and grading. (32) New asphalt. (33) Existing pad lacks pitch or drainage. (34)
- Bucket truck used by Chazen to evaluate Dunn roofing. (35) Legacy files that have been relocated thrice. (36)
- Equipment: Transmission on Truck 7 - \$2,500 (37) and lawn mower after one season. (38)

CHIPs/EWR/Pave-NY

- Post-milling, a Tack-Coat is applied (39) to help new asphalt better adhere to existing base. Where roads aren't milled, we True & Level (T&L). (40) then apply Tack-Coat. When doing an overlay, the new road will be higher, so a "riser" must be installed to bring up the rim elevation of all manholes and valves. Manhole uncovered from new asphalt, (41) then riser installed and manhole replaced. (42)
- ADA ramps to new streets are required under DOT regs (and REIMBURSEDABLE). Old pads are removed, (43) then new stone base installed. (44) New road meets new pad (45) and street markings are applied. (46)

Refuse

- Illegal dumping in alley involves the DPW, who "sift" through the garbage and provide names and address to code Enforcement for violation. (47)

Empire State Trail (EST)

- City paved around the newly constructed EST trail-head. (48) EST will hydro seed next Spring.
- EST will be relocating utility poles, hydrants and catch basins (49) on Harry Howard to accommodate larger multi-use lane. They also propose a drainage containment area on the dugway. (50)

DOT

- Modified TEP project the "Dugway" under DOT review. We are proposing bollard style-lighting.
- Region 8 recommends a digital Origin & Destination Study. (51) Service is \$5,000/month.
- Ferry Street Bridge: CSX insists on its own independent design review. Contract forthcoming.

Infrastructure Improvement Request Process

- Sample workflow plan for municipal improvements in Concord, MA (52) and Minnesota DOT. (53) Other samples from Chandler, AZ and Sunnyvale, CA all require: Safety Data review. Petitions, Public/Stakeholder discussion, and FUNDING Identification.

**Legal Committee**

September 25, 2019

In attendance:

Alderman John Rosenthal, Chairman

Alderwoman Tiffany Garriga

Alderman Rich Volo  
Andrew Howard, Counsel  
Absent: Alderman Shershah Mizan

Mr. Rosenthal called the meeting to order at 6:15 p.m. He announced that for the first time, a non-member, Linda Fenoff, would be taking minutes. This would allow members to be more attentive and allow committee business to be more transparent.

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He then announced the agenda items for the evening: an Americans with Disabilities Act (ADA) settlement, a city sidewalk ordinance, self-storage units and a proposed moratorium on short-term rentals.

### **ADA Settlement**

Mr. Howard reported that the U.S. Department of Justice came to the city to investigate after a complaint was filed by three people who alleged that the city's sidewalks, and entrances to City Hall, Promenade Hill and other locations were inaccessible. He said that because the city was taking steps to address the issues and identify deficiencies – via a feasibility study to make City Hall ADA accessible, using the former John L. Edwards Elementary School for city offices and drafting a sidewalk improvement district, for example – the government was willing to settle.

The city, however, had to agree to appoint an ADA coordinator within 30 days, establishing a grievance procedure to resolve complaints of violations and hire an architect within 90 days to look at city-owned buildings, curb ramps, street-level sidewalks and how the city planned to deal with existing curb ramps and sidewalks, Mr. Howard said. The government, he said, understood that it was a process and the city was moving in that direction.

Mr. Volo asked what the requirements were for a person to serve as the ADA coordinator. Mr. Howard said the individual would be trained and Mr. Rosenthal added that the coordinator could be full- or part-time. Fifth Ward Alderman Dominic Merante clarified from the audience that the coordinator does not have to be hired, that any city employee could be called on to do the job. The code enforcement officer or city clerk serve as such in many cities, he said, and city attorneys in other places.

Mr. Merante also said that the coordinator position was an executive appointment and if moved on quickly, the process could get under way, starting with an assessment of properties and such to share with the architect.

Mr. Howard agreed that there was no reason the city had to wait, but said it was better in a city the size of Hudson to appoint a person rather than a department.

Ms. Garriga asked if anyone with ADA issues regarding properties that were not city-owned could get help from the ADA coordinator. Mr. Howard said the coordinator's responsibilities would apply to city-owned properties, but that they could offer advice.

As for the grievance procedure, Mr. Howard said written notice would have to be given and a meeting with the ADA coordinator conducted to determine if there was any need to remediate.

He said a Common Council resolution was required to allow the mayor to enter into a settlement agreement. It would have to acknowledge that deficiencies were being addressed, that a licensed architect would be hired and an ADA coordinator would be appointed. Ms. Garriga said that people of the city had been waiting too long and recommended that the Common Council approve the mayor entering a compliance agreement that included hiring an architect and ADA coordinator. Mr. Rosenthal seconded the motion, which was approved unanimously.

### **Sidewalk Improvement District**

Mr. Howard reported that he had spoken with city Department of Public Works Superintendent Rob Perry, who estimated that it would cost \$7 million to \$8 million to replace and repair city sidewalks so bonding would be required. Mr. Howard said input would be required from city Treasurer Heather Campbell on whether it would be more appropriate to bond or proceed on a pay as you go process.

Mr. Howard noted that the Downtown Revitalization Initiative (DRI) had discussed complete street improvements and suggested that the same route be applied throughout the city. The firms interviewed by the DRI committee wanted to work with curbs, ramps, etc. Mr. Rosenthal asked about the timeline of choosing a firm and Mr. Howard said it should be within the next few weeks. A deliverable set of protocols should come out of the DRI that could be used for a grant and the work on such be transferred from the DPW to a private firm.

### **Self-Storage Units**

Mr. Rosenthal said a special use permit application to place portable temporary storage units at 121 Fairview Avenue, at the corner of Oakwood Boulevard, had come before the Planning Board. That board questioned whether that use was allowed under city code and asked the Zoning Board of Appeals (ZBA) for an interpretation. Mr. Rosenthal asked if the specific use was not listed in the code meant that it was not allowed under City Code. He said it might not be the best use for the parcel, given its proximity to residential properties.

Mr. Howard outlined what the ZBA has to consider. The property is in the General Commercial zoning district. City Code §325-15 B (1) listed “wholesale storage and warehousing” as a conditional use and §325-15 B (2) included “manufacturing, assembling, converting, altering, processing or storing of products and materials regardless of where offered for sale, provided that such use shall be limited to not more than 10,000 square feet of floor area.” Also, §325-14 A (7) listed “service establishments furnishing services other than a personal nature” as a permitted use.

Self-storage or mini-storage are not specifically defined in the code, nor was there any evidence that the City Code banned storage. When contacted by Code Enforcement Officer Craig Haigh, Mr. Howard said they reviewed those sections of the code, as well as the section

that includes “any plan needing site plan approval” and decided to forward the application to the Planning Board. He said the ZBA had to interpret the code as a whole and whether the intent at the time the code was written was that no storage units would be permitted in the city. The ZBA’s determination could be instructive, from a legislative standpoint, into whether the city wants to make it clear where, and if, self-storage units are allowed.

Fifth Ward Alderwoman Eileen Halloran said from the audience that she hoped Article 8 of the City Code would seem strong enough for neighborhood protection in her ward, where the parcel is located.

Asked whether the Planning Board could still reject the application based on neighbors’ concerns even without applying Article 8, Mr. Howard said site plan review and the State Environmental Quality Review (SEQR) process would have to be conducted. Asked what threshold would have to be reached for Article 8 protections to be invoked, Mr. Howard said neighbors would have to raise issues of traffic, lighting, etc., which they have already begun doing with the Planning Board. Mr. Rosenthal suggested the matter be tabled until next month, after the ZBA considers the request for an interpretation. Ms. Garriga and Mr. Volo agreed.

### **Short-Term Rentals Moratorium**

Mr. Rosenthal said the Common Council was trying to balance reasonable economic activity for residents versus the interest of non-residents operating multiple short-term rentals (STRs). It was his opinion that if one lived here they had to follow the rules, but those who conducted business over the internet got a pass. He said the city should be encouraging people with STRs to be residents of Hudson.

The issue has been a can of worms, with questions of affordability and culture arising, Mr. Rosenthal said. That’s how the idea of local law imposing a nine-month moratorium on registration or permits for new STRs came up, he said. The freeze would allow lawmakers to analyze the potential economic issues presented by regulation of STRs and get a better law enacted.

Mr. Volo asked when the local law on the moratorium was drafted because no one had seen it before the last Common Council meeting. Mr. Rosenthal said the possibility of a moratorium had been discussed multiple times and was actually suggested by Common Council President Tom DePietro.

Residents questioned whether some STR operators would even bother to register and how it would be enforced. Krystal Heinz, a local attorney, said she was not sure how the city could get around state code and questioned the need for regulation of STRs. She said there was no correlation between weekenders and use of STRs, nor was there any information on their impact contained in the affordable housing report. She suggested waiting on a law until comprehensive plan revisions helped guide where the public wanted to go as a city.

As presented, the proposed moratorium established penalties for those who establish a short-term lodging facility during that time. It also has a hardship provision in which the property owner may apply to the Common Council for a waiver application. The council will then conduct a public hearing before deciding whether to grant or deny the waiver.

Mr. Rosenthal said there were 130 or so registered properties in the lodging tax and many were running AirBnBs as limited liability companies and not living here. He said he did not want to live in a community centered around one type of economic activity, such as tourism. A moratorium, he said, doesn't mean that the Common Council has to enact a law at the end, especially as work proceeded on a comprehensive plan. Doing such would give lawmakers time to figure out how the STR fits into the regulatory framework and the potential economic consequences of regulating them.

A resident asked if the moratorium would affect owner-occupied STRs and was told it would not. The idea is to speak to those who don't live here, Mr. Rosenthal said. Mr. Howard noted that the city was talking about a short-term lodging law and a moratorium simultaneously. When Mr. Volo said he wanted a second draft of the lodging law, Mr. Howard responded that he needed officials to tell him what they wanted in it.

Ms. Garriga said there are concerns about housing throughout the city so steps must be taken to address them. She said allowing no AirBnBs was not being considered, but the moratorium allowed leaders to find a way to benefit everyone.

Mr. Howard said during the moratorium, officials could analyze data and come up with a short-term rental plan. Those who registered under the lodging tax could continue to operate and renew if needed, and those who wanted to start one could apply for a hardship review, he said.

Mr. Howard also said that the proposed moratorium would be an incentive for those currently operating off the grid to register rather than risk losing any availability to be grandfathered after the freeze was lifted.

Mr. Volo was concerned about the legislative process. He said the proposed law to enact a moratorium now sat on aldermen's desks, yet he never heard of it through committee. The measure was not vetted in the usual manner because Mr. Howard had been away. Mr. DePietro added that passage of any law was a lengthy process that involved public hearings.

Mr. Rosenthal said it was "madness" not to regulate STRs in a small city, he said.

Ms. Halloran said she was not clear if the purpose of the law was to allow the city to take a more disciplined approach to regulating AirBnBs. She said the law probably would not suddenly flood the market with lower rate rentals. Ms. Garriga reminded her that she had previously said that she did not recognize a housing problem in Hudson.

Carolyn Morrison, a real estate broker and B&B owner urged aldermen to take time and research numbers and the law's effect on tourism. She asked them to consider the purpose of the



law and what they expected the city to gain from it. The market is moving in a way where many people won't be able to live in Hudson, she said.

Mr. Howard agreed to circulate the original short-term lodging law and wait for suggestions.

Mr. Volo made a motion to adjourn the meeting at 7:44p.m., which was seconded by Ms. Garriga and approved unanimously.

### **Legal Committee**

October 23, 2019

In attendance:

Alderman John Rosenthal, Chairman

Alderman Tiffany Garriga

Alderman Rich Volo

Andrew Howard, Counsel

Absent: Alderman Shershah Mizan

Mr. Rosenthal called the meeting to order at 6:15 p.m. and said the agenda would include discussion on proposed city charter amendments and a sidewalk ordinance.

### **Charter Amendments**

The chairman introduced a resolution to amend the city charter's residency requirement for the city attorney. The change would allow the city attorney to live within a 50-mile radius of Hudson.

Resident, Kristal Heinz, an attorney, asked if there was a need for such a change. She noted for the record that she was not interested in the job. Mr. Rosenthal said the change would give the mayor-elect greater ability to choose a city attorney. Ms. Heinz asked if there was a shortage of attorneys in the city, to which the chairman replied that the revision was intended to create "a bigger pool." He said it was fair to allow the mayor to choose as he sees fit. Ms. Garriga added, "it's about choices and opportunities."

Ms. Garriga made a motion to advance the resolution to the Common Council, which was seconded by Mr. Rosenthal and approved.

Mr. Howard outlined a resolution, which originated in Mayor Rick Rector's office, that would increase the terms of the mayor, council president and treasurer from two years to four. He said the change would be subject to a public referendum in 2020 and, if approved, would be instituted in the following year's election, so the winners' longer terms would start in 2022.

