

JANUARY 16, 2007

A Regular Meeting of the Common Council was held on Tuesday, January 16, 2007 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 Donahue, Hughes, Judd, Osterink, Shook, Sterling and Thurston.

Absent: Aldermen Cross and Goetz.

On motion of **Alderman Hughes**, seconded by **Alderman Thurston** the minutes of the previous meeting was ordered received and placed on file. Carried.

On motion of **Alderman Hughes**, seconded by **Alderman Thurston**, the reading of the City Treasurer's Report was ordered dispensed with and the report was received and placed on file. Carried.

Committee Reports.

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

MINUTES OF THE LEGAL COMMITTEE MEETING – JANUARY 3, 2007

The meeting was called to order at 7:20 p.m. Present were Ellen Thurston, Chairman, CC President Robert O'Brien, Aldermen Carole Osterink, Rainer Judd and Sarah Sterling. Aldermen Richard Goetz was absent.

Chairman Thurston presented a letter from Rob Perry, Chairman of the Hudson Planning Commission, requesting legal opinion on the current code regarding site plan reviews as well as the need for legislation requiring members of the Commission to undergo training. The committee decided that these matters should be handled by the Planning Commission's legal counsel and submitted to the Planning and Land Use and Legal committees for consideration.

Thurston also presented a memo from Assessor Kim Singletary to Mayor Tracy, announcing the possibility of increases to the income limits for

Senior Citizen and Veterans property tax exemptions. The committee agreed that the increases should be granted and asked that the City Clerk draft the necessary Local Law. This must be enacted before March 1. A public hearing will be needed.

Two issues emerging from the Planning and Land Use Committee were discussed—the first being a request from Main Street Manager Hilary Hillman that the Common Council take an official position on the Widewaters development in Greenport, since the increase in traffic will greatly impact the city—and the second being a request from the Museum Initiative Steering Committee regarding the Washington Hose firehouse. The committee agreed that both of these issues can be handled by Planning and Land Use.

Thurston suggested that the Charter needed to be amended to include members of the Historic Preservation Commission in the list of officers that cannot hold more than one position. The committee agreed with this suggestion and legal counsel will be sought.

On a motion by Sarah Sterling, seconded by Robert O'Brien, the committee went into executive session to discuss ongoing investigations. The committee came out of executive session at 8:40—moved by Carole Osterink and seconded by Sterling and adjourned at 8:41--moved by Sterling and seconded by O'Brien.

Respectfully submitted,
Ellen Thurston
Chair

Planning and Land Use Committee of the Common Council
Monday, January 7, 2007

The first Planning and Land Use committee meeting of the New Year took place on Monday, January 2, 2007. The meeting was called to order at 7:40 by Chairman Carole Osterink. Present were committee members Ellen Thurston and Rainer Judd. Robert O'Brien joined the meeting later.

Chairman Osterink reminded everyone present of the waterfront meeting to be held on January 4 at 330 Warren Street. This is to be a Special Meeting of

the Common Council to review the plans for the waterfront as they are evolving.

The committee received a letter from Wendy McDaris, representing the Museum Initiative Steering Committee, seeking an agreement with the City of Hudson to hold the Washington Hose firehouse off the market until April 30, 2007, with the understanding that the steering committee would, in the meantime, identify an appraiser acceptable to both parties, the cost to be assumed by the Steering Committee, who will examine the building and deliver a letter of value which will be the basis for determining the fair market price of the building. There was much discussion among members of the committee and the public about the appropriateness of such an action. In the end, it was agreed that Chairman Osterink would draft a resolution modeled on a resolution believed to have been passed by the Common Council in July 2005 to postpone the sale of the Park Place firehouses to allow Wendy McDaris, then curator of the American Museum of Firefighting, to solidify her plans to turn that building into a satellite museum.

