

May 16, 2006

A Regular Meeting of the Common Council was held on Tuesday, May 16, 2006 at 7:00 P.M., in the Common Council Chambers, City Hall with President Robert O'Brien presiding.

Alderman Shook recited the prayer and led those present in the Pledge of Allegiance to the Flag.

Upon roll call, there were present: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Absent: Alderman Hancock-Snead.

On motion of Alderman Hughes, seconded by Alderman Cross, the reading of the minutes of the previous meetings was dispensed with and the minutes received and placed on file. Carried.

On motion of Alderman Cross, seconded by Alderman Hughes, The reading of the City Treasurer's report as of March 31, 2006 was dispensed with and the report was received and placed on file. Carried.

On motion of Alderman Cross, seconded by Alderman Hughes, the following committee reports were ordered received and placed on file:

Committee Reports.

FINANCE COMMITTEE

"April 26, 2006

"In attendance: Robert F. O'Brien, Quintin E. Cross, Rainer Judd, Robert Donahue and Sarah Sterling.

"Final review of the Procurement Policy was made by city attorney Cheryl Roberts. She advised that no changes were necessary. The committee decided move it to full council for a vote.

"Quintin Cross presented 2 Resolutions to increase funding to the police department to make a part time position a full time position and to hire an additional part time clerk to do parking enforcement and clerical duties. These two resolutions were moved to full council for a vote.

"I introduced 4 resolutions proposed by Alderman Thurston who was in the audience. She informed us that funding for a much needed passenger van for the Youth Dept. had been secured and asked that the following 2 Resolutions be moved to the full council for a vote:

"A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$15,000 TOWARD COSTS OF A VAN FOR THE DEPARTMENT OF YOUTH.

"A RESOLUTION TO ACCEPT MONIES FROM THE HUDSON COMMUNITY DEVELOPMENT AND PLANNING AGENCY TOWARD THE COSTS OF A DEPARTMENT OF YOUTH VAN.

"She also said that funding was approved and 2 Resolutions were needed to accept money. She asked and the committee agreed that the following 2 resolutions be moved to the council for a vote.

"A RESOLUTION TO ACCEPT MONIES FROM THE HUDSON COMMUNITY DEVELOPMENT AND PLANNING AGENCY TOWARD COSTS OF PUBLICIZING SUMMER ACTIVITIES IN THE CITY OF HUDSON.

"A RESOLUTION TO ACCEPT MONIES FROM THE COLUMBIA COUNTY DEPARTMENT OF TOURISM AND PLANNING TOWARD COSTS OF SUMMER ACTIVITIES IN THE CITY OF HUDSON.

"Concerning the tax foreclosed vacant lot the committee was updated that Alderman Lyle Shook's wife expressed interest in purchasing this lot by a direct sale because it is adjacent to their residence. In the past, the city has given consideration to adjacent property owners if a foreclosed for-sale property was an empty lot. I advised the committee that city attorney Bob Gagen was reviewing the request due to his concerns that there may be a possible conflict in making a sale to an elected official or their immediate family. The committee agreed to give Mr. Gagen time to study this issue.

"The City Clerk placed on my desk the only bid she received for a one-year lease of former Washington Hose firehouse. The bid was for \$400 per month from the Moose Lodge. The committee agreed to move this matter to the full council for a vote."

Respectfully submitted,
Robert O'Brien
Chair

YOUTH & AGING COMMITTEE

"May 3, 2006

"The meeting was called to order at 6:30 p.m. Present were President O'Brien, Aldermen Thurston, and Hancock-Snead, Acting Director George Bednar, Youth Center Supervisor Todd Smith and Youth Commissioner Joe Reina.

"Chairman Thurston welcomed Commissioner Joseph Reina who commended the staff and said he found the department in excellent condition.

"Todd Smith reported on activities at the Youth Center where membership is approaching 600. Attendance, averaging 95 members a day, is diminishing somewhat as the weather improves. Five new programs have been added: boxing, a teen girls program, a teen boys program, weight lifting and a Junior Staff program.

"George Bednar reported on department activities. 235 children took part in the annual Fishing Derby with 50 trout being fished out in the first hour and 90 over the three-hour period. The lake is still being fished. Bids will go out shortly and the renovation of the Youth Center building will begin at the end of June. (Department report attached.)

"Joe Reina announced that he is reestablishing the Youth Advisory Board and interested parties can contact him at the Youth Center. The Board mission will be to develop long-and short-term goals for the Youth Department. The Director position will be advertised shortly. A committee will be established to review resumes and interview candidates over a 2-3 month period. Announcements of Youth Department activities and registration forms will be put on the City website for easy access.

