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Minutes for Legal Committee meeting of July 27, 2016

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Hudson Common Council Legal Committee

Minutes of Meeting - July 27, 2016 at 6:15 PM at City Hall, Hudson.

Present: Michael O'Hara, Chair; Common Council President Claudia DeStefano; Alderman Tiffany Garriga; Alderman Priscilla Moore;

Not present: Legal Counsel Ken Dow

A quorum being present, the meeting was called to order at 6:15 PM.

We discussed the following items from the agenda:

1. Report from Chairman O'Hara on his meeting with Counsel Dow regarding City of Hudson street tree responsibility. Mr. Dow has researched the tree issue at the request of the Hudson CAC in relation to the 18 ash trees along Front Street which have become infested with the Emerald Ash Borer insect and will be killed by the insects in the next several years if not treated. One of the trees is on property owned by the HCDPA and another on property owned by the City of Hudson. The remaining 16 are on the sidewalks in front of Hudson Terrace, Skyler Court and a private home. According to the Hudson City Code, the area extending from buildings to a street are the responsibility of the fronting property owner to maintain. The City has no authority to maintain sidewalk trees and would only become involved if the trees presented an obstruction or a threat to public safety.
2. Report from Chairman O'Hara on his meeting with Counsel Dow regarding Counsel on "placement of proposed law on Alderman desks". At the request of Council President DeStefano, Mr. Dow researched the procedure in which the placement of a proposed local law "on the desks" of the Aldermen and whether such a placement requires a vote to acknowledge receipt of the document. Based on his research, Mr. Dow feels the delivery of such documents is a matter of fact which is not subject to the recipients' approval or disapproval, given that the documents could also have been sent by mail to the Aldermen. Mr. Dow is preparing a memo on this topic for the Council.
3. Introduction of PACE financing law. Chairman O'Hara reviewed the main points of the recent presentation (June 2016) to the entire Council by Mark Thielking, Executive Director of the Energy Improvement Corporation (EIC) of New York State. The EIC is a state-wide, not-for-profit, Local Development Corporation, owned by member municipalities and works on behalf of its members to offer services to local constituents, including financial capital and guidance for commercial property owners planning to invest in energy efficiency on their buildings. Chairman O'Hara moved the Legal Committee endorse the adoption of the PACE program and the motion was carried unanimously.

With no further business before the committee, the meeting was closed at 6:45 PM.