Mr. Volo said there has also been talk about staggering terms of all elected officials. Ms. Garriga favored increasing the terms of aldermen and supervisors to four years as well. Mr. Howard said another two lines could be added to the resolution to include such. Fourth Ward

Supervisor Linda Mussmann said she didn't know how that change would work on the county level. Mr. Howard agreed to investigate. The committee decided to advance an amended resolution that included increased term limits for aldermen and supervisors.

### **Sidewalk Improvement District**

Chairman Rosenthal said he has set up a meeting with Department of Public Works Superintendent Rob Perry and Treasurer Heather Campbell regarding financing for sidewalks, to be done in phases, and how it would interact with the proposed ordinance. Work would be prioritized by areas in need. Mr. Volo said that had already been asked for. Mr. Rosenthal said this request was more specific and was not in the broad sense the committee first asked for. The ordinance would cover the entire city, but for now it was being called a sidewalk improvement district. Sidewalks would be inventoried and the DPW would determine what was up to snuff and what was not.

Mr. Volo asked if a copy was available. Mr. Rosenthal said it was still in draft form, but it would be shared.

Ms. Garriga said that once the law was in place, the city could enforce upkeep. Mr. Howard added that the Department of Justice, as part of the ADA settlement, would help locate funding for sidewalk improvements.

Ms. Heinz asked whether a tax would be incurred based on the amount of sidewalk on a property. Mr. Rosenthal said there would be square-foot business and residential fees and that non-profits would contribute. She asked if trip and fall statutes would transfer to the city and if property owners would get relief on insurance costs. Mr. Howard said the law would not change the requirement for prior repair notice from the city.

Ms. Garriga said city leaders were trying to find the best and cheapest way to get the work done. When she was in a wheelchair with an injury she saw the same problems as people with disabilities.

Ms. Heinz asked about enforcement of the existing law. Mr. Rosenthal said that at present sidewalk upkeep was left to the property owner. Ms. Garriga added that in the current environment, enforcement was not easy.

### **Americans With Disabilities Act Compliance**

Ms. Garriga asked the Mayor if there was any word on when compliance with the Americans With Disabilities Act would start and was told it had that day and that the city was close to getting an ADA coordinator. She recommended hiring someone that would not require extra work for or interfere with existing employees' jobs. Mayor Rector agreed and said he was making sure the numbers were in the budget. He also said he had potential candidates in mind.

### **Short-Term Rental Moratorium**

A resident asked when a copy of a short-term rental law would be available. Chairman Rosenthal said the committee was working on a moratorium first. Ms. Heinz asked if the city has taken any steps to consider incentives to long-term rentals, such as a tax discount. Mr. Rosenthal agreed that incentives were good and that he saw nothing wrong with people supplementing their incomes, but it was not too much to ask for a residency requirement for that with STRs. He said it was not the type of economic activity that was good for the city and not good for “our culture.” Short-term rentals are a way to skip regulations of hotels and bread and breakfast establishments, he said.

Mayor Rector asked how the law would affect existing AirBnBs. Mr. Howard explained that the court had ruled that the city could amortize a use that had become extinct. Towns have said that AirBnBs operated outside of their zoning codes so a grandfathered use would not apply, Mr. Howard said. A moratorium would give the Common Council time to consider specifics, one of which could be an owner-occupied requirement.

Ms. Heinz asked the city could work with AirBnB to get addresses. Mr. Rosenthal said the committee was looking at all options.

The issue of enforcement was raised, with a resident noting that AirBnBs were not presently monitored. If a law was enacted, someone would have to be hired to enforce it. Mr. Rosenthal said there is software available that would allow the city to monitor internet activity regarding AirBnBs. It was suggested that a portion of the lodging tax be used for hiring someone to enforce or for software.

Mr. Howard noted that there are procedures in the lodging tax that allows liens to be placed on properties that don't comply. He said he was not aware of a single operation being reported for non-compliance. If one chose to run a rogue AirBnB now and did not register after a law was in effect, they would risk losing their ability to do so afterward.

Resident Nicole Vidor initiated discussion on the Statewide Housing Stability and Tenant Protection Act as it applied to the issue of lack of affordable housing. She said the new rent laws were great for tenants, but frightening for landlords. “People don't want to rent their property anymore. People are feeling very uncertain about renting,” she said.

In response to Ms. Vidor's suggestion that the Common Council help landlords understand the implications of the law on them, Ms. Garriga said the new law had been discussed by members of the Council Housing and Transportation Committee, which she chairs, and was the subject of a public forum in September.

### **Rental Assistance Demonstration**

Ms. Garriga said all aldermen had just received more than 100 pages of documents from the Hudson Housing Authority (HHA) regarding its request to convert to a Rental Assistance Demonstration (RAD) and wanted clarity on its impact on Section 8 housing.

Mr. Howard said the federal government was pushing housing authorities toward the RAD model and the HHA was seeking it because if done by the end of the year there would be more financial incentives.

RAD is a voluntary program of the Department of Housing and Urban Development (HUD) that allows public housing agencies access to more stable funding to make improvements to properties.

Mr. Howard said the housing authority would not change because of the conversion. Ms. Garriga encourage all of her colleagues to read the documents to ensure that tenant protections were included and safety issues, such as locked stairwell doors, were addressed, and that work promised would be done. Mr. Howard said the conversion to RAD would not change the housing authority's obligation to treat tenants fairly. Mr. Volo added that the RAD conversion was a scary experience for HUD.

Ms. Garriga made a motion to adjourn the meeting at 7:20 P.M., which was seconded by Mr. Rosenthal and approved unanimously.

### **Housing and Transportation Committee**

November 6, 2019

In attendance:

Tiffany Garriga, Chairwoman

Alderman Calvin Lewis

Alderman Dominic Merante

Alderman John Rosenthal

Ms. Garriga called the meeting to order at 6:46 p.m. and said the agenda would include presentations by Columbia Opportunities Executive Director Tina Sharpe and Hudson Housing Authority Chairman Randall Martin.

#### **Home Energy Assistance Program**

Ms. Sharpe gave a presentation on the Home Energy Assistance Program (HEAP), which helps low-income people pay the cost of heating their homes. Her agency, Columbia Opportunities, is one of the organizations in Columbia County through which individuals can apply for the program. Individuals on welfare automatically qualify for the program and those age 60 and older may be certified through the Department for the Aging. Columbia Opportunities handles the rest of the clients. She said 432 families received help with their home energy bills last year.

Ms. Sharpe said those eligible would receive one HEAP benefit per program year and could also be eligible for emergency HEAP benefits if they were at risk of running out of fuel or having their utility service cut off.

Eligibility and benefits are based on income, household size, the primary heating source or having a household member who was under age 6, age 60 or older or permanently disabled.

Regular benefits for households that pay directly for heat based on actual usage are paid directly to the company that supplies the primary source of heat. Households may be eligible for this benefit if they are United States citizens or qualified aliens, the household's maximum gross monthly income were at or below guides for household size, or they receive Supplemental Nutrition Assistance Program (SNAP) benefits, Temporary Assistance or Code A Supplemental Security Income (SSI Living Alone).

Ms. Sharpe said the maximum gross monthly income limits were \$4,797 for a family of four, \$4,030 for a family of three, \$3,262 for a family of two and \$2,494 for a single family household.

Base benefit amounts ranged from \$21 for eligible households in government subsidized housing or group homes with heat included in their rent, \$30 to \$35 for eligible households with heating costs included in their rent, \$350 plus applicable add-ons for eligible households that use electricity or natural gas for their primary heat source and make direct payments to a company, and up to \$675 plus applicable add-ons for eligible households that use oil, kerosene or propane and make direct payments to a vendor.

Regarding add-ons, the base regular benefit would increase by \$26 if the household's gross income was in the Tier 1 range – at or below 130 percent of federal poverty level for the household size or have at least one adult member receiving Temporary Assistance, SNAP or Code A SSI. The base regular benefit would increase by \$25 if the household has a person age 60 or older, under age 6 or who is permanently disabled.

The regular HEAP benefit was scheduled to open November 12, she said.

Ms. Sharpe also outlined the benefits for heating equipment repair or replacement. She said benefit amounts were based on the actual cost incurred to repair or replace a furnace, boiler, or other heating source. HEAP monthly income limits applied, she said.

Ms. Garriga noted that public housing charged for air conditioning and asked if Columbia Opportunities had a program that covered that. Ms. Sharpe said a cooling assistance benefit was available.

## **Weatherization**

Ms. Sharpe said the Weatherization Program provided free home energy audits and energy saving materials to eligible homeowners and renters. The program required a separate application, but used the same information regarding income eligibility. Some of the services included insulation, energy efficient light fixtures and bulbs, and replacement of furnaces, boilers, windows and hot water heaters.

For renters, the landlord has to agree to participate and pay for a portion of the materials used because the agency was improving the property, she said, and includes an agreement not to raise the rent for two years after repairs were made. No landlord had refused so far.

Mr. Merante asked if the program covered mobile homes and was told it did. Ms. Sharpe said quite a few mobile homes were worked on, though not in Hudson. The agency did work in parks to convert homes from propane to natural gas, she said by way of example.

Weatherization, she said, is completely driven by the energy audit and differed from property to property. The staff is trained and certified.

Both programs could be applied for online, but there had been difficulty with attachments, so Ms. Sharpe suggested calling her agency at 518-828-4611 regarding applications or visiting them at 540 Columbia Street.

### **Rental Assistance Demonstration**

Ms. Garriga asked Hudson Housing Authority (HHA) Chairman Martin to explain the agency's conversion to Rental Assistance Demonstration (RAD). He said, in a nutshell, it enabled the HHA to operate more efficiently and effectively as funds from the Department of Housing and Urban Development (HUD) had dwindled over the years. RAD, he said, was a voluntary HUD program that allowed public housing agencies to borrow money to make improvements to properties. The conversion would make the HHA more sustainable.

The change has been going on for more than a year and included multiple meetings with tenants of Bliss Towers to keep them informed. He said the agency planned to stabilize the building, which included new elevators, weatherization and repair of the leaky roof. He said the agency wanted to allay fears, especially regarding rents. He said they would have the same lease terms, but if tenants were still in the program they would qualify for a housing-based voucher if they chose to move. The main mission and obligation, he said, was to stabilize the building and provide affordable housing. Rent was to be no more than 30 to 40 percent of monthly income. With an infusion of new funding, the HHA would be able to do that, he said.

Ms. Garriga asked about the difference between tenant-based and project-based assistance. Mr. Randall said that the housing choice voucher program was tenant-based, which meant that it was portable (move with the family to another housing choice voucher program). Project-based vouchers were tied to Bliss, but after being on assistance for a year, the family could switch to a tenant-based voucher program.

Mr. Lewis suggested that the agency speak with Columbia Opportunities regarding windows – which Mr. Randall said were original to the building – as that agency would cover labor costs and HHA would be responsible for the cost of materials, Mr. Randall said that would be a tremendous help.

Ms. Garriga asked if current tenants would be grandfathered in and was told they would. Mr. Randall said the application process for tenancy would not change, but there was a waiting list. Potential tenants could visit [www.hudsonhousingauthority.org](http://www.hudsonhousingauthority.org), but he recommended also visiting the office at Bliss Towers to ensure that all paperwork was in order.

### **Landlord Viability**

Mr. Merante asked what the committee could do regarding landlord viability. He referred to a situation on State Street where a landlord moved a family from a building they were selling to an unsuitable apartment. If an inspection was required before moving in the situation would have been avoided.

Mr. Merante referred to an amendment to the Village of Philmont's Code regarding Tenancy Registration and Certificate of Occupancy, which involved the code enforcement officer coming in for an inspection and granting a certificate of occupancy.

Ms. Garriga said it could be included in a new housing law, which could include responsibility of both the landlord and new tenant. Mr. Rosenthal asked if there would be a civil penalty.

Mr. Merante said tenants were desperate and would take sub-par rentals. Mr. Rosenthal liked the idea, but said more research would have to be done on the number of rentals open and the workload on Code Enforcement Officer Craig Haigh regarding enforcement. Mr. Rosenthal also asked what the trigger point would be for CEO Haigh to become involved, such as a rental registry. Ms. Garriga said state and local law should be looked at, as well as what was in the works in Philmont. Members agreed to ask CEO Haigh for input.

Mr. Lewis made a motion to adjourn the meeting at 7:44 p.m., which was seconded by Mr. Rosenthal and approved unanimously.