"Thurston announced that a proposal for the renovation of the Charles Williams field into a recreation area would be presented by landscape architects Fraser & Associates at meetings on May 11 and 17 at J. L. Edwards School to gather public comment. Mill St. resident Dick Donovan expressed dismay over the loss of the ball field as a community asset and felt that a skateboard park in this isolated area was dangerous. Placing a skateboard park at Oakdale was discussed.

"Thurston reported on a meeting of possible partners in a Youth Build program which would train and employ high school dropouts in the building trades. A commitment from the partners is needed before the application for funding, due in June, can move ahead.

"Thurston reported on the first meeting of the Seniors Advisory Committee, held on April 27th. The group is very interested in having input into the design of the senior center.

"The meeting was adjourned at 7:10 p.m."

Respectfully submitted,
Ellen Thurston

ARTS, ENTERTAINMENT & TOURISM

"May 3, 2006

"The meeting was called to order at 7:15 p.m. Present were President O'Brien and Alderwomen Thurston, Osterink and Hancock-Snead.

"The effort to make the city website more useful continues. Programs for seniors, youth programs and a list of summer events are being added. Chairman Thurston proposed altering the linking policy for the City's website to allow links to nonprofit organizations and government agencies that are either tourism-related, help promote the city, or offer services to local residents. A list of possible organizations to be included was discussed. It was agreed that the first emphasis should be on content, with improved design following. Further research will be conducted before an amended policy is presented to the Council.

"The committee has a \$10,000 line in the budget under "Celebrations" to be dispensed for events. The organizations to receive funding will be asked to give a financial report and narrative report on last year's event, and a request for 2006 showing proposed plans and expected income and expenses. It was agreed that the organizations would be asked to come before the committee in June.

"Thurston reported that both HCDPA and County Tourism have contributed funds to be used in promoting summer activities such as the waterfront concerts and the City-wide yard sale.

"Hilary Hillman reported on plans for the city-wide yard sale and distributed guidelines for sellers.

"The meeting was adjourned at 8:00 p.m."

Respectfully submitted,
Ellen Thurston

PLANNING AND LAND USE

"The May meeting of the Planning and Land Use committee of the Common Council was held on Monday, May 1. The meeting was called to order at 7:20 by Chairman Carole Osterink. Present were committee members Rainer Judd and Ellen Thurston.

"Daniel Mackay from the New York State Preservation League was scheduled to address the committee on the topic of the Community Preservation Act, which is making its way through the state legislature, but because Mr. Mackay was ill, Chairman Osterink called a special meeting of the committee for Monday, May 8, at 6:00 p.m., to hear his presentation.

"The committee used the time to review properties owned by the city and discuss ways to develop new affordable housing and ensure that it remains affordable.

"On a motion made by Ellen Thurston and seconded by Rainer Judd, the committee went into executive session to discuss a contractual matter. The committee came out of executive session on a motion by Thurston, seconded by Judd.

"The meeting was adjourned at 8:00 p.m.

Respectfully submitted,
Carole Osterink, Chair

Communications.

On motion of Alderman Hughes, seconded by Alderman Shook, a Bid Letter from Loyal Order of Moose to lease the former Washington Hose Fire House on Front Street, was ordered received and placed on file. Carried.

Resolutions.

On motion of Alderman Hughes, seconded by Alderman Sterling, the following resolution was adopted by the following vote:

RESOLUTION NO. 1 MAY 16, 2006

RESOLVED, that the following be and hereby are appointed Commissioners of Deeds in and for the City of Hudson, Columbia County, for the year ending May 31, 2008:

Theresa C. Hoffman 4 Robin Rd Kinderhook, NY 12106	Work
Mary E. Capuano 6 Main Chatham, NY 12037	25 Railroad Ave
Nona Walthour-Lockridge 31 Livingston Pkwy Hudson, NY	“
Colleen Melino 749 Columbia St. Hudson, NY	“
Rene Roosa 88 Concourse Niverville, NY 12130	“
Jeffrey K. First 80 Rossman Circle Hudson, NY	41N.2 nd St.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

On motion of Alderman Sterling, seconded by Alderman Hughes, the following resolution was adopted by the following vote:

RESOLUTION NO. 2 MAY 16, 2006

WHEREAS, at a recent meeting of the Police Committee it was agreed to forward on the request of the Hudson Police Chief for funds to hire an additional full-time Account Clerk, and

WHEREAS, in accordance with Section C16-6 of the City Charter the request for the transfer of funds was made to the board of Estimate & Apportionment, approved and referred to the full council for its consideration;

NOW, THEREFORE BE IT RESOLVED, that the City Treasurer is hereby authorized and directed to make a 2006 Budget Amendment transferring from the general surplus fund to account A3120.1 Police Personal Svcs. Account the sum of \$18,591.00 for a new full-time account clerk position.

Approved by Board of Estimate & Apportionment.