The committee also received a letter from Hilary Hillman, Hudson's Main Street manager, urging the Common Council to ask the Town of Greenport and the Greenport Planning Board for the following: (1) to issue a Positive Declaration which would subject the shopping mall project proposed for Route 9 at Joslyn Boulevard to a full review as required by the State Environmental Quality Review Act; (2) standing in negotiations with the developer on modifications required by that review; and (3) an independent traffic study of the impact of increased traffic associated with this project on the City of Hudson, including its infrastructure, historic buildings, and quality of life, to be commissioned by the City of Hudson at the expense of the developer. Chairman Osterink agreed to draft a resolution based on these requests.

Chairman Osterink reported that there was no word yet on the Quality Communities grant. [NOTE: Word was received the next day that the grant application was successful, and the city will be getting \$21,150 to complete the comprehensive zoning revisions.] She also announced that, at the committee's next meeting on February 5, Peter Rost would be presenting the Hudson City School District's building plans, which affect two sites within the city: John L. Edwards and Hudson High School. This issue will go to referendum on February 14. Osterink also reminded the committee that addressing zoning for adult entertainment establishments needed to be a priority for the committee in the New Year.

On a motion from Ellen Thurston, seconded by Robert O'Brien, the meeting was adjourned at 8:48.

Respectfully submitted,

Carole Osterink, Chair

**Public Works Committee, Hudson City Council
January 2, 2007**

The Public Works Committee of the Common Council was called to order at 6:43 pm on January 2, 2007. Committee members Chair Alderman Judd, Alderman Donahue, Alderman Osterink were present. In addition Commissioner O'Hara and Superintendent Sassi were present.

1. Alderman Judd requested Superintendent to speak to recent upgrades, concerns and plans relating to improved safety for the City's Public Works staff. He reported that safety issue had become a major focus for him and his department. From hard hats to trench guards the many issues that affect the safety of day-to-day activities will be improved. Supt. Sassi reached out to the County and they are being very helpful with additional training and guidance.

Alderman Osterink mentioned that a work site on Court St. with a local contractor might need the Supt.'s attention as the crew there is pounding the pavement with a backhoe.

2. Alderman Judd reported on the so-called Water Orphans Issue. Just prior to this meeting the third meeting of Water Orphan citizens and interested parties met to discuss new information and possible solutions. Supt. Sassi provided a chart that clearly outlined the 11 households that need to either dig a well or connect to Greenport. Their costs totaled approximately \$63,000. In addition the properties with water connections that have been "pinched" but not capped totaled approximately \$70,000. It was agreed that various avenues would be pursued. The Commissioner would check into the possibilities of the City and other PW departments helping out in any way. There was uncertainty as to the feasibility of this, not to mention the legality. Others will check with Assemblyman Molinaro and State Senator Saland about possible funding. The main issue remains that the 11 households still connected to the Churchtown Reservoir need to find an alternate water

source. It is in the City's interest to assist however it can as the new water treatment plant was designed to work best without the chlorination that continues for those households alone. The next meeting will be on February 5th, 2007 at 5 pm at City Hall.

3. Alderman Judd asked Commissioner O'Hara and Superintendent Sassi to report on any recent developments in regard to plans and communications regarding the City's Combined Sewer Overflow issues. There has been contact between Supt. Sassi and the EPA. They agreed to create a document that outlines possible solutions that they have cited.

4. The Feb. 1 grant deadline for the Local Government Records Management Improvement Fund (LGRMIF) was discussed. The Grant application will request funding for the scanning of Public Works archival maps.

Respectfully Submitted, Rainer Judd

Bills.