### **Finance Committee**

November 19, 2019

1. Treasurer's Report & Updates – Heather Campbell
2. Jeff Laino – from NYPA came to the meeting regarding the city lights
3. Update on Finance & Entertainment Awards – updated request – All
  - a. Added wording to request data back on: estimated attendance & where and how advertising was done (approved and passed 3 votes Aye)
4. Finance Resolution for CC – All
  - a. Loan to Capital for Fire Equipment (Radios) - \$220k IF Dept Receives Grant from NYS – with the assistance of Assemblywoman Barrett – still in process

- b. Capital Reserve – Municipal Buildings - \$435k from Warren Street Police building – money put into special reserve to use to spend down future changes to City Hall or change in City Hall
- 5. Ladder Truck – discuss finance resolution for December for finance & Council – All
  - a. Resolution by Andy w/Heather
- 6. Strategy for Fire vehicle purchase past, present & future – All
  - a. Begin the process of outlining 20 year plan for purchase of all future equipment by Fire Department – work 1Q2020 w/ Fire Department, Treasurer, Finance and Fire Committee
- 7. Parking Meters On Street increase – reviewed documentation and need to put a cost analysis together for this to present in Jan/Feb Meeting 2020 – based on total cost for expense and timeline to get this done.
  - a. \$1200 total expected costs:
    - i. \$684 – meter plates
    - ii. \$350 rental of device charge
    - iii. \$100 shipping device
    - iv. Cost to pay Parking Bureau attendant to do this (TBD)

New Business – None

IN Attendance: Eileen Halloran (Chair for this meeting); Rich Volo; Shershah Mizan; Heather Campbell

Minutes respectfully captured by Eileen Halloran (updated and submitted by Rob Bujan)

### **Communications.**

On motion of **Alderman Bujan**, seconded by **Alderman Sarowar**, the following communications were ordered received and placed on file:

- 1) Mayor Rector’s Veto Message of Proposed Local Law No. 2 of 2019 – Imposing a Nine-Month Moratorium on the Registration or Operation of Any New Short-Term Lodging Facility.
- 2) Results of the 2019 General Election from the Columbia County Board of Elections.
- 3) Hudson Hall thanking the City of Hudson for the 2019 Winter Walk contribution.
- 4) Copies of three (3) Columbia County Board of Supervisors Resolutions regarding 2020 E.M.S. Chargebacks, Public Hearing for Proposed Local Law Requiring Proof of Immunization of Campers and Camp Staff Members in Columbia County and 2020 Combined Chargebacks for Assessment and Tax Roll Material, Erroneous Assessments and Small Claims Items.

Carried.



Council members present then signed the Certificate of Election as required by the City Charter.

**Bills.**

On motion of **Alderman Johnson**, seconded by **Alderman Lewis**, the following bills were audited and ordered paid by the following vote:

NeedDecals.com	468.00	AT&T Mobility	62.36
Galls LLC	157.23	RoemerWallensGold&Mineaux	5,925.00
Ricoh USA Inc	260.58	Willard W Powell	600.00
Postmaster	275.00	Rackspace US Inc	730.40
Valley Oil	56.22	Andrew B Howard Esq	1,590.00
Ricoh USA Inc.	46.80	Complus Data Innovations, Inc.	8,372.13
Eastern Managed Print Network	182.78	Erin Reis	300.00
Chatham Printing & Copy Center	1,485.00	Steiner's Hudson	130.00
US Bank Equipment Finance	160.58	US Bank Equipment Finance	69.45
Magna 5	127.91	Verizon	51.55
Mid Hudson Cablevision	38.95	Ricoh USA Inc	34.54
Paychex Human Resource Services	193.75	Paychex of New York LLC	1,321.73
S & F Technologies	155.00	Staples Contract & Commercial	67.31
JV Computers	688.50	Mid Hudson Cablevision	58.95
WB Mason Co Inc	154.95	Atlas Business Solutions Inc	150.00
Linda Fenoff	600.00	Johnson Newspaper Corp	222.86

**2020**

NY Com	3,239.00	Col..Co. Chamber of Commerce NY	643.00
AP Technology	625.00	Business Automation Svcs Inc	270.00
Fingar Insurance	109,788.69		

**Electric Car Charging Station**

Plugin Stations Online LLC	23,938.00
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Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

Carried.

**Resolutions.**

On motion of **Alderman Rosenthal**, seconded by **Alderman Sarowar**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 1 December 17, 2019**

**RESOLVED**, that the following be and hereby are appointed Commissioners of Deeds in and for the City of Hudson, County of Columbia, for the following term:

**January 1, 2020 through December 31, 2022**

Ann L. Finck 13 Joslen Heights Rd Hudson, NY	(work) 1 Hudson City Centre
Lisa A Leggett 307 County Route 14 Hudson, NY	401 Union Street
Nicolas Pierro 12 Paddock Pl Hudson, NY	701A Union Street
Tracey R Roberts 304 Lincoln Blvd Hudson, NY	701A Union Street

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

On motion of **Alderman Garriga**, seconded by **Alderman Sarowar**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 2 December 17, 2019**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A  
CONTRACT WITH STARR WHITEHOUSE FOR DESIGN AND  
CONSTRUCTION OVERSIGHT SERVICES IN CONNECTION WITH THE  
PROMENADE HILL PARK RENOVATION PROJECT**

**WHEREAS**, on August 01, 2017 Governor Andrew Cuomo announced that the city of Hudson was a Round 2 DRI winner receiving \$10,000,000 of investments in Hudson's BRIDGE district, and;

**WHEREAS**, the City of Hudson created the Local Planning Commission comprised of 23 local business people and citizens, officials from NYS ESDC, NYS DOS, NYS OCR, as well as a national planning firm. Over the course of six (6) months dozens of projects were evaluated amongst the planning body and members of the public, and;

**WHEREAS**, the culmination of the efforts of the LPC resulted in five (5) municipal projects being designated to receive DRI funding: Design and Construction of Street Improvements, ADA Accessibility and re-Design of Promenade Hill, Cross Street and Second Street Stairways, Structural Rehab of the Dunn Building for future re-use, and the Repurposing of the Furgary Fishing Village into a City Park, and;

**WHEREAS**, the Common Council previously authorized the issuance of a Request for Qualifications in order to identify a design firm capable of providing design and construction oversight services in connection with the renovation of Promenade Hill Park; and

**WHEREAS**, City of Hudson DRI Committee received proposals from eight (8) firms in response to the Request for Qualifications and conducted interviews to ascertain which firm would best meet the City’s needs on the Promenade Hill Park renovation; and

**WHEREAS**, pursuant to the foregoing the City of Hudson DRI Committee recommends that Starr Whitehouse Landscape Architects and Planners, PLLC (“Starr Whitehouse”), be retained pursuant to the Contract annexed hereto as Exhibit “A”,

**NOW THEREFORE BE IT RESOLVED**, that the Mayor be and hereby is authorized to execute the Contract with Starr Whitehouse for the design and construction oversight services to be rendered in connection with the Promenade Hill Park renovation project.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

On motion of **Alderman Garriga**, seconded by **Alderman Halloran**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 3 December 17, 2019**

**RESOLUTION CALLING UPON THE GOVERNOR, NYS  
ASSEMBLY AND NYS SENATE TO NOT CUT MEDICAID  
FUNDING IN THE 2020 NEW YORK STATE BUDGET**

**WHEREAS**, over six million vulnerable New Yorkers receive high quality, affordable healthcare because they are directly covered by Medicaid. For these children, mothers, the elderly, people with disabilities, and lower income individuals, Medicaid is literally the difference between life and death; and

**WHEREAS**, the Hudson Common Council is deeply concerned to see media reports about the possibility of a steep cut to Medicaid in the 2020 New York State Budget; and

**WHEREAS**, such a cut would have deep and lasting consequences for the Hudson community and across New York State; and

**WHEREAS**, drastic Medicaid cuts would make it extremely difficult for financially struggling safety net hospitals and nursing homes to continue to provide quality care to New York’s most vulnerable communities; and

**WHEREAS**, New York is rightfully proud of its proven commitment to protect and expand healthcare coverage, a commitment that has resulted in 95% of New Yorkers having health insurance. To follow through with cuts to Medicaid would effectively be the Government turning its back on more than six million New Yorkers; and

**WHEREAS**, as elected officials representing the citizens of Hudson, New York, we have a responsibility to speak up as the budget discussions proceed to ask the State to protect Medicaid and the vulnerable New Yorkers who rely on it; and

**WHEREAS**, cuts to Medicaid would create a need for increased contributions thereby negatively impacting living wage and minimum wage workers;

**NOW, THEREFORE BE IT RESOLVED**, that the Hudson Common Council, hereby calls upon the Governor, the Assembly and the Senate of New York State to protect Medicaid funding in the 2020 Budget and take off the table any and all proposed cuts to Medicaid; and

**BE IT FURTHER RESOLVED**, that the City Clerk is hereby directed to transmit a copy of this Resolution to Governor Andrew Cuomo, Assemblywoman Didi Barrett, and Senator Jordan.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

Prior to voting on the proposed resolution, **Alderman Bujan** said “I’d like to thank those that put this together, this is incredibly important for federal and state governments not to take health care access away from those that are most financially at risk, that already occurred when the CHIP program wasn’t renewed back in 2017 so I wholeheartedly say aye”.

On motion of **Alderman Garriga**, seconded by **Alderman Sarowar**, the following resolution was adopted by the following vote:

#### **RESOLUTION NO. 4 December 17, 2019**

#### **RESOLUTION IN SUPPORT OF A GRANT AUTHORIZING THE MAYOR TO EXECUTE A GRANT APPLICATION FOR THE HUDSON HOUSING AUTHORITY**

**WHEREAS**, the Hudson Housing Authority (HHA) is desirous of seeking funding through New York State Home and Community Renewal (HCR), Community Development Block Grant (CDBG) application, for critical facility improvements to the housing authority’s Bliss Towers, two elevators and roof top heating system boiler units, and

**WHEREAS**, Bliss Towers serves 119 housing units with over 200 low-income, elderly and disabled residents and the proposed system upgrades are long overdue and essential in providing critical services to the health, safety and welfare of Bliss Tower residents, and

**WHEREAS**, the total cost of the upgrades will be approximately \$700,000, approximately \$470,000 for the elevators, and \$225,000 for the boilers, and

**WHEREAS**, the housing authority is proposing to contribute to the cost of the upgrades along with additional grants/rebates from National Grid for the installation of new boilers, and

**WHEREAS**, the Common Council believes it to be in the best interest of the City of Hudson to assist the HHA in the subject CDBG block grant applications;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor of the City of Hudson is hereby authorized to execute a grant application and any related documentation on behalf of the City of Hudson in connection with a CDBG block grant application.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

Following the vote on the resolution, **President DePietro** said “for all those wondering why I’m voting after making such a big deal about not voting for all this time, it just didn’t seem to resonate with people, my reasoning for not voting so that is no longer the case”.

On motion of **Alderman Bujan**, seconded by **Alderman Johnson**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 5 December 17, 2019**

**A RESOLUTION AUTHORIZING THE ACQUISITION OF A LADDER TRUCK AT AN ESTIMATE MAXIMUM COST OF \$1,440,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS OF THE CITY OF HUDSON, COLUMBIA COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,087,500 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE THE COST THEREOF, AND DELEGATING CERTAIN POWERS IN CONNECTION THEREWITH TO THE CITY TREASURER**

BE IT RESOLVED, by the Common Council of the City of Hudson, Columbia 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 acquisition of one Ladder Truck for fire department purposes is hereby authorized at an estimated maximum cost of \$1,440,000 and said amount is hereby appropriated therefor. It is hereby determined that said purpose is an object or purpose described in subdivision 27 of paragraph a of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is twenty years.

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

SECTION 3. The City plans to finance a portion of the cost of said purpose by the issuance of serial bonds of the City in an aggregate principal amount not to exceed \$1,087,500, hereby authorized to be issued therefor pursuant to the Local Finance Law. A portion of the cost of said purpose is hereby authorized and directed to be paid from the City's fire department truck reserve fund in an amount equal to the balance therein of \$352,496.19 together with any remaining interest earnings thereon.

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 shall 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. 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. There shall annually be levied on all 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 services, and the power to sell and deliver said serial bonds and any bond anticipation notes issued in anticipation of the issuance of such bonds, and the power to issue said bonds as statutory installment bonds, is hereby delegated to the City Treasurer, the Chief Fiscal Officer of the City. The City Treasurer is hereby authorized to sign any bonds issued pursuant to the resolution and any bond anticipation notes issued in anticipation of the issuance of said bonds, and the City Clerk is hereby authorized to affix the corporate seal of the City to any of said bonds or any bond anticipation notes and to attest such seal.

SECTION 8. The City Treasurer 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 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; and
- (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 10. The City Clerk 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 Register Star, being a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 11. This resolution shall take effect immediately.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

**Alderman Bujan**, prior to voting on the proposed resolution, said “I’d like to thank the Fire Department for showing us the ladder truck yesterday, I vote aye”.