Ayes: President O'Brien, Aldermen Cross, Donahue, Hughes, Judd, Osterink, Shook, Sterling and Thurston. (Total Weighted Vote: 1,678)
Nays: Alderman Goetz. (Total Weighted Vote: 278)

Prior to voting on Resolution No. 2, **Alderman Goetz** asked if the hiring of the additional full time account clerk would alleviate the overtime at the Police Department .

Police Commissioner Ronald Grant stated "no" and said they were two separate issues. He stated the overtime was for computer work that was previously done by uniformed personnel and now done by a clerk as additional duties. He stated the additional account clerk being requested was needed to help in the process of tickets.

In response to a question from Alderman Donahue, **Police Chief Richardson** stated that he believed the present part-time clerk was eligible on the civil service list to move into the full time account clerk position being requested.

Alderman Hughes stated that at previous Police Committee meetings it was stated that there were an "exorbitant amount of tickets piling up and backlogged". He stated the funding from the tickets should almost cover the cost of the position.

Police Commissioner Grant stated that discussions were being held regarding the installation of additional meters on Columbia Street and a system at the Amtrak parking lot, which would be under the responsibility of this particular person.

President O'Brien stated that it was his understanding that with the one and half positions being created it would "eliminate the back log, stay ahead of the game expand our current situation with meters and hopefully catch up on the overtime and keep that at bay". He stated additional meters and a new system at the lot adjacent to the train station would mean additional revenues to the city.

Alderman Hughes stated that Alderman Hancock-Snead had volunteered several hours a day at the police station to help catch up on the back log of tickets.

In response to statements regarding overtime, **Alderman Cross** stated that the Council could continue the overtime or pay someone \$90.00 per hour to do the computer work the present clerk is doing as additional duties and is paid overtime.

Police Chief Richardson stated that the overtime was for additional duties performed by the present account clerk "associated with the maintenance and upkeep of our computer systems". He stated the computer work was previously done by a police detective who had since left the department and that they had, with the approval of the last administration, chosen to address those duties with a civilian.

Alderman Thurston further clarified that the new position had nothing to do with the computer work and that the new full time position would handle the back log of tickets.

Police Chief Richardson stated that the department had collected over \$72,000 in parking fees over the past four months due to the assistance of **Alderman Hancock-Snead**.

On motion of **Alderman Sterling**, seconded by **Alderman Hughes**, the following resolution was adopted by the following vote:

RESOLUTION NO. 3 MAY 16, 2006

WHEREAS, at a recent meeting of the Police Committee it was agreed to forward on the request of the Hudson Police Chief to hire a part-time per diem clerk at the rate of \$10.00 per hour to assist in the department parking ticket division, and

WHEREAS, in accordance with Section C16-6 of the City Charter the request for the transfer of funds was made to the Board of Estimate & Apportionment, approved and referred to the full council for its consideration;

NOW, THEREFORE BE IT RESOLVED, that the city Treasurer is hereby authorized and directed to make a 2006 Budget Amendment transferring the sum of \$1,400 from the general surplus fund to account A3120.1 Police Personal Svcs. For the purpose of hiring a part-time clerk.

Approved by Board of Estimate & Apportionment.

Ayes: President O'Brien, Aldermen Cross, Donahue, Hughes, Judd, Osterink, Shook, Sterling and Thurston. (Total Weighted Vote: 1,648)

Nays: Alderman Goetz. (Total Weighted Vote: 278)

On motion of Alderman Hughes, seconded by Alderman Goetz, the following resolution was adopted by the following vote:

RESOLUTION NO. 4 MAY 16, 2006

WHEREAS, the City Treasurer has received and deposited reimbursement of loss for damages incurred on 3/18/06 to a DPW Vehicle-2006 Dodge Ram in the amount of \$1,227.30 and

WHEREAS, the City Treasurer deposited said funds into the General Fund and

WHEREAS, repairs have been made and said invoice received and paid during the April 2006 Audit, and

WHEREAS, the City Treasurer is requested to bring this amount forward into the Public Works Maintenance of Equipment Account

NOW THEREFORE BE IT RESOLVED, the City Treasurer is hereby authorized and directed to make the following budget amendment

Increase A5110.45	Public Works Maintenance of Equip.	\$1,227.30
Decrease A2690	General-Other Compensation	\$1,227.30

Approved by Board of Estimate and Apportionment.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

On motion of Alderman Osterink, seconded by Alderman Thurston, the following resolution was adopted by the following vote:

RESOLUTION NO. 5 MAY 16, 2006

WHEREAS, the City of Hudson Common Council adopted Local Law No. 5 of 2006 on March 21, 2006, amending the Charter to authorize the Common Council to hire an attorney by majority vote of the Council, subject to a public referendum; and

WHEREAS, on April 5, 2006, the Mayor of the City of Hudson held a public hearing on Local Law No. 5 of 2006 as adopted by the Common Council at which time the Mayor approved such law; and