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

Bills charged to 2006

Mid Hudson Cable	79.95	Young Sommer, Ward,	3791.50
Young Sommer Ward	6424.96	Crystal Rock	13.15
Smart Systems Group	1500.00	Col Chamber Commerce	387.50
Story's Nursery	1553.50	Staples Business Advantage	429.73
Harmons Auto	34.96	City Locksmith	21 7.00
JC Rogerson Co	4.18	April Forbes	2049.60
Segel Goldman Mazzotta	39.38	Berkshire Business	362.45
Johnny's Ideal Ptg	1805.50	Cheryl Roberts	3618.71
Ruth Piwonka	1200.00	Xerox	101.15
Peter Wurster Code Enforce	101.50	Pattison Koskey Howe	20000.00
The Independent	259.92	RPC Works	2016.25
General Code Publishers	684.93	Johnson Newspaper	119.64
Nextel Partners	201.29	Roemer Wallens Mineaux	1850.00
			\$48863.90

Bills Charged to 2007

City Locksmith	102.00	Mid Hudson Cable	81.14
NY Planning Federation	150.00	Northern Adirondack Code Enforcement	480.00
AT & T	28.89	Staples Business Advantage	118.58
JoAnn Graziano	500.00	Digital Towpath	500.00

Atlas Business Solutions	150.00	Choice One Comm	323.95
Hudson Area Library	48000.00	AAA Pest Control	50.00
TVC On Line	11.95		\$50,496.51

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

Nays: None.

Resolutions.

President O'Brien stated that the Council would first consider Resolution No. 4 which would fill the vacancy of Alderman of the Fourth Ward. He stated the Resolution would appoint Claudia Bruce to replace former Alderman Nora Hancock Snead who had resigned effective December 31, 2006. He stated that he had heard that there may be other candidates interested in filling the position and that he would like them and Claudia Bruce to address the Council on why they would want to serve on the Council. With no other persons in attendance who wished to serve on the Council the President asked Claudia Bruce to address the Council.

Claudia Bruce stated she had lived at 308 State Street for the past ten years. She stated she owned property in the City, paid taxes, ran a business in the city for the past fifteen years and that she was responsible for balanced budgets and fiscal responsibility. She stated she had attended city meetings for at least the past eight years and that she was very concerned about the issues that face Hudson and that she had been very active and vocal about the issues. She stated she was very interested in serving on the council. She stated she had worked on local elections and over the years have met and introduced herself to many people. She stated that she would like to see trees in the Fourth Ward, the light changed at the Library which she believed to be a dangerous situation and also the installation of sidewalks from the Middle School to the Library. She also stated she would be interested in working on the issues that were of concern to Fourth Ward Alderman William Hughes

Alderman Donahue asked who had chosen her to fill the vacant position.

Ms. Bruce stated she had asked to run and that she had called council members for their support.

Alderman Donahue stated that process to fill the position should have been open to the public and publicized.

Ms. Bruce stated she had worked very hard in the last election and helped to elect Council members and also Mayor Tracy.

Richard Scalera, of Hudson, stated that when Nora Hancock- Snead had resigned a newspaper article stated “Bruce likely successor”. He stated he agreed with Alderman Donahue that the process for the filling the position was closed. He stated he had spoken to people in the Fourth Ward and advised them that if they were interested in the position to submit their names to the Mayor’s Office.

President O’Brien stated he did not give that statement to the newspaper regarding a successor and stated that the paper prints what they choose. Referring to Mr. Scalera’s statement that names should be submitted to the Mayor, the President stated that the Council was the “first round” in choosing a successor.

Alderman Judd stated: “choice was important”. She stated there was some confusion because she understood that the process was that names were to be submitted to the council for consideration.

Mr. Scalera asked where it had appeared in the newspaper that the Council requested interested candidates.

Alderman Thurston the Common Council had no control over the press.

Alderman Sterling stated that they had known about the vacancy for some time and “we have asked and asked people and nobody’s come forward”. She said: “we have put the word out”.

President O’Brien asked again if there were any other names being proposed for the position.

Mayor Tracy stated he did not have any names to propose.

Alderman Judd questioned if the council would meet again if the resolution to appoint Claudia Bruce was voted down.