On motion of **Alderman Bujan**, seconded by **Alderman Sarowar**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 6 December 17, 2019**

**RESOLVED**, that the City Treasurer is hereby authorized to make the following transfers within the Parking Violations Bureau Account to cover shortages for fiscal year 2019:

\$4,450	FROM: A.3320.0100.0100	Parking Bureau – Personal Svcs Enforcement
	TO: A.3320.0470	Parking Bureau – Contracts

APPROVED BY BOARD OF ESTIMATE AND APPORTIONMENT.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

On motion of **Alderman Halloran**, seconded by **Alderman Bujan**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 7 December 17, 2019**

**WHEREAS**, there is a shortage of funds in the Police Department school/uniforms, and

**WHEREAS**, additional funds are required to meet expenses for the balance of 2019, and

**WHEREAS**, there are available funds in accounts that can be transferred for this purpose,

**RESOLVED**, that the City Treasurer is hereby authorized and directed to make the following transfers for the FY2019 Budget Accounts.

<i>\$1,100.00</i>	TO: 3120.4900 Police – School/Uniforms	
	FROM: 3120.0400 Police – Material &Supplies	<i>\$1,100.00</i>

Approved by Board of Estimate and Apportionment.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

**President DePietro** stated Proposed Resolution No. 8 would ratify the Memorandum of Agreement between the City of Hudson and the Hudson Police, Local 3979, Law Enforcement Officers Union.

**Alderman Garriga** asked “for the City Attorney, does the contract have to be enacted as a law”?

**Andrew Howard, Legal Advisor** said “no”.

On motion of **Alderman Sarowar**, seconded by **Alderman Bujan**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 8 December 17, 2019**

**RESOLUTION RATIFYING THE MEMORANDUM OF AGREEMENT  
BETWEEN THE CITY OF HUDSON AND THE HUDSON POLICE,  
LOCAL 3979, LAW ENFORCEMENT OFFICERS UNION**

**WHEREAS**, the City of Hudson (“City”) and the Hudson Police, Local 3979, Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO (“Union”) are presently parties to a collective bargaining agreement for the term January 1, 2016 – December 31, 2019, and;



**WHEREAS**, the City and the Union have negotiated an extension and modification of said collective bargaining agreement in a Memorandum of Agreement, dated October 25, 2019, for term of run from January 1, 2020 – December 31, 2023, a copy of which is attached hereto as Exhibit “A”, and;

**WHEREAS**, the Common Council has met with the negotiating team for the City and discussed the terms and conditions of the subject Memorandum of Agreement;

**NOW THEREFORE BE IT RESOLVED**, that the Common Council for the City of Hudson hereby ratifies the October 25, 2019 Memorandum of Agreement between the City of Hudson and the Hudson Police, Local 3979, Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO and authorizes the Mayor to take any necessary steps to effectuate said Memorandum of Agreement.

### Memorandum of Agreement

City of Hudson (The City) and the Hudson Police, Local 3979, Law Enforcement Officers Union, Council 82, AFSCME, AFL-CIO (The Union) are parties to a contract for the term January 1, 2016 – December 31, 2019 (The Agreement).

The City and the Union wish to modify the Agreement as follows:

1. The term of the modified agreement shall be January 1, 2020 – December 31, 2023.
2. Article 5.2.1, “Vacation Leave” (p. 10) will be amended to allow for a second week of single day vacation time to be taken on a “day” basis provided however, that any such vacation request may be denied, in the sole discretion of the Chief of Police or designee, based upon operational needs of the Department.
3. Article 5.1, “Vacation Allowance” (p. 9) as it affects full time Communications Specialists, shall be amended, effective in 2020 to add that after twelve (12) years of service the vacation allowance will be five (5) weeks.
4. Article 7.5.2, “Communications Specialists Wages” (p. 14) shall be amended in 2020 with a one-time across the board salary increase of \$1,000.00 (plus any negotiated wage adjustment).


5. Article 13.4, "Sick Leave Incentive" (p. 24), shall be modified to add a biannual sick leave incentive for use of sick leave as follows:
  - Use no sick days → \$150.00 every 6 months
6. Call Back
  - Article 3.5 → 2 hours minimum for court time (p. 6) [CURRENT CBA]
  - Article 7.6.1 (p. 15): "In the event a Police Officer or Communications Specialist is called out or called back to any overtime, the Police Officer or Communications Specialist will be compensated a minimum of three (3) hours pay."
7. Article 7.8, "Specialized Unit" (pp. 15-16) shall be amended to delete FTO from the yearly stipend. Create a new Section 7.9 to read as follows: **Field Training Officer:** Officers assigned as Field Training Officers will be compensated one(1) hour of overtime pay for each eight(8) hours of actual time spent training a recruit.
8. Amend Article 2, "Union Rights" at Section 2.4 (p. 4) to delete all references to "agency fee."
9. Wages:
  - Effective 1/1/20: 1.5%
  - Effective 1/1/21: 1.5%
  - Effective 1/1/22: 2.5%
  - Effective 1/1/23: 2.5%
10. Article 7.5.1 (page 14) shall be amended so that the benefit detailed therein will be extended through and including the ratification date of this agreement (specific date to be put in once ratified by Common Council). Anyone hired after the ratification date will not at any time be eligible for the benefits of this section. Any payments hereunder are not effective until 2020.
11. Article 4.1(b) (page 8) shall be amended by changing "three other officers" to read "two other officers".
12. This Memorandum of Agreement constitutes the entire understanding by and between the City and Union as to modifications to the Agreement.
13. Items not detailed herein are deemed withdrawn.


14. The Union reserves the right to have this tentative agreement brought before its membership for a ratification vote. The City reserves the right to bring this tentative agreement before the City's Common Council for a ratification vote in accordance and law.

Agreed to this 25<sup>th</sup> day of October, 2019.

City of Hudson

Local 3979

  
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 Edward M. Bujan  
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Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

Following the vote on the resolution, **President DePietro** said “just to put it on record, previous, not the last two contracts but before that most contracts were introduced as laws, the last two attorneys have suggested it did not need to be a law so that’s just some history”.

**Alderman Garriga** said “I can add to the history, the contract that was negotiated in 2012 was supposed to be an agreement until October 31<sup>st</sup> of 2015, the new contract didn’t start until January 16 and negotiations finished and being worked out until July of 2017 so it wasn’t like, because we were taking a month, it takes time”.

On motion of **Alderman Bujan**, seconded by **Alderman Sarowar**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 9 December 17, 2019**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
A PURCHASE AGREEMENT FOR THE ACQUISITION OF  
A LADDER TRUCK FOR THE HUDSON FIRE DEPARTMENT**

**WHEREAS**, the Common Council has resolved to authorize the issuance of serial bonds for the acquisition of a Ladder Truck for the Hudson Fire Department, and;

**WHEREAS**, the Ladder Truck is equipment required by the Hudson Fire Department to carry out its responsibility of protecting the health, safety and welfare of the residents of the City of Hudson, and;

**WHEREAS**, the City wishes to enter into a Purchase Agreement with Premier Apparatus, Inc., for the manufacture and acquisition of the subject Ladder Truck, a copy of which is attached hereto as Exhibit "A", and;

**WHEREAS**, upon delivery of the aforementioned Ladder Truck, the City wishes to sell its existing Ladder Truck, and;

**NOW, THEREFORE BE IT RESOLVED**, that the Mayor is hereby authorized to execute a Purchase Agreement with Premier Apparatus Inc., for the acquisition of a Ladder Truck for the City of Hudson, and;

**BE IT FURTHER RESOLVED**, that the City of Hudson is hereby authorized to sell the current Ladder Truck at the appropriate time and deposit the funds in a designated capital reserve account for the fire department;



#### Purchase Agreement

This Agreement ("Agreement") is made this \_\_\_th day of \_\_\_\_\_, \_\_\_\_\_, by and between Premier Apparatus Inc., 68 Leggs Mill Rd, Lake Katrine, New York 12449 (hereinafter "Company") and City of Hudson Fire Department, 77 N 7<sup>th</sup> Street, Hudson New York 12534 (hereinafter "Buyer").

1.) **Purchase:** The Company agrees to sell, and the Buyer agrees to purchase, the E-One fire apparatus and equipment described in the Company's Proposal and the Specifications attached hereto and hereby incorporated by reference (the "Apparatus"), all in accordance with the terms and conditions of this Agreement. Changes to the Specifications attached hereto will only be executed by the Company if documented by a Change Order signed by both parties. In the event of any conflict between the Company's Proposal and the Buyer's Specifications, the Company's proposal shall prevail.

2.) **Price:** The City of Hudson Fire Department, New York agrees to pay a Purchase Price of : **One Million Three Hundred Ninety Seven Thousand Six Hundred Seventy-Two Dollars \$1,397,672.00** per the E-One Sourcewell Contract #022818. Unless otherwise specified, this Purchase Price is exclusive of all Federal, State or local taxes of any nature. Any such taxes are the sole responsibility of the Buyer unless specifically added to the Purchase Price, at which time they will be paid by the Company; provided, however, if the Buyer claims the Order is exempt from any tax, Buyer agrees to furnish the applicable exemption certificate to the Company and to hold the Company harmless from any damage which may result from the Company ultimately having any such tax assessed against it.

) Buyer agrees that the terms of payment shall be cash or cash equivalent due upon delivery at the City of Hudson Fire Department, New York. If other than cash due upon delivery, check the appropriate box.

Lease-Purchase Agreement - Financing \*

Other \_\_\_\_\_

\* Details of financing are covered under a separate section and are included as a part of this Agreement.

**IMPORTANT NOTICE – PLEASE READ CAREFULLY**

NO PAYMENT BY THE CITY OF HUDSON FIRE DEPARTMENT IS REQUIRED UNTIL THE 2020 E-ONE HPS100P LADDER TRUCK AND EQUIPMENT PURCHASED UNDER THIS AGREEMENT SHALL HAVE BEEN DELIVERED TO AND ACCEPTED BY THE CITY OF HUDSON FIRE DEPARTMENT. ALL CHECKS SHALL BE MADE PAYABLE TO **Premier Fire Apparatus Inc.** NO OTHER PAYEE(S) SHALL BE NAMED AND THERE ARE NO EXCEPTIONS TO THIS POLICY. ALL CHECKS SHALL BE REMITTED DIRECTLY TO THE PREMIER FIRE APPARATUS, INC AT 68 LEGGS MILL RD LAKE KATRINE, NEW YORK 12449, ATTN: ACCOUNTS PAYABLE DEPARTMENT. ALL WIRE TRANSFERS SHALL BE MADE TO AN ACCOUNT SPECIFICALLY DESIGNATED BY THE COMPANY.

CUSTOMER ASSUMES ALL RISK OF FAILURE TO COMPLY WITH THIS SECTION, INCLUDING REPOSSESSION OF ALL EQUIPMENT.

**CUSTOMER PLEASE INITIAL:** "I HAVE READ AND I UNDERSTAND THIS SECTION": \_\_\_\_\_

If more than one Apparatus is included and they are delivered on different dates, the terms of payment shall apply to each delivery and an invoice covering each delivery shall be issued.

3.) **Pre-Build:** Upon request (at time of order) by either party, a pre-build conference may be conducted to ascertain and confirm customer requirements with respect to the Apparatus ordered by Buyer. Both parties agree that the pre-build conference will be conducted no later than sixty (60) business days from execution of this Agreement.

4.) **Delivery:** The Apparatus shall be delivered to the City of Hudson Fire Department approximately 425 calendar days after execution of this Agreement by Buyer, final acceptance of the drawing and specification after the pre-build conference and the receipt and execution of same by the Company at its offices in Ocala FL. Full operating instructions, including all manufactures' owner's manuals shall be provided upon delivery. It is agreed that such delivery is subject to delays caused by war, acts of god, hurricane, labor shortages or strikes, inability to obtain materials, and other causes reasonably beyond the control of the Company and that the Company will not be liable for, and this Agreement may not be terminated on account of, such delays. The Hudson Fire Department will be notified no less than fourteen (14) business days in advance of the delivery date.

5.) **Customer Inspection/Acceptance:** If requested at time of order, Buyer will have up to ten (10) business days from the notified delivery date to conduct Buyer's final inspection and take possession of the Apparatus. Otherwise, delivery will be deemed to occur on the notified delivery date. In the event that Buyer fails to take possession of the Apparatus on the notified delivery date (or within the ten (10) business day period thereafter, if applicable), Company reserves the right thereafter, at Company's option:

a. to arrange for shipment of the Apparatus to Customer by the drive-away service of Company's choice, at Buyer's sole expense, and to charge the Customer the full invoice price for the Apparatus, which shall be paid for in the manner specified in paragraph 2; or

b. to dispose of the Apparatus by sale to any other party, and if the price received on account thereof shall be less than the price specified in paragraph 2, Buyer shall be liable for the difference together with all costs of disposal; or

c. to hold the Apparatus at the Company's plant until such time as Buyer takes delivery, and to charge Buyer a storage fee for each day, calculated pro-rata for each day at an annual rate of 18% on the price specified in paragraph 2.