WHEREAS, the Common Council of the City of Hudson believes it is in the public interest to amend the City Charter to provide the Common Council with such authority; and

WHEREAS, the Common Council has passed, and the Mayor has approved, a Local Law amending the City Charter to authorize the Common Council, by majority vote, to hire an attorney to advise the Common Council on matters affecting the City of Hudson; and

WHEREAS, said Law is subject to mandatory referendum pursuant to Municipal Home Rule Law Section 23.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to Municipal Home Rule Law Section 23, that the aforesaid Local Law is hereby set down for a public referendum at the General election to be held on November 7, 2006; and

BE IT FURTHER RESOLVED, that at the aforesaid public referendum the following proposition shall be put forth:

Should Section C9-1 of the Hudson City Charter be amended so that effective January 1, 2007, the Common Council may, upon a majority vote of the Common Council, employ its own legal counsel to advise the Council on matters affecting the City of Hudson?

Ayes: President O'Brien, Aldermen Cross, Hughes, Judd, Osterink, Shook, Sterling and Thurston. (Total Weighted Vote: 1,370)

Nays: Aldermen Donahue and Goetz. (Total Weighted Vote: 556)

On the motion of Alderman Hughes, seconded by Alderman Sterling, the following resolution was adopted by the following vote:

RESOLUTION NO. 6 MAY 16, 2006

**A RESOLUTION RELATED TO THE
CITY OF HUDSON PROCUREMENT GUIDELINES**

WHEREAS, the Common Council of the City of Hudson is required to review annually the procurement policies and procedures for the City pursuant to Resolution No. 4 of June 18, 1996, as amended by Resolution No. 6 of June 15, 1999; and

WHEREAS, the Common Council has reviewed such policies and procedures and found that the interests of the City's taxpayers are generally well served by the current policies and procedures.

THEREFORE BE IT RESOLVED, that every city officer, council, department head or other personnel with the requisite purchasing authority shall continue to authorize such purchases as directed by the current procurement policies and procedures.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

On motion of Alderman Hughes, seconded by Alderman Thurston, the following resolution was adopted by the following vote:

RESOLUTION NO. 7 MAY 16, 2006

**A RESOLUTION TO ACCEPT MONIES FROM THE HUDSON
COMMUNITY DEVELOPMENT AND PLANNING AGENCY
TOWARD THE COSTS OF A DEPARTMENT OF YOUTH VAN**

WHEREAS the City of Hudson requested grant funds in the amount of \$8,400 from the Hudson Community Development and Planning Agency to be used toward the purchase of a van for the Department of Youth; and

WHEREAS, the Board of Directors of the Hudson Community Development and Planning Agency, at its regular meeting on April 20, 2006, granted such funds to the City of Hudson for the purposes stated in the grant request;

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Hudson hereby accepts grant funds in the amount of \$8,400 from the Hudson Community Development and Planning Agency for the Sole purpose of purchasing a 2006 Ford Econoline Wagon E-350 Super XL (E31) 12-passenger van per New York State Contract PC 60709, Item 4A to be used in transporting Hudson youth to recreational programs as part of the Department of Youth's mandated program, and

BE IT FURTHER RESOLVED that the City Treasurer, upon receipt of the grant funds, shall make a 2006 Budget Amendment and appropriate the sum of \$8,400 to Account A7310.2 to be used by the Department of Youth for the purchase of said van.

Increase	A7310.2	Youth Programs Equipment	\$8,400.00
Decrease	A2770	Miscellaneous Revenue	\$8,400.00

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

On motion of Alderman Hughes, seconded by Alderman Thurston, the following resolution was adopted by the following vote:

RESOLUTION NO. 8 MAY 16, 2006

A RESOLUTION AUTHORIZING THE EXPENDITURE OF \$15,000 TOWARD COSTS OF A VAN FOR THE DEPARTMENT OF YOUTH

WHEREAS, pursuant to an Order and Decision of the Supreme Court dated July 13, 2005 regarding Case Index No. 9554/ RJI NO. 10-05-0087, the City of Hudson became the recipient of the assets of the Hudson Boys' and Girls' Club in order to fulfill the goals and purposes of the Club; and

WHEREAS the Common Council, at its meeting on April 18, 2006, accepted the final sum of \$15,000 into the City's General Fund as part of the voluntary dissolution of the Hudson Boys' and Girls' Club and agreed to use said assets to provide after school and weekend recreational and educational programs for Hudson youth;

NOW THEREFORE BE IT RESOLVED that the Common Council of the City of Hudson, upon receipt of these funds, hereby authorizes the expenditure of \$15,000 from the General Fund toward the costs of a 2006 Ford Econoline Wagon E-350 Super XL (E31) 12-passenger van per New York State Contract PC60709, Item 4A to be used to transport Hudson youth to recreational programs as part of the Department of Youth's mandated program,