Legal Advisor Roberts stated the charter required a six day notice for another meeting and the Common Council is required to make an appointment within twenty days of the resignation. She stated: “choose tonight or the mayor will choose”.

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

RESOLUTION NO. 4, JANUARY 16, 2007

A RESOLUTION AUTHORIZING THE REPLACEMENT OF THE FOURTH WARD ALDERMAN

WHEREAS, Nora Hancock-Snead resigned effective December 31, 2006 as Alderman of the Fourth Ward; and

WHEREAS, pursuant to the City Charter Section C3-6, a vacancy in the Common Council shall be filled by the Council not less than ten nor more than twenty days after the occurrence of the vacancy; and

WHEREAS, pursuant to Section 3-7 of the Charter of the City of Hudson, Robert O’Brien, as President of the Common Council, has called a meeting in writing at least six days before the meeting to be held on January 16, 2007 for the purpose of appointing a replacement for Nora Hancock-Snead, said replacement to serve until December 31, 2007.

NOW, THEREFORE, BE IT

RESOLVED, that Claudia Bruce is hereby appointed as Alderman for the City of Hudson, Fourth Ward, said term of office to expire December 31, 2007.

Ayes: President O’Brien, Aldermen Hughes, Judd, Osterink, Sterling and Thurston. (1002)

Nays: Aldermen Donahue and Shook. (462)

Prior to his vote, **President O'Brien** stated "this is a viable choice and I want to vote for something positive rather than voting against somebody, I will stand for a yes vote for a person who stood before the council and represented herself as a representative who would stand up for the Fourth Ward."

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

RESOLUTION NO. 1 JANUARY 16, 2007

RESOLVED, that the following be and hereby are appointed Commissioners of Deeds in and for the City of Hudson, Columbia County, for the years ending as follows:

February 1, 2007 thru January 31, 2009

	Work
Betty J. Buffa 141 Footbridge Rd Ext, Hudson, NY 12534	445 Warren St
MaryEllen Madison PO Box 750 Philmont NY	560 Warren St
Ruth Tourjee, 251 Viewmont Rd Germantown, NY	25 Railroad Ave
Linda M. Whiteman 418 Albany Tpke Old Chatham, NY	436 Union St.

March 1, 2007 thru February 28, 2009

David C. Miller Jr. 27 Arthur Ave Hudson, NY	427 Warren St.
George F. Ihlenburg, Jr. 827 Union St Hudson, NY	

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

Nays: None.

President O'Brien inquired if any Alderman had comments regarding Proposed Resolution No. 2 which supported a full SEQRA review of the Widewaters Shopping Mall proposed for the Town of Greenport.

Alderman Donahue stated the Council should not tell Greenport officials how to run their township.

Alderman Osterink stated the people to be the most negatively affected by the traffic from the proposed mall "live in your Ward Alderman Donahue". She said: "I think it should be your duty to protect their interests before you blurted out whether or not we are interfering with the Greenport

Town Board”. She stated the Mayor, the Town of Stuyvesant and the County Planning Board have all urged the Town of Greenport to do a full SEQRA Review”. She told Alderman Donahue : “I think your constituents should be very disappointed in your disinterest in protecting their interests”. She stated people on Bayley Blvd., Jenkins Parkway, Spring Street would not be able to get off their streets if the traffic became to heavy.

Alderman Hughes stated he did have concerns about the traffic which would go directly through the Fourth Ward and was in favor of Greenport doing a SEQRA Review. However, he said, he was not in favor of a resolution but would favor a letter from the Council to the Town Greenport.

Alderman Judd stated she would be in favor of either a resolution or a letter and that the SEQRA review process was a very positive process for large projects.

Alderman Thurston stated that the Resolution was a recommendation and request and did not dictate to the Planning Board.

President O’Brien thanked the Mayor for taking the initiative of sending a letter to the Town of Greenport to protect the interests of the city. He stated Fairview Avenue would become “one giant off ramp for this mall”. He said: “all the Boulevards, Glenwood, Parkwood and Oakwood are going to be the shortcuts people would employ to get around the light on Green and Fairview”. He stated a traffic study should be done.