Buyer shall bear the risk of loss or damage to all Apparatus remaining in the possession of the Company after the notified delivery date (or more than ten (10) business days after the notified delivery date, if applicable) except when the Apparatus is in the possession of a Company contracted drive-away service.

6.) **Buyer's Cancellation for Convenience.** If Buyer tenders any cancellation hereunder, Buyer shall nevertheless accept delivery of all products which are completed at the time of cancellation. Those products which constitute work-in-process inventory at the time of cancellation shall be paid for by Buyer at a price equal to the completed percentage of the product multiplied by the price specified in Paragraph 2. Buyer also shall pay promptly to Company the costs of settling and paying claims arising out of the termination of work under Company's subcontracts or vendors, plus an additional 15% to defray Company's accounting, legal, and clerical costs arising out of the cancellation.

7.) **Title:** The Company and Buyer agree that title shall remain with the Company until the Truck & Equipment has been paid in full. Provided that the Company has been paid in full, title shall remain with the Company until the Apparatus leaves Company premises in the physical custody of Buyer, the Buyer's drive-away service, or common carrier as specified in paragraph four (4) above. Upon delivery to Buyer, Buyer's drive-away service, or Buyer's common carrier, all title, ownership and risk of loss shall pass from Company to Buyer.

8.) **New York State "Piggyback" Tag On Provision:** In an effort to allow other government entities to take advantage of the option to "Piggyback" or "Tag On" on to this bid, and in accordance with New York State General Municipal Law § 103 E-ONE, Inc. offers the following statement should we be awarded the contract for the proposed unit(s): This bid and contract have been let by the United States or any agency thereof, any other political subdivision or district therein. This bid and contract are available for use by other governmental entities. The successful bidder will extend the terms and conditions of the contract to other government entities. Unilateral offers by vendors to extend contract pricing and other terms and conditions would not fall within the exception. Pricing, terms and conditions for said bid would be negotiated between the successful bidder and any potential governmental entities wishing to exercise the "Piggyback" option. The bid and subsequent contract have been "let to the lowest responsible bidder or on the basis of best value in a manner consistent with this section."

9.) **Warranty:** The Company warrants each new Apparatus manufactured against defects in material and workmanship period of two years from the in-service date per the Warranty Registration Card. Warranties beyond one year may be applicable to certain components of the Apparatus as described in the Statements of Warranty previously provided to the Buyer. This warranty is in favor of the original user/purchaser, in accordance with the Company's preprinted Statements of Warranty which are either attached to the Agreement or have otherwise been delivered to Buyer. "The Buyer acknowledges receipt of the following warranties from E-One: Lifetime Frame and Cross-Members; Stainless Steel Structural; one Year Standard; Structural Warranty; Paint and Corrosion Warranty; Cab Paint and Perforation Warranty; and Zinc Plated Frame Components. The Company shall provide to the Buyer no later than at delivery of the Fire Apparatus warranties for third-party components as referenced in the specifications." "A complete set of drawings shall be submitted to the City of Hudson Fire Department within Ninety (90) days after contract signing, detailing the work to be done. The City of Hudson Fire Department shall approve these drawings prior to the Company commencing any work.

With respect to any Apparatus not manufactured by the Company, such items shall not be warranted by the Company but shall be subject to the warranty provided by the manufacturer.

Any used item of Apparatus is sold "As-Is" without any warranty by the Company.

These warranties are in lieu of all other warranties, whether express or implied, and THE COMPANY EXPRESSLY DISCLAIMS ALL OTHER SUCH WARRANTIES, INCLUDING WITHOUT LIMITATION ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.

10.) **Transportation of Apparatus Unit:** The price quotation from Company includes \$2,850 for Delivery Service and a similar charge for "Drive Away Service." As those terms are not defined in the specifications, the proposal letter or in the purchase agreement, it is important to understand what these charges are for. The following language should be included in this new section, "The Company's proposal includes the complete cost of transporting the Apparatus from the Apparatus Factory to the delivery location at Premier Fire Apparatus. The Company will be responsible for any and all damages incurred to the Apparatus from the time of picking up the Apparatus for delivery to delivering the Apparatus at the final destination."

11.) **Performance Bond:** "A 100% performance bond shall be supplied to the City of Hudson Fire Department within ten (10) days of execution of the Purchase Agreement for a fee of \$5,200.00 if required. The Performance Bond shall cover complete period of contract performance through final acceptance of the completed Apparatus by the Hudson Fire Department. If the bond company's headquarters are located outside of New York State, a Certificate of Solvency and/or New York State License must accompany the bond showing that the company is authorized to transact business in New York State."

12.) **Notices:** The parties to this Agreement designate \_\_\_\_\_ as representative of the Buyer and Kenneth Finke as representative of the Company for purposes of all communications regarding this Agreement.

13.) **Waiver of Jury Trial:** The parties to this Agreement agree that any dispute arising hereunder, if brought before a court having proper jurisdiction, shall be adjudicated in a bench trial and the parties expressly waive any right to have such matter(s) tried before a jury.

14.) **Entire Agreement:** This Agreement, including its attachments and exhibits, constitutes the entire understanding between the parties relating to the subject matter contained herein and supersedes all prior discussions and Agreements. No agent or representative of the Company has authority to make any representations, statements, warranties or Agreements not herein expressed and all modifications or amendments of this Agreement, including its attachments and exhibits, must be in writing signed by an authorized representative of each of the parties hereto.

15.) **Acceptance by Company:** This Agreement shall not constitute a valid and binding obligation of the Company until accepted in writing by an officer of the Company at its offices in Lake Katrine, New York. When requested by the Company, the Buyer shall furnish a satisfactory written opinion of the Buyer's attorney that the Buyer has the power to make the Agreement, that the individual signing is authorized to sign on behalf of the Buyer, and that this Agreement is a valid, legal and enforceable obligation of the Buyer.

16.) **Certificate of Product Liability Insurance:** "A Certificate of Product Liability Insurance (Certificate) for a minimum of ten (10) million dollars shall be supplied to the City of Hudson Fire Department within ten (10) days of execution of the Purchase Agreement. The Certificate shall be from the prime builder only. Certificates for lesser amounts submitted from subcontractors to total ten (10) million dollars will not be accepted.

The Certificate must be original and must show the City of Hudson Fire Department, 77N 7<sup>th</sup> Street, Hudson, New York, 12534 as the Named Insured and Certificate Holder. Submission of a non-original Certificate or a Certificate that is not made out to the City of Hudson Fire Department will not meet the requirements of this section."

**IN WITNESS WHEREOF,** The Company and the Buyer have caused this Agreement to be executed by their duly authorized representatives as of the date set forth by each.

City of Hudson Fire Department  
Signature: \_\_\_\_\_  
Printed: Rick Rector  
Title: MAYOR  
Date: 12/12/19

Premier Fire Apparatus Inc.  
Signature: \_\_\_\_\_  
Printed: Kenneth Finke  
Title: President  
Date: \_\_\_\_\_

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

**President DePietro** stated Proposed Resolution No. 10 would authorize the Mayor to execute an agreement with Wes Powell to provide dog control services for the year 2020.

**Alderman Garriga** said “this in front of us is a contract to renew the dog officer for one more year, we have heard over and over for over a year, we have seen Wes Powell one time, we have seen the community do the work of Wes Powell along with HPD, we have heard from Chief Moore explaining how the Hudson Police Department traditionally is continuing to take calls and picking up dogs, usually the owner responds within the hour, how they even have extra dog equipment in the Police Department, Animalkind also has been taking phone calls and rescuing dogs as well as the people of, in the City of Hudson and the, Wes Powell has been doing this job throughout the county as we looked at his Hudson, his Facebook page, there’s nothing on Hudson, no one even tags the dog officer on any of their posts when the dog, when their dogs are missing”. She said “by law we need to have a dog officer and this will give the city an opportunity to hire someone within Hudson that can do the job, that we can depend on and call on and the people would know that the position exist as most people in the City of Hudson do not”. Alderman Garriga said “I will be extremely disappointed if the Council decides to continue voting and paying someone that the people cannot even rely on”.

**President DePietro** said “we have added to this contract that twice a week he will make random visits to the Hudson Dog Park to confirm that dogs present have current, valid licenses”.

**Alderman Garriga** said “that’s great, we can put all new add-ons and what we would like to see and what we would like to have him do but we had him here December 2018 and we have not heard of him since nor has the people in the City of Hudson”.

**Alderman Volo** asked “well maybe going forward, what if the dog officer report into one of the committees”?

**Alderman Garriga** said “going forward, I would like to see someone hired in the City of Hudson” and she said “right now his contract is up and that would give all of us the opportunity to give employment to someone in the City of Hudson”. She said “I’m not saying Wes Powell is not doing his job, he works within the county and you can see throughout his Facebook Page people throughout the county are getting responses from him, if you look in the City of Hudson everything goes through the police department, Animalkind and Hudson Community Board, so if you all want to vote on continue paying him, that’s what you decide but we have a full opportunity here to hire someone in the City of Hudson that the people can know to call on in the middle of the night, during the day, whenever there’s an animal missing, not just a dog, could be a cat, a snake, whatever it could be as the Police Chief stated himself”.

**Alderman Bujan** asked “what happens if we don’t have an officer in this role as of January 1<sup>st</sup> and they have to pick up stray dogs and they have to bring them to the Humane Society”?

**Legal Advisor Howard** said “well if he held over, he’d be a hold over and you’d continue to pay him whatever you’re paying him but if he decided that he wasn’t going to stay, then you would need to take immediate action to get someone to step in that role” and he said “in the meantime you’d have to rely on the police department to do it”.

**Alderman Garriga** said “as the City of Hudson has already been doing”.



**Alderman Bujan** said “correct but like not, not all the time, there have been times where they’ve taken five or six dogs and they brought them to the, that’s that separate bill we get from the Humane Society”.

**Alderman Garriga** said “yes and that is because for the most part, according to Chief Moore, one time they had, didn’t receive a response from the owner of the dog so Chief Moore had to call Wes Powell to come out to get the dog because that’s simply something that is out of their job description and that they will not do” and she said “it’s already out of their job description now to pick up dogs, so they’re not calling him now, they’re doing the job themselves”. She said “so all we need to do is put it out there that the City of Hudson is hiring for a new dog officer”.

**Alderman Bujan** asked “is there something we can do to this, Andy, in order to give us the opportunity to put this out as a, as an open position next year and not, just not vote on it and have something occur because I’ve had five or six bills in the Finance Committee I have had to sign that have taken six or seven dogs out of a hoarders house and they’ve had to bring them to the Humane Society”? He said “there’s animal rights issues, there’s people, there’s, there’s other you know, safety issues to be involved” and he said “I hate to us not vote for this at all and not have anything in place and it’s just going to get lost in the process”.

**Legal Advisor Howard** stated the council members could approve the resolution to appoint Wes Powell as the Dog Control Officer or consider a resolution at next month’s meeting.

**Alderman Merante** said “I think it’s unfair that if we have not given him expectations of any corrections or misconduct in writing, I think it’s unfair at this point to say, we’re going to take this away and I know that even this weekend there was Facebook posts by him regarding our dogs”. He said “in terms of what Rob is talking about, yes, I think there was actually nine dogs in the middle of night that were taking away because the house was condemned”. Alderman Merante said “as a taxpayer and as a dog owner, I think any means to get a dog’s owner back reunited, whether it’s Facebook or whatever, it’s going to save the taxpayers money in the end because if the dog officer has to intervene, it goes to the Humane Society then we’re going to be paying three hundred dollars I think a day”. He said “at this point we need to come to terms and say look x amount of tickets, you need to have accountability for expectations” and he said “I think that’s unfair to the City, unfair to the dog you know in the community because he is professional, he has a lot of certifications and to say now, we don’t know what we’ll get next”.

**Alderman Garriga** said “we’re not firing him; his contract is up”.

**Alderman Merante** stated Mr. Powell had not requested an increase in pay and he stated the random visits to the dog park would be an added responsibility.

**Alderman Halloran** said “if we do this and it seems like we should in order to meet the law requirements but how difficult would it be if these same complaints are still going on in the first quarter to do a review and then if it doesn’t improve, terminate the contract”.

**Legal Advisor Howard** said “the contract itself says you can terminate it on six months’ notice”.

On motion of **Alderman Halloran**, seconded by **Alderman Bujan**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 10 December 17, 2019**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE  
AN AGREEMENT FOR A DOG CONTROL OFFICER**

**WHEREAS**, the City of Hudson has received a proposal for a dog control officer to the City of Hudson under Chapter 70 of the Hudson City Code and the provisions of Article 7 of the Agriculture and Markets Law for the period January 1, 2020 through December 31, 2020, and

**WHEREAS**, in furtherance of his duties, the Dog Control Officer will make at least two random visits per week to the Hudson Dog Park to confirm any dogs present have current, valid licenses;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor of the City of Hudson is hereby authorized and directed to enter into an agreement with Wes Powell for the annual fee of \$7,200.00, payable in equal monthly installments of \$600.00, said agreement to include a provision that the Dog Control Officer will make at least two random visits per week to the Hudson Dog Park to confirm any dogs present have current, valid licenses.