Increase	A7310.2	Youth Programs Equipment	\$15,000.00
Decrease	A2770	Miscellaneous Revenue	\$15,000.00

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

On motion of Alderman Shook, seconded by Alderman Goetz, the following resolution was adopted by the following vote:

RESOLUTION NO. 9 MAY 16, 2006

A RESOLUTION AUTHORIZING THE LEASE A ONE-YEAR LEASE OF THE WASHINGTON HOSE FIRE HOUSE

WHEREAS, Common Council Resolution No. 9 of March 21, 2006 authorized the leasing of the Washington Hose Fire House, located on Front Street, through a public bidding process, and

WHEREAS, the Common Council received one response to such public notice from the Loyal Order of Moose Hudson Lodge No. 1184, which submitted a rental bid of \$400 per month;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into a one year lease agreement with the Loyal Order of Moose Hudson Lodge No. 1184 for the sum of \$400.00 per month and that the lessee is also required to pay all routine maintenance costs and utility bills for the leased premises and maintain a \$1,000,000.00 insurance policy naming the City as an additional insured throughout the term of said lease; and;

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to extend such lease under the same terms and conditions for a period of up to one year if the Mayor deems the exercise of such option to be in the best interest of the City.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

On motion of Alderman Osterink, seconded by Alderman Thurston, the following resolution was adopted by the following vote:

RESOLUTION NO. 10 MAY 16, 2006

A RESOLUTION IN SUPPORT OF THE COMMUNITY PRESERVATION ACT, PROPOSED STATEWIDE LEGISLATION AUTHORIZING MUNICIPALITIES TO ESTABLISH COMMUNITY PRESERVATION FUNDS

WHEREAS, the City of Hudson recognizes the value of maintaining the qualities that make our city unique and beautiful, including historic buildings, landmarks, and public spaces; and

WHEREAS, historic preservation and protecting community character are primary goals of our comprehensive plan; and

WHEREAS, the City of Hudson is committed to maintaining and increasing affordable housing while protecting its historic character; and

WHEREAS, the Community Preservation Act can help the City preserve historic resources and landmarks in our community so as to educate future generations about our community's past; and

WHEREAS, the Community Preservation Act will provide municipalities, at their option, to provide resources to homeowners who require financial assistance in maintaining and repairing their historic homes; and

WHEREAS, the Community Preservation Act is proposed legislation that would amend the tax law to authorize towns and cities to impose a real estate transfer fee of up to 2 percent, with revenues to be deposited in a dedicated Community Preservation Fund; and

WHEREAS, the City of Hudson wishes to have the opportunity to create a Community Preservation Plan and offer a referendum to the voters to create a Community Preservation Fund to implement said Plan; and

WHEREAS, the Community Preservation Act would require the City, if it chose to pursue this option, to complete a local Community Preservation Plan, pass local legislation, and hold a local voter referendum, and

NOW, THEREFORE, BE IT RESOLVED, that the City full supports the Community Preservation Act (S.3153/A.6450); and

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor George E. Pataki, State Senator Joseph Bruno, State Senator Stephen Saland, State Assembly Speaker Sheldon Silver, and State Assembly member Patrick Manning, as well as Senators Schumer and Clinton and Congress member John Sweeney.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

On motion of Alderman Cross, seconded by Alderman Donahue, the following resolution was adopted by the following vote:

RESOLUTION NO. 11 MAY 16, 2006

WHEREAS, the City of Hudson Planning Commission has received from the Academy Hill Development Corporation a check in the amount of \$1,676.86 to be placed in an escrow account for consulting fees incurred by the Planning Commission in review of the Academy Hill Project;

NOW, THEREFORE, BE IT RESOLVED, that the City Treasurer be and hereby is authorized and directed to make the following 2006 Budget Amendment

\$1,676.86	Increase A2115	
	Increase A8020.47.1	\$1,676.86

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

On motion of Alderman Donahue, seconded by Alderman Thurston, the following resolution was adopted by the following vote:

RESOLUTION NO. 12 MAY 16, 2006

RESOLVED, that the Register Star be and hereby is designated the official newspaper of the City of Hudson commencing May 1, 2006 through April 30, 2007.