Claudia Bruce stated the Fourth Ward would be impacted by the traffic and that it was important that the Council make some statement in defense of the city’s roads and increased in traffic.

President O’Brien stated that Legal Advisor Cheryl Roberts had recused herself in the matter.

Carminie Pierro, of Hudson, stated that with Lowe’s and Walmart opening up across the river “I think you are going to see about a 30% drop in traffic out on Route 9”. He stated a lot of business on Route 9 was from across the river.

Alderman Thurston stated there was a home improvement business planned for the new mall and said: “while traffic may drop off at the beginning it will certainly increase later”.

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

CITY OF HUDSON
COMMON COUNCIL
RESOLUTION NO. 2 JANUARY 16, 2007
A RESOLUTION IN SUPPORT OF A FULL SEQRA REVIEW
OF THE WIDEWATERS SHOPPING MALL
PROPOSED FOR THE TOWN OF GREENPORT

WHEREAS, a proposal for a 565,000 square foot shopping mall to be constructed by the Widewaters Group on Route 9 is currently before the Planning Board of the Town of Greenport; and

WHEREAS, this shopping mall expects to draw customers from a twenty-mile radius of its proposed site on Route 9 near Joslyn Boulevard; and

WHEREAS, all traffic traveling to the site from the south and the west across the Rip Van Winkle Bridge must travel by way of Routes 9 and 9G and pass through the City of Hudson; and

WHEREAS, the increased traffic from the trucks making deliveries required for such a retail facility will have significant negative impacts on the quality of life in the City of Hudson, as well as on the city’s infrastructure and its historic buildings; and

WHEREAS, the cars for shoppers and employees will also significantly impact traffic in the City of Hudson, particularly on Green Street and Harry Howard Avenue and other arteries in the City seen to be “shortcuts” to the site; and

WHEREAS, the traffic study done by The Widewaters Group is inadequate because it studies only a small area of Route 9

immediately adjacent to the proposed site and was done in late August when traffic is traditionally the lightest;

NOW, THEREFORE BE IT RESOLVED, that the Common Council of the City of Hudson, finds that the traffic impacts from the project are likely to have a significant impact upon the City of Hudson, its infrastructure, historic buildings, and quality of life, and therefore recommends and requests that:

(1) the Planning Board of the Town of Greenport issue a Positive Declaration under SEQRA and direct the applicant to prepare a Draft Environmental Impact Statement; and

(2) the City of Hudson be listed as an “interested agency” in the SEQRA review.

Ayes: President O’Brien, Aldermen Judd, Osterink, Sterling and Thurston. (908)

Nays: Aldermen Donahue, Hughes and Shook. (556)

President O’Brien requested Alderman Osterink to draft a letter to the Town of Greenport in support of a Full SEQRA review, send it to the City Clerk’s Office for Council members’ signatures and that the letter be sent out by the close of business on Friday, January 19.

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

RESOLUTION NO. 3 JANUARY 17, 2007

WHEREAS, the Grant Writers prepared for the City of Hudson Police Department a “Impact Tools” grant application, and

WHEREAS, the Grant Writers has submitted a bill in the amount of \$2,200.00 for such work and that such funds are to be taken out of the 2006 budget;

NOW, THEREFORE, BE IT

RESOLVED, that the City Treasurer is hereby authorized and directed to make the following 2006 budget amendment

\$ 2,200.00 Increase 3120.4
2,200.00 Decrease 3120.1

Approved by Board of Estimate & Apportionment

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

Nays: None.

New Business.

Carmine Pierro, of Hudson inquired if the City had received the audit report for 2005.

President O'Brien stated the report had not been received.

Alderman Judd stated that there would a meeting on the LWRP on Thursday, January 18.

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

City Clerk