Ayes: Aldermen Bujan, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro. (10)

Nays: Alderman Garriga. (1)

On motion of **Alderman Bujan**, seconded by **Alderman Halloran**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 11  
December 17, 2019**

**RESOLUTION GRANTING THE STATE OF NEW YORK AUTHORITY  
TO PERFORM RELOCATIONS OF WATER AND SEWER SYSTEMS  
FOR THE CITY OF HUDSON AND AGREEING TO MAINTAIN FACILITIES  
ADJUSTED VIA STATE-LET CONTRACT**

**WHEREAS**, the New York State Department of Transportation proposes the construction, reconstruction, or Improvement of The Empire State Trail in the City of Hudson located In Columbia County, PIN 8EST.11, and;

**WHEREAS**, the State will include as part of the construction, reconstruction, or improvement of the above mentioned project the installation and or replacement of water and sewer systems,

pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and;

**WHEREAS**, the service life of the relocated and or replaced utilities has not been extended, and;

**WHEREAS**, the State will provide for the reconstruction of the above mentioned work, as shown on the contract plans relating to the above mentioned project;

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Hudson approves of the Installation and or replacement of water and sewer systems and the above mentioned work performed on the project and shown on the contract plans relating to the project and that the City of Hudson will maintain or cause to be maintained the adjusted facilities performed as above stated and shown on the contract plans, and;

**BE IT FURTHER RESOLVED**, Robert Perry, Jr., Superintendent of Public Works, has the authority to sign, with the concurrence of the City Council, any and all documentation that may become necessary as a result of this project as it relates to the City of Hudson, and;

**BE IT FURTHER RESOLVED**, that the clerk of the City of Hudson is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

**President DePietro** stated proposed Resolution No. 12 would authorize the Mayor to execute a Memorandum of Understanding with the Friends of Oakdale Lake. He said “this is really a continuation of last year’s MOU and it’s in conjunction with something that can be announced apparently that they will be receiving a hundred thousand dollar grant in the next week or so” and he said “the grant is to study the water quality and come up with methods for reducing the algae content and doing a whole analysis of the lake system and the feeding and the water that feeds the lake”.

One motion of **Alderman Johnson**, seconded by **Alderman Lewis**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 12**  
**December 17, 2019**

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE FRIENDS OF OAKDALE LAKE**

**WHEREAS**, the City of Hudson (the “City”) is charged with the responsibility for the management, maintenance and operation of parks and recreation facilities under the jurisdiction of the City , and has the authority to plan, develop, conduct and enter into arrangements, with public or private organizations to ensure the beneficial use thereof for the people of Hudson, and;

**WHEREAS**, The Friends of Oakdale Lake (the “Friends”) have undertaken to support capital improvements (the “Projects”), programs and events (the “Programs”) at Oakdale Park, and;

**WHEREAS**, pursuant to Resolution Number 5 of July 17, 2018, the City resolved to support the Friends to engage in, *inter alia*, various projects intended to improve and increase use of Oakdale Park, and;

**WHEREAS**, pursuant to Resolution Number 18 of February 19, 2019, the City resolved and did thereafter enter into a Memorandum of Agreement with the Friends for the year 2019, and;

**WHEREAS**, the City wishes to extend the Memorandum of Agreement for another year, until December 31, 2020, a copy of which is attached hereto as Exhibit “A”, and;

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council hereby authorizes the Mayor to execute the Memorandum of Understanding with The Friends of Oakdale Lake for development of projects at Oakdale Lake.

#### **AGREEMENT FOR THE PROVISION OF PROJECTS AND PROGRAMS AT OAKDALE LAKE**

**THIS AGREEMENT** (“**Agreement**”) is made as of December \_\_, 2019 between the City of Hudson and the Friends of Oakdale Lake.

**WHEREAS**, the City of Hudson (the “City”) is charged with the responsibility for the management, maintenance and operation of parks and recreation facilities under the jurisdiction of the City, and has the authority to plan, develop, conduct and enter into arrangements, with public or private organizations to ensure the beneficial use thereof for the people of Hudson, and;

**WHEREAS**, The Friends of Oakdale Lake (the “Friends”) have undertaken to support capital improvements (the “Projects”), programs and events (the “Programs”) at Oakdale Park, and;

**WHEREAS**, the Projects could include reconstruction of the bathhouse, cleanup of the lake, trail improvements, additional recreational facilities, and as more particularly shown in Exhibit A, and;

**WHEREAS**, the Programs could include picnics, clean ups, ice skating, skateboarding, learn-to-skate programs, and volunteer trail clearing, and;

WHEREAS, pursuant to Resolution Number 5 of July 17, 2018, the City has resolved to support the Friends to engage in, *inter alia*, various activities intended to improve and increase use of Oakdale Park, and;

WHEREAS, pursuant to Resolution Number 18 of February 19, 2019, the City resolved and did thereafter enter into a Memorandum of Agreement with the Friends for the year 2019, and;

WHEREAS, the City wishes to extend the Memorandum of Agreement for another year, until December 31, 2020;

NOW, THEREFORE, the parties hereby agree as follows:

**I. PARTY RESPONSIBILITIES**

A. The Friends shall be solely responsible to procure, select and contract with design consultants, construction managers, resident engineers, contractors, vendors, and educators (the "Contractors") for the Services to implement Projects and Programs.

B. The Friends shall ensure that Contractors perform the Services in accordance with the Contractors' respective contracts.

C. The Friends shall meet and coordinate the Services with relevant City agencies or other entities for design and construction approvals for Projects. Any and all

final design and/or construction projects shall be subject to review and approval by the City of Hudson.

D. The Friends and the Contractors shall obtain any and all permits and approvals necessary from any City, State, or Federal agencies and utilities as required for the Projects and Programs.

E. The City shall reasonably provide the Friends with the necessary guidance to allow the Friends to ensure compliance with funding requirements set forth by any interested party that is a source of the funding. The City shall reasonably provide the Friends with requested information related to funding requirements, including letters of support.

F. The City shall provide the Friends with comments, review and approval on the design and construction work of the Projects in a prompt and timely manner.

G. The City shall maintain the Projects upon completion and final acceptance by the City.

H. The City shall have no funding obligations for the Projects or Programs, unless otherwise agreed in writing.

**II. PROJECT COORDINATION**

A. The City and Friends agree to work cooperatively to resolve any disputes arising from their respective responsibilities under the Agreement and the implementation of the Projects.

B. Should conditions arise that prevent the undertaking or completion of Projects or Programs, before acting to terminate the Projects or Programs, the Friends shall immediately notify and jointly consult with the City for alternative solutions.

C. The Friends shall provide the City with digital copies of the contract documents and as-built drawings for the Projects in both digital and printed formats.

**III. TERM AND TERMINATION**

A. The Agreement shall take effect as of January 1, 2020 and shall expire upon December 31, 2020, subject to renewal by the City.

B. The City and the Friends of Oakdale Lake may each terminate the Agreement by giving thirty (30) days' written notice to the other party.

**IV. NOTICES**

Any notice shall be made to the following parties or to such other representatives that the parties designate in writing:

A. For the City of Hudson:

Corporation Counsel  
520 Warren Street  
Hudson, NY 12534

B. For the Friends of Oakdale Lake:

Tamar Adler Olivier  
tamar.e.adler@gmail.com

**V. APPLICABLE LAW**

This Agreement shall be governed, construed, applied and enforced in accordance with the laws of the City and the State of New York.

**VI. MERGER CLAUSE**

This Agreement constitutes the entire understanding of the parties and merges all prior discussions, agreements or understandings into it. No prior agreement, oral or otherwise, regarding the subject matter of the Agreement shall be deemed to exist or to bind any of the parties hereto.

**VII. MODIFICATION**

The Agreement may only be modified by a written notice signed by authorized representatives of the parties. It may not be altered, modified, rescinded or extended orally.

**VIII. NON-ASSIGNMENT CLAUSE**

Each party agrees that it shall not assign, transfer, convey or otherwise dispose of the Agreement except by operation of law, without the prior written consent of the other party.

**IX. SUCCESSORS AND ASSIGNS**

The Agreement shall be binding upon and for the benefit of the parties hereto and each of their respective successors and permitted assigns and shall be for the sole benefit of the parties hereto.

**X. RECORDKEEPING**

All parties to the Agreement shall maintain for three (3) years from the termination of this Agreement any and all copies of all financial and work reports, and audits, which reflect the Services rendered hereunder and fiscal accountability of all monies appropriated and spent thereby, make copies thereof available and submit such copies to any other party hereto upon request.

**XI. COUNTERPARTS**

This Agreement may be executed in counterparts, each of which shall be an original, but all of which shall constitute one and the same instrument and electronically scanned copies of signatures shall have the same effect as original signature.

**XII. NO THIRD PARTY BENEFICIARIES**

Nothing in this Agreement is intended or shall be construed to give any person, other than parties hereto, any legal or equitable right, remedy, or claim under or in respect to this Agreement.

IN WITNESS, WHEREOF, the parties hereto have duly executed the Agreement as of the day and year first written above.

**FRIENDS OF OAKDALE LAKE**

**CITY OF HUDSON**

\_\_\_\_\_  
By: Tamar Adler Olivier

\_\_\_\_\_  
By: Rick Rector, Mayor

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

**President DePietro** stated Proposed Resolution No. 13 would override the veto of the Mayor with regard to Local Law Introductory No. 2 of 2019.

**Alderman Rosenthal** said “there are two big issues here, right, one is the type of community we want to have, the type of economy we want to foster going forward and how to balance certain things within that economy in terms of fairness for people who operate one type of business versus people who consider using online platforms to operate a similar type of business but they like to be seen as not operating a hotel through whatever, as, however you’d like to call it”. He said “we’re in a very small two square miles geographic City with a limited amount of housing stock with outside pressures that affect development and make living costs here very high to people who both own homes” and he said “within that context it’s been suggested that there’s a simple solution for this problem and the Mayor trying to say that it was very simple and therefore we’re sort of abrogating our duty, ignoring our duty here by postponing the inevitable and document some sort of quick resolution or law, I think that’s nonsense”. Alderman Rosenthal stated the public had been interactive during the process including the support of the efforts and also to inform us they were displeased and offered useful suggestions and he said “it’s clear in that process that this is not simple and that will take time”. He said “across the Country and the World, communities everywhere is struggling with the same phenomena, it’s at the top of their lists of things to pass in terms of dealing with how to, how to struggle without it defining the costs of living in our community, affordable housing, however you want to call it, this is not some limited problem to Hudson”. Alderman Rosenthal said “we are going forward with both a comprehensive plan and looking at the zoning of the City of Hudson, possibly doing away with our current zoning code in favor of a form-based code, can do



a lot for the community” and he said “considering all of those things, having a moratorium in place right now as we tackle these larger issues is not some sort of a stupid or rash thing, I think it gives us the ability to really effectively look at other communities and their bills that they’re doing to deal with the same phenomena so we can go forward and adopt something that makes sense for here, that the tax people who own homes, who live there and are operating a short-term rental as a way to supplement their income and also help people who live here and want to be able to rent affordable units”. Alderman Rosenthal said “it’s clear that allowing continued speculation here with real estate properties and turn them in solely as Airbnb operated quasi hotels is personally something that I think is bad for the community, it might be good for the investor, it’s not good for the people who live here”. He said “I think we should do the right thing and overturn the Mayor’s Veto today and have a moratorium that’s nine months that the tax people who are in the process of, with the hardship clause of currently about to bring an Airbnb or STR online, they have the ability to do it, they come here and plead their case and we would be fair, it allows the people who are operating STRs right now to continue doing so under the law, it allows the community to continue to collect taxes on those units” and he said “it’s fair, it’s not some sort of willy-nilly thing that we’re doing out of some knee jerk reaction to some nonsensical rise from a small amount of the public, people are concerned are concerned about this”. He said “the Mayor who has really had zero involvement in this from the beginning except he did suggest a moratorium at one point, that’s one way to deal with the phenomena, I at the time was not sure and didn’t know if it was legal, I changed my mind, the Mayor has changed his mind about ten thousand times over the issue depending on who he’s talking to”. Alderman Rosenthal said “I feel we should do the right thing for consistency sake, override the veto and continue what we’re doing and develop a good bill with balances with the community’s interest in a correct way”.

**Alderman Halloran** asked “how confident would you say you are that these nine months would be enough to accomplish what you described”?