Ayes: President O'Brien, Aldermen Donahue, Goetz, Hughes, Judd, Shook, Sterling and Thurston. (Total Weighted Vote: 1,648)

Nays: Alderman Cross. (Total Weighted Vote: 184)

Abstained: Alderman Osterink. (Total Weighted Vote: 94)

On motion of Alderman Cross, seconded by Alderman Shook, the following resolution was adopted by the following vote:

RESOLUTION NO. 13 MAY 16, 2006

**A RESOLUTION IN SUPPORT OF THE
CHARLES E. WILLIAMS PARK**

WHEREAS, the Common Council finds that the youth of the City do not have adequate recreational opportunities within the City's boundaries; and

WHEREAS, certain fields located at the Charles E. Williams School property are currently underutilized and could provide needed recreational opportunities for the City's youth; and

WHEREAS, the Common Council is committed to dedicating approximately 11 acres of such fields for park purposes and providing the City's youth with playground equipment and other recreational amenities and support facilities at this location;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of Hudson, is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provision of Title 9 of the Environmental protection act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$350,000, and upon approval of said request to enter into and execute a project agreement with the state conservation easement/preservation covenant to the deed of the assisted property.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

Prior to the vote on Resolution No. 13 **Alderman Cross** stated the resolution would authorize the Mayor to file an application for funds with the New York Office of Parks for an amount not to exceed \$350,000. He stated he and **Bill Roure** of The Grant Writers had met with regional representatives that afternoon in Rhinebeck, regarding the grant process and that they were very encouraged regarding the city's proposed application for the eleven acre park project in Hudson.

Bill Roure of the Grant Writers stated that at the meeting the regional representatives of the Office of State Parks recommended that the City apply for the maximum amount which was \$350,000 due to the size of the project and the multiple amenities that would be offered. He stated the City would take land out of a non park use and dedicate it to total park use which creates a match under the environmental protection fund.

Alderman Hughes commended **Alderman Cross** for his work on the park project.

President O'Brien encouraged the public to attend the May 17 meeting of the unveiling of the park plans and to voice their comments.

On motion of **Alderman Osterink**, seconded by **Alderman Sterling**, the following resolution was adopted by the following vote:

RESOLUTION NO. 14 MAY 16, 2006

**A RESOLUTION EXPANDING THE BOUNDARIES OF THE
WARREN STREET HISTORIC DISTRICT**

WHEREAS, upon notice to affected property owners and following a public hearing, the Historic Preservation Commission has recommended expanding the boundaries of the Warren Street Historic District to include properties on the east and west sides of North Fourth Street between Prison Alley and Columbia Street; and,

WHEREAS, the proposed designation being submitted to the Common Council, and there being due deliberation by the Common Council.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Hudson City Code Chapter 169, Section 169-4 (A)(1), five parcels and four structures on North Fourth Street between Prison Alley and Columbia Street, in Hudson, NY, are hereby added to the Warren Street Historic District, and the Hudson Preservation Commission is hereby authorized to notify the owners of the properties of the designation.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

In response to questions and prior to the vote on Resolution No. 14, **Alderman Osterink** stated that the area to be included in the Warren Street designation was the half a block from Prison Alley to Columbia Street.

On motion of Alderman Osterink, seconded by Alderman Cross, the following resolution was adopted by the following vote:

RESOLUTION NO. 15 MAY 16, 2006

WHEREAS, the Common Council herein called the "Applicant", after thorough consideration, has hereby determined that it is desirable to conduct a study of the City's Brownfield areas; and

WHEREAS, § 970-r of the General Municipal Law authorizes State assistance to municipalities and community based organizations through the Brownfield Opportunity Areas Program to prepare revitalization plans and implementation strategies for areas affected by Brownfield sites and the municipality or community based organization deems it to be in the public interest and benefit under this law to submit an application;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City is authorized to participate in the NYS Brownfield Opportunity Areas Program and is authorized to sign and submit an application to the Departments of State and Environmental Conservation.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

Prior to the vote, President O'Brien explained that the resolution was to authorize the Mayor to apply for grants to assist the city in identifying Brownfield areas primarily in the waterfront areas.

Bills.

The following bills had been audited and approved by the following vote:

AT&T	5.01	R.P.C. Works	388.08
Johnny's Ideal Ptg	2,101.95	Staples	262.92
Cheryl Roberts	6,038.04	Mid Hudson Cable	30.00
Chazen Engineering	2,650.60	Joann Graziano	480.00
Pro Printers	25.54	General Code Publisher	648.04
First Niagara	43,814.81	Xerox	66.85
Col. Greene Humane	610.00	Long Fuels	116.66
TVC Online	3.95	Mabey's Storage	70.00
City Clerk's Office	23.33	Crystal Rock	37.15
Sentry Business Products	412.14	Janet Kealy	80.00
Hudson Catskill News	209.00	Metroland	47.96
Peter Wurster	59.63		

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

Local Laws.

On motion of Alderman Cross, seconded by Alderman Hughes, Proposed Local Law Introductory No. 6, introduced by Alderman Osterink and seconded by Alderman Sterling, was ordered removed from the aldermen's desks and adopted by the following vote:

LOCAL LAW INTRODUCTORY NO. 6 MAY 16, 2006

**A LOCAL LAW REPEALING AND REPLACING SECTION C2-1
AND AMENDING SECTION C2-3 OF ARTICLE II OF THE
HUDSON CITY CHARTER**

**BE IT ENACTED BY THE COMMON COUNCIL OF THE
CITY OF HUDSON AS FOLLOWS:**

Section 1. Section C2-1 of Article II of the Hudson City Charter is hereby REPEALED.