**Alderman Rosenthal** said “I’m confident, it’s a maximum” and he said “if we come up with the law in a quicker period of time that works then the moratorium goes away”.

**Alderman Halloran** questioned if the benefit thing would be for affordable housing stock, leveling the playing field for hotel owners including safety regulations.

**Alderman Rosenthal** said “I think everything, right now, aside from lodging tax, if you do the proper right thing, if you’re a hotel owner you decide to open a traditional B&B, you go through all the steps, you’re subjected to one set of regulations and if you’re operating an Airbnb right now or if you have one building that has seven rental units in it and all of a sudden you decide to turn them all into Airbnb, short-term regulation, which in my mind would be a hotel, right now you’re subjected to zero outside of the lodging tax” and he said “I think it’s very unfair and creates an advantage to one person over another”.

On motion of **Alderman Rosenthal**, seconded by **Alderman Johnson**, the following resolution was **DEFEATED** by the following vote:

**RESOLUTION NO. 13**  
**December 17, 2019**

**A RESOLUTION OVERRIDING THE VETO OF THE MAYOR WITH  
REGARD TO LOCAL LAW INTRODUCTORY NUMBER 2 OF 2019**

**WHEREAS**, on November 19, 2019, the Common Council of the City of Hudson duly resolved to enact Local Law Introductory Number 2 of 2019, entitled “Local Law Imposing A Nine Month Moratorium on the Registration or Operation of any New Short-Term Lodging Facility In The City Of Hudson”, and;

**WHEREAS**, the Mayor of the City of Hudson did thereafter duly veto such Local Law pursuant to a written veto and comment dated December 6, 2019;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Hudson hereby overrides the veto of the Mayor to Local Law Introductory Number 2 of 2019 in accordance with §C6-2 and §C12-13 of the Charter of the City of Hudson.

Ayes: Aldermen Garriga, Johnson, Lewis, Mizan, Rosenthal, Sarowar, and President DePietro. (7)

Nays: Aldermen Bujan, Halloran, Merante and Volo. (4)

**Alderman Bujan**, prior to voting on the proposed resolution, said “while I support a short-term rental legislation and I think it’s incredibly important we get it done, we were in office twenty four months ago, we’ve been speaking six months for a nine-month moratorium and I just think that procedurally if we don’t have this moratorium in place it will perhaps get that legislation done sooner so I vote no”.

**Alderman Halloran**, prior to voting on the proposed local law, questioned Alderman Rosenthal if he would be amendable to amend the law to a six-month period.

**Alderman Rosenthal** said “if it’s nine months right, I don’t think it’s going to be nine months, we created the maximum, the max is there for that flexibility” and he said “I think we should just take it as it is and just do the work and to respond to what Alderman Bujan just said, it’s not like, again, this is not simple, we created, we put a bill forward in July that people had a very, a lot of reaction to, in particular about how we’re defining this new licensing set-up etcetera and it’s clear and also how you define owner-occupied, so it takes a lot of work, there’s other communities doing this right now, we’ll look at their bills”. He stated the moratorium would not harm current STRs from their operations or the revenue income received by the City.

**Alderman Garriga** said “I’m sorry, I just wanted to be clear, I voted no that I was not supporting the Mayor’s Veto”.

**Alderman Rosenthal** said “we’re voting yes to override”.

**Legal Advisor Howard** said “the vote is yes to pass the resolution to override or no”.

**Alderman Garriga** said “I’m voting yes”.

**Alderman Rosenthal** said “another simplistic thing to say that legislation should just happen fast, that we’re here to get governed quickly and pass things fast because acting fast is acting right, well I think that’s just wrong so I do believe that giving it’s prudent considering, as a Council we have a lot ahead of us, the Comprehensive Plan and Re-zoning are probably some of the two biggest things that we could do that stays with us and they’re here, so this will fit into it”. He said “there’s been critics of this moratorium that say get the Comprehensive done, Plan done first, I agree that I wish it could be on the table now and we’d be voting on a Comprehensive Plan but this is in front of us and having a moratorium in place while we work on a Comprehensive Plan, I think is not bad, I don’t think it’s very incompetent and I also think, again, every time we pick up the paper, you go online, you read about communities who are struggling with the same phenomenon, they’re voting on similar types of legislation right now, I’ve talked to other, other people in other communities who heard that we’re going to do a moratorium and they’re like wow, it’s a novel idea, we never thought about that, we’re working on similar legislation within Dutchess County”. Alderman Rosenthal said “this is not, again, some anti-business or economy crushing phenomenon, it’s a nine-month period that all the registered, existing STRs will still be coming in to the City”.

(Roll Call Vote Continued)

Prior to voting on the proposed resolution, **Alderman Merante** said “I was here during that public meeting and I heard both sides and there is some really good arguments on both sides” and he said “in terms of the nine months, if it could be done in nine months, that would be great, the vacancy law got done pretty quick and I commend John on that, however my concern right now is that we’re going to have possibly a new attorney, some new members and try to catch them up to speed, instead of starting over with some input and I also have concern about we have a settlement in place regarding our sidewalks and I know Legal Committee has been bringing up, as entitled, I think that should be a priority that our sidewalks should be addressed with some serious legislation so, within three to six months, we have....

**Alderman Rosenthal** said “which we’re doing, the sidewalk bill does not....

**Alderman Merante** said “we have something to show the Department of Justice that we’re working on the issue, that they cited on the sidewalks, so at this time I’m voting yes”. Alderman Merante said “I mean no, I’m sorry”.

**Alderman Rosenthal**, prior to voting on the proposed resolution, said “I’m voting yes and again if this veto fails then we’ll re-introduce something in January”.

Prior to voting on the proposed resolution, **Alderman Volo** said “I have my blog, fourthwardhudson.com, you can read my opinion on this there” and he said “because the budget is out there now folks, look at the budget, we are expecting an extra two hundred grand in sales tax revenue, expecting it for next year, we’re expecting an additional six grand in lodging, we are

at the bottom of our Fund Balance, so there's no more money to use, there has been zero economic study of how this moratorium has, will impact the City". He said "the Mayor never had anything to do with this number one, it was Peter Frank that suggested the moratorium, I go to these legal meetings".

**President DePietro** said "please don't interest a lot of information that's not really relevant to the, already hasn't been introduced".

**Alderman Volo** said "there has been zero economic study on this, that we had the first draft that went out there in July, we had a few amendments that we wanted to go through including the amendment to the fee, amendment to the signage and a couple of other minor amendments to go through, the current legislation draft that's out there on the city website, like Rob said, just like pass the law" and he said "I don't understand why there's a moratorium even at this point we're six months down the line, no".

**President DePietro** said "sadly my vote won't get us the override, creating, crafting a law is not simple, democracy is not simple, this has been the most open process of creating a law, I don't mean the moratorium but the short term rental regulation ever in this City and to now certain councilmen who will not be with us in the future have decided we have too much democracy, I vote yes".

On motion of **Alderman Bujan**, seconded by **Alderman Lewis**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 14**  
**December 17, 2019**

**WHEREAS**, the Common Council authorized the construction of a new 15,000 sq ft Police & Courts Facility in March 2016 at 701 Union Street; and

**WHEREAS**, the 2017 draft budget requisition prepared by DPW Superintendent (page 2 of the attachment) was requested and approved for \$30,000 based on projected use for a 24/7 operation of a 15,000 sq ft facility; and

**WHEREAS**, the National Grid Power company billed the City of Hudson \$1,436 in 2016; \$7,531 in 2017 and \$11,083 in 2018, and \$4,828 through November 2019; which were all grossly understated for this facility; and

**WHEREAS**, the National Grid Power informed the City of Hudson verbally in late Summer that an error was detected and an adjustment calculation was underway; and

**WHEREAS**, the National Grid Power notified the City of Hudson in writing (page 1 of attachment), that the cumulative underbilled portion of the utility bill for 701 Union Street from 2016 through 2019 was \$79,120.62; and

**WHEREAS**, there are insufficient fund remaining in the 2019 DPW Budget to cover this mandatory expense;

**NOW THEREFORE BE IT RESOLVED**, that the City Treasurer is hereby authorized and directed to transfer funds to the following DPW Building utility account for 701 Union Street:

\$79,120.62 From: General Fund Balance  
 \$79,120.62 To: A1620.56 – 701 Union Street – Light & Heat

Approved by the Board of Estimate and Apportionment.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

On motion of **Alderman Johnson**, seconded by **Alderman Sarowar**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 15**  
**December 17, 2019**

**RESOLVED**, that the City Treasurer be and hereby is authorized and directed to transfer funds to the following 2019 budget accounts within the Public Works Department:

**DPW**

\$500	From: 1490.1 A – DPW Admin – Personal Services
\$75	To: 1620.50 A – Buildings – 429 Warren Street
350	To: 1620.56.1 A – Buildings – 701 Union – Building Expense
75	To: 1620.56.2 A – Buildings – 701 Union – Materials & Supplies
\$5,000	From: 5110.1 A – Street Maintenance – Personal Services
\$5,000	To: 5110.2 A – Street Maintenance – Equipment
\$5,000	From: 1490.1 A – DPW Admin – Personal Services
\$5,000	To: 5110.45 A – Street Maintenance – Maintenance of Equipment
\$7,500	From: 8160.1 A – Refuse – Personal Services
\$7,500	To: 5142.1 A – Snow – Personal Services

**CEMETERY**

\$50	From: 8810.1 C – Cemeteries – Personal Services
\$50	To: 8810.42 C – Cemeteries – Telephone

**WATER**

\$2,000            From: 8320.46F – Supply – Light & Heat  
                      \$2,000            To: 8320.4F – Supply – Material & Supplies

**SEWER**

\$6,000            From: 8110.46 G – Administration – Other  
                      6,000                To: 8130.1 G – Treatment – Personal Services

\$11,000           From: 8120.4 G – Sanitary Sewers – Materials & Supplies  
                      \$11,000            To: 8130.4 G – Treatment – Materials & Supplies

\$1,000            From: 8130.46 G – Treatment – Utilities  
                      1,000                To: 9030.8 G – Social Security

Approved by Board of Estimate and Apportionment.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

On motion of **Alderman Bujan**, seconded by **Alderman Garriga**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 16**  
**December 17, 2019**

**A Resolution to Transfer Funds within the General Fund**

**WHEREAS**, there are insufficient funds in the Attorney Fees account, and

**WHEREAS**, there are available funds in the Hospitalization account

**NOW, THEREFORE BE IT RESOLVED**, the City Treasurer is hereby authorized and directed to make the following 2019 budget transfer:

Amount:	\$12,000.00	From: A.9060.0800 Hospitalization
		To: A.1420.0460 Attorney Fees

Approved by Board of Estimate and Apportionment.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

On motion of **Alderman Garriga**, seconded by **Alderman Lewis**, the following resolution was adopted by the following vote:

**RESOLUTION NO. 17  
DECEMBER 17<sup>TH</sup>, 2019**

**INTRADEPARTMENTAL YOUTH TRANSFERS**

**RESOLVED**, that the City Treasurer be and hereby is authorized and directed to transfer funds to the following 2018 budget accounts as follows for the Youth Department:

<b>\$1700.00</b>		From: A.7310.0530.1000	FOHY Reading
	<b>\$1700.00</b>	To: A.7310.0100.0006	Personnel Programs
<b>\$1500.00</b>		From: A.7310.0100.0000	Personnel
<b>\$5500.00</b>		From: A.7310.0420.0000	Telephone and Internet
	<b>\$7000.00</b>	To: A.7310.0200.0000	Equipment
<b>\$2000.00</b>		From: A.7310.0480.0000	Light and Heat
	<b>\$2000.00</b>	To: A.7310.0510.0000	Programs

Approved by Board of Estimate and Apportionment.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

**Local Laws.**

On motion of **Alderman Johnson**, seconded by **Alderman Lewis**, the following proposed local law introduced by Alderman Johnson, seconded by Alderman Halloran, was ordered enacted by the following vote:

**Local Law No. Introductory No. 5 of 2019**

**A LOCAL LAW AMENDING §C2-4A OF THE CITY CHARTER CONCERNING  
RESIDENCY REQUIREMENTS FOR THE CITY ATTORNEY**

SECTION 1. TITLE. This Local Law shall be known as Local Law No. \_\_ for the year 2019.

SECTION 2. LEGISLATIVE FINDINGS.

The Common Council of the City of Hudson finds that the number of attorneys residing in Columbia County with the requisite skills needed to adequately preserve the rights and interests of the City is limited. The Council further finds that amending the text of C2-4B of the Hudson City Charter to delete the residential and jurisdictional eligibility requirements for City attorneys will provide the Mayor with a larger pool of potential attorney applicants from which to appoint city attorneys and is in the public's interest.

SECTION 3. LEGISLATIVE INTENT.