Section 2. Section C2-1 of Article II of the Hudson City Charter is hereby REPLACED as follows:

§C2-1. Officers and Salaries

The officers of the City shall be a Mayor, a President of the Common Council, a City Judge, a City Treasurer, one Assessor, a Commissioner of Public Works, a Commissioner of Police, a Commissioner of Fire, a Commissioner of Youth, a Commissioner of Purchases, a Commissioner of Grants, a Commissioner Aging, a Planning Commission of seven members, such members of the board of Plumbers as are now or hereafter shall be provided by law, local law, or ordinance, a City Clerk, a Superintendent of Public Works, a Superintendent of Cemeteries, such number of policemen as the Commissioner of Police shall appoint, a Chief of the Fire Department, two Assistant Chiefs of the Fire Department, a Director of Youth, a Bingo Inspector, special policemen and, in the discretion of the Mayor, a City Marshal and such legal counsel as the Mayor may deem necessary or expedient for the preservation of the rights or the protection of the interests of the city.

Section 3. Section C2-3 of Article II of the Hudson City Charter is hereby AMENDED by adding "or Superintendent of Cemeteries" after "Deeds".

Section 4. 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 5. This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

In response to a question from Alderman Donahue, **Legal Advisor Cheryl Roberts** explained that the law would allow the Superintendent of Public Works to also serve as Superintendent of Cemeteries. She stated the present Superintendent of Public Works was also serving as Supt of Cemeteries "which is currently against the code".

Alderman Donahue asked why the positions could not be combined under one title.

President O'Brien said the language in the law "would allow for either and it is not to change the practice but to acknowledge the practice" of one person holding both positions.

On motion of Alderman Cross, seconded by Alderman Thurston, the following proposed Local Law, introduced by Alderman Hughes and seconded by Alderman Sterling, was ordered removed from the aldermen's desks and was adopted by the following vote:

LOCAL LAW INTRODUCTORY NO. 7 OF 2006

**A LOCAL LAW REPEALING SECTION C4-4.1 OF ARTICLE IV OF
THE HUDSON CITY CHARTER**

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF HUDSON AS FOLLOWS:

Section 1. Section C4-4.1 of Article IV of the Hudson City Charter is hereby **REPEALED**.

Section 2. This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

Prior to the vote **Legal Advisor Roberts** stated that the police department had at one time been limited to 23 officers however that section was deleted by law. She stated that when a recent law which reverted the Youth Department Commissioner and Director positions back to the way they were in 2003 the limitation on the number of police officers was also put back in the charter inadvertently. She stated that this law would remove the section which limited the number of Police officers. She said: "it is basically a housekeeping item".

On motion of Alderman Cross, seconded by Alderman Thurston, the following Proposed Local, introduced by Alderman Thurston, seconded by Alderman Osterink, was ordered removed from the aldermen's desks by a roll call vote of 1186 ayes to 740 Nays, and was adopted by the following vote:

LOCAL LAW INTRODUCTORY NO. 8 OF 2006

A LOCAL LAW REPEALING LOCAL LAW NO. 1 OF 2004 AND RESTORING CERTAIN SECTIONS OF ARTICLE XXIV OF THE HUDSON CITY CHARTER PERTAINING TO THE DEPARTMENT OF YOUTH

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF HUDSON AS FOLLOWS:

Section 1. Local Law No. 1 of 2004 is hereby REPEALED.

Section 2. The following provisions of Article XXIV of the Hudson City Charter are hereby RESTORED as follows:

§C24-3. Term of office of Commissioner.

The Commissioner of Youth shall hold office during the pleasure of the Mayor.

§C24-5. Appointment of subordinates; absence or disability of Commissioner.

The Commissioner of Youth shall appoint to hold office a Director of Youth and such other subordinates as may be necessary to exercise the powers and discharge the duties conferred and imposed upon him by law. The appointment of the Director and subordinates shall be for a probationary period pending passing of the civil service examination, and thereafter shall be permanent. In case of the absence or inability of the commissioner or of a vacancy in the office of Commissioner, the Director of Youth shall discharge the duties of the office until the commissioner returns, his disability ceases or the vacancy is filled.

§C24-7 Vacancy in office of Director of Youth.

Whenever a vacancy occurs in the office of the Director of Youth, the Commissioner of Youth shall appoint in his discretion a person deemed by him to be suitable and competent to fill the same, pursuant to law.

Section 3. 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 4. This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

Ayes: President O'Brien, Aldermen Cross, Judd, Osterink, Sterling and Thurston. (Total Weighted Vote: 1092)

Nays: Aldermen Donahue Goetz and Shook. (Total Weighted Vote: 740)

Abstained: Alderman Hughes (Total Weighted Vote: 94)

Prior to the vote, **Legal Advisor Roberts** stated the law restored the position of youth director to a civil service position.