It is the intent of the Common Council to amend the Hudson City Charter to delete the eligibility requirements for City attorneys, thereby enabling the Mayor to appoint any attorney who is licensed in and a member in good standing of the legal bar of the state of New York and who possesses the skills deemed necessary to adequately preserve the rights and interests of the City.

SECTION 4. STATEMENT OF AUTHORITY.

This local law is authorized by the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York).

SECTION 5. AMENDMENTS.

***Hudson City Charter, Article II, Subsection C2-4B is hereby AMENDED by DELETING the subsection and REPLACING it with the following:***

“B. Notwithstanding § C2-4A:

- (1) an appointed person otherwise eligible to hold office under this Charter in accordance with the Public Officers Law of the State of New York need not be an elector of the City so long as such person shall reside in Columbia County within 15 road miles of a boundary of the City of Hudson;
- (2) City Attorneys are not required to be electors of the City or residents of Columbia County.”

SECTION 6. SEVERABILITY. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

SECTION 7. EFFECTIVE DATE. SECTION 7. EFFECTIVE DATE. This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.



On motion of **Alderman Garriga**, seconded by **Alderman Johnson**, the following proposed local law introduced by Alderman Halloran, seconded by Alderman Johnson, was ordered **DEFEATED** by the following vote:

**Local Law No. Introductory No. 6 of 2019**

**A LOCAL LAW AMENDING §C4-3 OF THE CITY CHARTER  
CONCERNING THE TERM OF THE OFFICE OF THE MAYOR,  
COMMON COUNCIL PRESIDENT AND CITY TREASURER**

Section 1. Title.

This local law shall be known as Local Law No. \_\_\_ for the year 2019.

Section 2. Legislative Findings.

The Common Council of the City of Hudson finds it to be in the best interests of the City to modify the terms of office for certain elected offices in the City of Hudson.

Section 3. Legislative Intent.

It is the intent of the Common Council to amend §C4-3 of the Charter for the City of Hudson to modify the term of office of the office of the Mayor, Common Council President and City Treasurer.

Section 4. Statement of Authority.

This local law is authorized by the Municipal Home Rule Law (chapter 36-a of the Consolidated Laws of the State of New York) and the General City Law (chapter 21 of the Consolidated Laws of the State of New York).

Section 5. Amendment to the Charter of the City of Hudson.

Section C4-3 of the Hudson City Charter, Terms of Elective Officers, is hereby amended as follows:

**§C4-3 Terms of Elective Officers.**

All of the officers whose election is provided for by this Charter, except such as shall be appointed to fill vacancies in office, shall take office on the first day of January following their elections, and shall hold office for the following terms respectively:

- (1) The Mayor for a term of four years.
- (2) The President of the Common Council for a term of four years.
- (3) The City Judge for a term of two years.
- (4) The City Treasurer for a term of four years.

- (5) The Supervisor in each ward for a term of four years.
- (6) The two Aldermen in each ward for terms of four years.

Section 6. Severability; Repealer.

If any clause, sentence, paragraph, section of part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder, thereof, but shall be confined to its operation in said clause, sentence, section or part of this local law. All Local Law or parts of Local Laws of the City of Hudson inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 7. Effective Date.

This Local Law shall take effect January 1, 2022 upon approval pursuant to a mandatory referendum to be held at a general election on or about November 3, 2020, by the voters of the City of Hudson, and the subsequent filing of this local law with the Secretary of State.

Ayes: Aldermen Garriga, Johnson, Lewis, Mizan and Sarowar. (5)

Nays: Aldermen Bujan, Halloran, Merante, Rosenthal, Volo and President DePietro. (6)

Prior to voting on the proposed local law, **Alderman Merante** asked “the referendum, is that how it’s going to be presented, how it’s in the resolution, all or nothing”?

**President DePietro** said “I believe so”.

**Alderman Merante** said “I think it would be better, should split it but at this time, as it’s written, I say no”.

**Alderman Rosenthal**, prior to voting on the proposed local law, said “I’m in general in favor of increasing the terms of the Mayor but I’m not sure about the Common Council, at this time, although I thought it might be a good idea, I’d be in favor about tabling this but as it stands, I vote no”.

Prior to voting on the proposed local law, **Alderman Volo** said “I do agree with the Mayor and the City Treasurer four years and maybe the Common Council President but similar to the House of Representatives, I think the Aldermen should be every two years so I’m voting no”.

On motion of **Alderman Bujan**, seconded by **Alderman Rosenthal**, the following proposed local law introduced by Alderman Bujan, seconded by Alderman Halloran, was ordered enacted by the following vote:

**Local Law No. Introductory No. 7 of 2019**

**A LOCAL LAW AMENDING §C12-6 OF THE CITY CHARTER**

SECTION 1. TITLE. This Local Law shall be known as Local Law No. \_\_ for the year 2019.

SECTION 2. LEGISLATIVE FINDINGS.

The Common Council of the City of Hudson finds that it is important to have clarity with regard to who will preside over meetings of the Common Council when the President is absent or unavailable in order to both avoid confusion and allow any such meeting to proceed as scheduled.

SECTION 3. LEGISLATIVE INTENT.

It is the intent of the Common Council to amend the Hudson City Charter to amend §C12-6 to provide that in the absence of the Common Council President, the Majority Leader of the Common Council shall preside over the meeting of the Common Council.

SECTION 4. STATEMENT OF AUTHORITY.

This local law is authorized by the Municipal Home Rule Law (Chapter 36-a of the Consolidated Laws of the State of New York).

SECTION 5. AMENDMENTS.

***Hudson City Charter, Article XII, Subsection C12-6 is hereby AMENDED to provide as follows:***

**§C12-6. Powers of President.**

The President of the Common Council shall perform all the duties and possess all the powers of an Alderman herein provided for, together with such other powers and duties as are herein or may hereafter be by law provided. The President shall perform all the duties, and exercise all the powers, conferred upon the President of the Common Council by this Charter. The President of the Common Council shall preside at all meetings of the Common Council, and shall appoint all committees thereof; the President may vote on all questions, and when the President is absent or unavailable to attend a meeting, the Majority Leader of the Common Council will preside over the meeting, and at said meeting the Majority Leader shall have the powers of the President.

SECTION 6. SEVERABILITY. If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof, but shall be confined to its operation in said clause, sentence, paragraph, section or part of this Local Law.

SECTION 7. EFFECTIVE DATE. SECTION 7. EFFECTIVE DATE. This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

Ayes: Aldermen Bujan, Garriga, Halloran, Johnson, Lewis, Merante, Mizan, Rosenthal, Sarowar, Volo and President DePietro.

Nays: None.

### **New Business.**

**Alderman Bujan** thanked DPW for their efforts to clean the city streets prior to Winter Walk and he said “there was a lot of comments and feedback about the Santa Village didn’t get done but it did get done this week and I think everybody had a safe and nice Winter Walk”.

**Kristal Heinz** of the Fifth Ward said “I watched the video of the, your Informal Common Council Meeting last week, John you made a comment about a lot of data that you have now for the support of something with the lodging legislation” and she asked “I just wondered where that data was available”?

**Alderman Rosenthal** said “Bob Rasner” and he said “it’s all posted on the city website”.

**Ms. Heinz** asked “the City’s relying on data from somebody else’s hand”?

**Alderman Rosenthal** said “no”.

**President DePietro** said “be careful what you wish for in terms of a quick law”.

**Ms. Heinz** said “I didn’t ever say anything about a quick law” and she said “I’ve been somebody that’s waiting for something data wise to support what you’re doing”. She said “I’m just following up on a statement that the Legal Committee shared with me then was wondering again where that data is available”.

**Alderman Rosenthal** said “it does exist” and he said “I also got it from Bob Rasner, I know is against this moratorium as well, so he did a lot of good work with us beforehand, over the summer trying to get us data that exists in the City, I assume some of it came from our own”.

**Ms. Heinz** said “I’ll FOIL it again”.

**Stephen Dunn** of Robinson Street asked “why is the sidewalk issue settled on an assessment district”? He stated despite being careful on the city sidewalk on State Street between Third Street and Fourth Street, he had stumbled three (3) times without any snow and ice and he said “that particular block has been shockingly dangerous and is poorly lit, so preceding with that issue to me has urgency”. He said “it’s not going to be easy to have an assessment district, go to Ithaca and understand how it works and what’s not working and then all of the compromises that need to be made because some areas of the City don’t have sidewalks, what are you going to do about them, it’s not going easy, it’s going to be complicated legislation, it’s going to be easy to draft but it needs to be drafted this year or if I can find people withstanding, I’m going to proceed to start suing the City, the people that stand to sue regarding the failure to enforce the existing law regarding the conditions of those sidewalks”.

**President DePietro** said “many of those issues were raised and are the very issues that have been raised in the Legal Committee, I’ve been to most of their meetings and these are the complications for creating the sidewalk law” and he said “secondly, as you know, we’ve already been sued and part of our ADA compliance insists that we fixed the sidewalks, so that is definitely on the agenda”.

**Mr. Dunn** said “I’m willing to help, nobody in the last two years ever reached out to me to help writing any legislation and I was willing to do that despite not having the best relationship with some of you, that doesn’t matter, I’m willing to help the Common Council President, anybody else, on worthy tasks to move process forward, I have a certain skillset and at least can get drafts of legislation moving along”. He said “the number two issue that I ran on two and a half years ago, that’s gone by the wayside, on the rationale, as I understand it, that we’re going to have a comprehensive revision of the zoning code” and he said “that to me is an example of the perfect being the enemy of the good”. Mr. Dunn said “there are some things that we can do to allow particularly businesses on the north side to get back into business with space that’s vacant or to change their use from one use to another so ZBA, Zoning Board of Appeals has no power to do that, they can’t grant a use variance to self-created as a matter of law”. Mr. Dunn said “the issue has come to the floor because the OR Bar is closed and that was open under the artists that I think was outright corruption of calling that bar an art gallery and I told the Galvan Foundation that wouldn’t happen again, again I would find somebody to sue if that artists is used again” and he said “again, we need a zoning task legislation that allows businesses in residential districts that aren’t residential now to go to the Planning Board and ask for permission to use, do another non-conforming use so that’s another issue that needs to be addressed this year and again, I’m willing to help whether I like you or not, it doesn’t matter, I’m willing to help move that process along”.

**President DePietro** said “I think the best way start is to you know, attend Legal Committee Meetings where they’d be discussing both these issues and we’ll get it done”.

**Mr. Dunn** said “we’re taking minutes”?

**President DePietro** said “we have now official minutes thanks to; it wasn’t easy but we have now funded secretaries to take minutes of all committee meetings”.

**Alderman Bujan** said “I just also wanted to thank the Fire Department last week for getting that fire out on Robinson so quickly, I think they got it out in like twenty minutes and no lives were lost, unfortunately I know some animals were lost but thank you to the Fire Department for continuing to keep us safe as a City”.

**Matt McGhee** of Hudson read the following statement by Barbara Jordan who was a member of the House of Representatives and on the committee to impeach President Nixon:

“Earlier today, we heard the beginning of the Preamble to the Constitution of the United States, We, the People, it’s very eloquent beginning. But when the document was completed on the seventeenth of September 1787, I was not included in that We, the People. I felt somehow

for many years that George Washington and Alexander Hamilton had just left me out by mistake. But through the process of amendment, interpretation and court decision I've finally been included in We, the People. Today, I am an inquisitor; I believe hyperbole would not be fictional and would not overstate the solemnness that I now feel. My faith in the Constitution is complete, it is total. I'm not going to sit here and be an idle spectator to the diminution and subversion and the destruction of the Constitution".

**Mr. McGhee** said "I would just add that for me her remark of faith was a guiding light as to what our government can be for us".

**Alderman Volo** stated in response to Mr. Dunn's comments, a draft of the sidewalk law was available on the city website and he said "it does reference the Ithaca law, one of the points that I brought up is that the Ithaca law is very nice and set as you know, seventy dollars a year which sounds nice but we really need to have a survey of what actually needs to be done and then spec that out to say ok look, and how much is it really going to cost and then you know take that number and divide it by the number of households".

**Alderman Rosenthal** said "separate it between households and businesses, businesses pay a separate fee based on the amount of square footage"

**Linda Mussmann, Supervisor of the Fourth Ward** said "I want to second Steve's comment about the north side, Basil Nooks has been waiting for a long time to actually open his business and I think we want to solve that and get that done because Basil is a great neighbor, he has a great idea and it's just some screw ball thing that happened with the law that has kept him from having, to develop his property".

**Mr. Dunn** said "I agree with you Mr. Volo" and he said "we need to know the numbers and we need to know them pretty well for the sensitivity analysis or you're potentially are going to have a disaster and that needs to be done in a sophisticated way with the help of the Treasurer".

**President DePietro** said "not only is the sidewalk proposal on the city website but so is the first draft of the short-term rental regulation".

On motion of **Alderman Johnson**, seconded by **Alderman Sarowar**, the meeting was adjourned.

City Clerk