Alderman Donahue stated that the previous council had voted unanimously to change the Charter to allow the Mayor to have the authority to appoint the Director of Youth. He stated one of the reasons given at that time to remove the position from civil service was "stagnation". He stated it was said that the actions of the previous council were illegal because the law did not go through a public referendum and said "why not a referendum now to change it back".

Alderman Thurston said they were "correcting a mistake", and further stated: "we are merely putting it back to the way it was before the mistake was made".

Legal Advisor Roberts stated the law restored the power of the Mayor and all subsequent Mayors. In response to statements from **Alderman Donahue**, the Legal Advisor stated that a civil service employee could be removed for just cause.

President O'Brien stated that civil service had its own set of remedies and its own set of recourse with regard to problems with employees. He then noted the benefits of having a civil service system which gave continuity to governments.

Alderman Cross stated the Legal Advisors had given their opinions regarding the previous laws enacted and that he would follow the advice of counsel regarding the needed changes.

On motion of Alderman Hughes, seconded by Alderman Sterling, the following proposed Local Law, introduced by Alderman Sterling and seconded by Alderman Hughes, was adopted by the following vote:

LOCAL LAW INTRODUCTORY NO. 9 OF 2006

A LOCAL LAW REQUIRING THE PLACEMENT OF ADDRESS NUMBERS ON THE ALLEY-FACING SIDE OF BUILDINGS LOCATED ON ALLEYS WITHIN THE CITY OF HUDSON

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF HUDSON AS FOLLOWS:

Section 1. LEGISLATIVE FINDINGS. The Common Council finds that:

The City's Firefighters have been hampered in their efforts to effectively fight fires within the City due to their inability to locate the source of the fire or the exact building engaged in a fire where a fire is concentrated in the rear of a building which is located on an alley or where the fire is not otherwise visible from the outside of such building.

The Commissioner of Fire has requested that the Common Council pass a local law requiring that owners of property with a building located adjacent to an alley in the City of Hudson, place address numbers on the alley facing side of such buildings to assist Firefighters in quickly locating and extinguishing fires within the City.

The Common Council finds that the placement of address numbers on the alley facing side of buildings abutting an alley is necessary to assist the City's firefighters to quickly extinguish fires, thereby reducing the risk to the health, safety and welfare of Firefighters and the public.

Section 2. Chapter 143 of the Code of the City of Hudson is hereby amended by RENUMBERING §143-15 to §143-16, and ADDING the following NEW section 143-15:

§143-15. Address numbers for buildings located on alleys. Property owners of all buildings which have property address numbers and are located on a parcel of property which abuts an alley in the City of Hudson, shall place approved address numbers on the side of such building facing the alley in a position no more than 2 feet from the rear entrance of such building which position shall be plainly visible from such alley. Where a fence, garage or other structure is located on the property in such a manner that the rear entrance to the street numbered building on the property is not readily visible from the alleyway, property owners shall also place such address numbers on the fence, garage or other structure in such a manner as to be plainly visible to Firefighters. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of 4 inches (102mm) with a minimum stroke width of 0.5 inch (12.7mm).

Section 3. 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 4. This Local Law shall take effect immediately upon passage and filing with the Secretary of State.

Ayes: President O'Brien, Aldermen Cross, Donahue, Goetz, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Nays: None.

New Business.

Alderman Cross thanked the Council for supporting the resolutions which authorized the purchase of a Van to be used by the Youth Center and in the future by a Senior Citizens Center.

Alderman Hughes commented on the turnout for the recent school budget and board member vote. He suggested the school look into adding a second machine and a bigger room for next year's vote.

Alderman Goetz stated he attended a recent meeting sponsored by the Mayor's Office at J.L. Edwards School regarding assessments and grievance day process. He stated there was a "great outcry" about the assessor's office performance and the availability of records requested by citizens. He suggested the council review the situation.

President O'Brien and Alderman Cross agreed that matters regarding the Assessor's Office be referred and discussed at a Finance Committee meeting.

Alderman Cross stated that on June 17, 2006 there would be a city-wide clean of city parks with a barbecue to follow.

Karen DeBenedetto, Clerk of City Court asked if there was any further action regarding a new police/city court building.

President O'Brien stated that a list of possible locations had been narrowed down and that court and police personnel would be informed as the city nears a decision.

Peter Marotta, Hudson River Alliance, stated that he had submitted a resolution regarding an environmental education project to the Council at the informal meeting and asked why the resolution had not been brought forward and voted on.

President O'Brien stated he had not yet reviewed the proposed resolution.

On motion of Alderman Cross, seconded by Alderman Hughes, the meeting was adjourned.

Bonita J. Coburn
City Clerk